Volume 4

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1980

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Primary Election, June 3, 1980
and General Election, November 4, 1980

General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments passed by the
California Legislature

1979–80 Regular Session

Compiled by
BION M. GREGORY
Legislative Counsel

171—271

CALIFORNIA LEGISLATURE

1979–80 REGULAR SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments) Adopted in 1980

and

1979–1980 Statutory Record

DARRYL R. WHITE
Secretary of the Senate

JAMES D. DRISCOLL
Chief Clerk of the Assembly

Compiled by
BION M. GREGORY
Legislative Counsel

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PREFACE

Digests

The Summary Digest consists of a short summary of each law enacted, and of each constitutional amendment, concurrent or joint resolution adopted by the Legislature in 1980. Except for technical corrections indicated by "*" (words stricken out or added), the summary of each measure is identical to the Legislative Counsel's digest which appeared on the face of the legislative measure when placed on final passage by both houses.

Cross-Reference Tables

The text of the Summary Digest is arranged numerically by chapter number.

Cross-reference tables are arranged numerically by bill or resolution number and indicate the chapter number of each.

Index

A subject matter index to all measures, including constitutional amendments and resolutions, is included.

Statutory Record

This edition of the Summary Digest includes a cumulative statutory record for 1979–1980, followed by a list of concurrent resolutions adopted in 1979–1980, which affect concurrent resolutions adopted in prior years, and lists of new general laws passed in the years 1979–1980 which do not specifically amend, add to, or repeal any existing code or general law. Cumulative statutory records for 10-year periods, 1969–1978, 1959–1968 and 1949–1958, and for the 16-year period, 1933–1948, are published in separate volumes, which supplement the original statutory record, 1850–1932, published in 1933.

ABBREVIATIONS

SB	Senate Bill
AB	Assembly Bill
SCA	Senate Constitutional Amendment
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
ACA	Assembly Constitutional Amendment
ACR	Assembly Concurrent Resolution
AJR	Assembly Joint Resolution
Sec	Section
Art.	Article
Ch	Chapter
Res Ch	Resolution Chapter
Pt	Part
Div	Division
Stats	Statutes

EFFECTIVE DATES

Regular Session

The 1979–80 Regular Session convened on December 4, 1978, and adjourned sine die on November 30, 1980. Statutes enacted in 1980, other than those taking immediate effect, will become effective January 1, 1981. In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect.

An urgency statute and a statute calling an election, providing for a tax levy, or making an appropriation for the usual current expenses of the state may take effect immediately. Such a statute becomes *effective* on the date it is filed with the Secretary of State.

However, any statute may, by its own terms, delay the *operation* of its provisions until the happening of some contingency, until a specified time, or until a vote of the electors at a statewide election. Also, a later statute or a general provision in a particular code may delay the operation of a statute to a time after its effective date.

The effective date of a joint or concurrent resolution is the date it is filed with the Secretary of State.

A constitutional amendment proposed by the Legislature and adopted by the people takes effect the day after the election unless the measure provides otherwise.

DIGESTS OF STATUTES ENACTED IN 1980

1979–80 REGULAR SESSION

BILL CHAPTERS

Ch 1 (AB 1963) Fenton Veterans' farm and home purchase.

(1) Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 establish a third preference for benefits in favor of veterans discharged or released from active duty within 10 years of application therefor

This bill would include, within such third preference category, veterans with any portion of service occurring between August 5, 1964, and May 8, 1975

(2) Existing law allows the Department of Veterans Affairs to expend not more than $5,000 over the otherwise specified maximum purchase price for a home to acquire or construct a home equipped with solar energy heating devices

This bill would, in addition, require the department to reserve for 2 years, as specified, 10% of the proceeds from the 1980 and subsequent bond acts for construction, purchase, or improvement of homes equipped with, or to be improved by the installation of, solar energy heating devices

(3) This bill would enact the Veterans Bond Act of 1980 which would authorize state bonds in the amount of $750,000,000 for farm, home, and mobilehome purchase aid for veterans, and provide submission of the act to a vote of the people at a special election consolidated with the direct primary election on June 3, 1980

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(5) This bill would take effect immediately as an act calling an election and as an urgency statute.

Ch 2 (AB 1435) Hallett Monterey County flood control

(1) Existing law creates the Monterey County Flood Control and Water Conservation District, consisting of all the territory of Monterey County, and specifies the organization, powers, and duties of the district

This bill would authorize the district to issue revenue bonds pursuant to the Revenue Bond Law of 1941 to finance revenue-producing enterprises for purposes of the district, or zone or participating zones thereof, or for refunding any outstanding bonds, but would authorize such bonds to have maturity dates not exceeding 50 years and interest rates not to exceed 10% if the board determines that such interest is subject to federal income taxation under then existing law. The bill would require revenue bonds to be certified as legal investments pursuant to the Districts Securities Law.

The bill would authorize the district to order any work or improvement which it is authorized to undertake to be done in accordance with the Improvement Act of 1911, the Improvement Bond Act of 1915, or the Municipal Improvement Act of 1913

The bill would also authorize the district to fix, in accordance with prescribed procedures, a water standby or availability charge, not to exceed specified amounts, to be used for specified district purposes, and would provide for the collection of such charges by county officers.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursements for these costs.

(3) The bill would go into immediate effect as an urgency statute.

Ch. 3 (SB 1264) Alquist Special elections: consolidations.

Under existing law whenever a special election is scheduled to fill a congressional or legislative vacancy, the special primary election must be held on the 4th Tuesday preceding the special election.

This bill would require a special primary election to be held on the second Tuesday in April preceding the statewide direct primary election if the special general election is scheduled for the day of the statewide primary, and it would authorize the consolidation of the special primary election with any other election or elections held on the same day, in the same territory, or in territory that is in part the same.

This act would be operative only until June 4, 1980, and as of such date would be repealed.

The act would take effect immediately as an urgency statute.

Ch. 4 (SB 374) Holmdahl Franchise Tax Board: toll-free telephone services· appropriation.

Item 113 of the Budget Act of 1979 appropriated $67,193,662 for support of the Franchise Tax Board.

This bill would appropriate $416,000 to the Franchise Tax Board, in augmentation of Item 113 of the Budget Act of 1979, for the purpose of restoring levels of toll-free telephone services for the public for the period February 1, 1980, through June 30, 1980.

This bill would take effect immediately as an urgency statute

Ch. 5 (SB 1047) Russell. Public retirement systems

(1) Existing Public Employees' Retirement Law authorizes receipt of service credit for unused accumulated sick leave at retirement by various classifications of membership, including school members and local members employed by school districts. The law also prescribes a one-time additional cost-of-living adjustment for certain specified school and local members on January 1, 1980.

This bill would make technical and clarifying changes in the sick leave benefits provisions and would substitute 1978 for 1979 as the base year in the cost-of-living provisions. The bill would make a legislative declaration that these provisions are a clarification of existing law.

(2) Existing Judges' Retirement Law makes the surviving spouse of any judge who took office in August 1938 and died in office October 1951 eligible for an allowance.

This bill would prescribe, instead, an allowance for the surviving spouse of a judge who took office in January 1938 and died in office in October 1951.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill would provide that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, and would provide that the other remedies and procedures for providing reimbursement shall have no application to the bill.

(4) The bill would take effect immediately as an urgency statute

Ch. 6 (SB 1230) Stiern. California water districts.

(1) Under existing law, districts organized pursuant to the California Water District Law are authorized, in accordance with prescribed procedures, to issue revenue bonds in the name of the district and subject to the approval of the voters of the district, for the purpose of financing irrigation works.

This bill would authorize such districts to issue revenue bonds for the same purposes as general obligation bonds may be issued under the California Water District Law, would permit the formation of improvement districts for the purpose of issuing revenue bonds in the same manner as for the issuance of general obligation bonds, and would make related changes

(2) Under existing law, special provisions applicable only to the Irvine Ranch Water District authorize such district, as an alternative to the landowner voting procedures generally applicable to districts formed under the California Water District Law, to establish, in accordance with prescribed requirements, divisions for the election of directors, a portion of which shall be deemed uninhabited divisions with directors

elected by landowner voting, and a portion of which shall be deemed inhabited divisions with directors elected by resident voters. Such provisions also authorize the district, upon the establishment of such divisions, to provide for the conduct of bond elections by resident voting.

This bill would repeal the foregoing provisions and would enact new provisions, applicable only to elections within the Irvine Ranch Water District, requiring all future elections within the district to be conducted as resident voter elections The bill would require, commencing in 1980, the general district election to be held on the first Tuesday after the first Monday in June of every even-numbered year, would require all directors to be elected on an at-large basis, would modify the terms of office of the present directors to facilitate the transition and preserve staggered terms, and would provide for related matters. The bill would declare that enactment of the bill as a local and special statute is necessary by reason of a specified judgment of the Orange County Superior Court.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, and provides that the other remedies and procedures for providing reimbursement shall have no application to the bill.

(4) The bill would go into immediate effect as an urgency statute.

Ch 7 (AB 1902) Chappie. Cemetery district lands.

Under present law, cemetery districts are authorized to conduct agricultural or viticultural enterprises on land acquired for future cemetery purposes, or to lease the land for the conduct of such an enterprise, if the land is contiguous to an existing cemetery and certain other conditions are met One of such conditions is that the agricultural or viticultural use of the land must have existed at the time it was purchased by the district

This bill would delete such condition and would also permit cemetery districts to lease such land for other purposes, so long as the lease does not permit the conduct of funeral or cemetery functions not authorized by prescribed provisions for districts or prevent the future use of the land for cemetery purposes It would also declare that nothing in the provisions of existing law or which would be enacted by the bill shall authorize a district to acquire or retain ownership of land not reasonably necessary for the district's future requirements.

This bill would take effect immediately as an urgency statute.

Ch 8 (AB 1925) Bergeson Schools· sale of personal property: Newport-Mesa Unified School District.

Under existing law, the governing board of a school district may sell to the highest bidder for cash any district personal property that is not required for school purposes, or that should be disposed of for the purpose of replacement, or that is unsatisfactory or not suitable for school use

This bill would authorize, until December 1, 1981, the governing board of the Newport-Mesa Unified School District to dispose of surplus materials salvaged from the Newport Harbor High School auditorium by allowing a scholarship and loan committee established by the governing board to sell by auction such materials, provided the net proceeds are deposited in a specified scholarship and loan fund

This bill would take effect immediately as an urgency statute

Ch 9 (SB 547) Nejedly Parklands and renewable resources. bond issue

(1) Under existing law, state general obligation bonds have been issued pursuant to the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 and the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 to provide funds to acquire and establish state and local beaches, parks, recreational facilities, and historical resources, and pursuant to the Nejedly-Hart State, Urban, and Coastal Park Bond Act of 1976 to provide funds to acquire, develop, and restore real property for state and local park, beach, recreational, and historical resources preserva-

tion purposes.

Existing law provides for the Renewable Resources Investment Program

This bill would enact the "Parklands and Renewable Resources Investment Program," as a continuation of the existing Renewable Resources Investment Program, which, if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of $495,000,000 for parklands and renewable resources purposes, as specified The bill would provide for submission of the bond act to the voters at a special election to be consolidated with the 1980 direct primary election if the bill is adopted by the Legislature by February 1, 1980, with the provisions of the bond act becoming operative July 1, 1980, if it is adopted by the voters at the special election.

(2) Under existing law, the Department of Fish and Game is authorized to stock fish in the waters of the state and, under permit, to authorize stocking of waters

The bill would make legislative findings regarding the maintenance of genetic diversity and genetic integrity within native stocks of salmon and steelhead, and would prohibit the department from allowing the introduction of nonnative stock into waters populated by native stock, as specified

(3) Under existing law, Section 2231 of the Revenue and Taxation Code, the state is required to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would declare that there are no state-mandated local costs in this act that require reimbursement pursuant to Section 2231

(4) The bill would take effect immediately as an urgency statute

Ch 10 (AB 1941) McAlister. Insurance

No provision of existing law makes the Chief and investigators of the Bureau of Fraudulent Claims of the Department of Insurance peace officers

This bill would do so

Existing law, effective January 1, 1979, no longer requires the designated officer of each domestic insurer to inform members present at the meetings of the governing body of receipt of examination reports and the fact that copies of such report are not being distributed for specified reasons

This bill would reinstate such provision However, such reinstatement would not include the requirement that the officer inform such members that copies of the examination report are not being distributed for specified reasons

This bill would also take effect immediately as an urgency statute, citing facts therefor.

Ch 11 (AB 1201) Bates Health care

Existing law does not specifically authorize a health care service plan or specialized health care service plan to provide for or to exclude vision care services

This bill would provide such authorization and would prohibit a plan which authorizes such services from denying its members the right to select any affiliated or contracting optometrist, as defined, to perform authorized services.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 12 (SB 208) Dills Loans personal property brokers

Under existing law, Section 22451 5 of the Financial Code, lenders licensed under the Personal Property Brokers Law are authorized to receive charges at prescribed rates based on the amount of the unpaid principal balance Such rates are scheduled to remain in effect until January 1, 1981

Chapter 466 of the Statutes of 1979 enacted a permanent schedule of rates authorizing personal property brokers to receive charges at prescribed rates for loan contracts

entered into on or after January 1, 1980

This bill would repeal the schedule of rates prescribed by Section 22451.5 of the Financial Code

This bill would take effect immediately as an urgency statute

Ch. 13 (SB 612) Smith. Annexations: city road strips

Existing law does not provide for the annexation of unincorporated territory abutting on a street, highway, or road and such street, highway, or road, to the extent it abuts such property, together with any street, highway, or road which connects such territory to the annexing city

This bill would provide for such annexations in a specified manner. It would be applicable only to the City of Cupertino and would make legislative findings and declarations relative to the necessity of a special act

This bill would take effect immediately as an urgency statute

Ch. 14 (AB 1518) Roos. Juvenile court law

Under existing law, the Youth Authority is authorized to transfer wards over the age of 18 to designated facilities under the jurisdiction of the Department of Corrections for general study, diagnosis, and treatment

This bill would authorize the transfer of a female inmate of a state prison who is under the age of 21 to the Youth Authority when the Director of Corrections believes that the inmate will be benefited thereby, as specified

It would take effect immediately as an urgency statute

Ch. 15 (AB 1613) Bane. Judgments: executions: exemptions

Existing law provides that heads of families and persons aged 65 or over may claim a homestead exemption, or claim for exemption from execution a dwelling house, house-trailer, mobilehome, houseboat, boat, or other waterborne vessel in which such person or the family of such person actually resides, up to $40,000, and provides for a claim of homestead or claim for exemption from execution for such property as to all other persons of up to $25,000

This bill would increase the limits from $40,000 and $25,000 to $45,000 and $30,000, respectively

Ch. 16 (SB 500) Watson. Sexual assault: psychiatric examination

Decisional law authorizes the trial judge to order the prosecuting witness in a trial for rape to submit to a psychiatric examination if the circumstances indicate a necessity for an examination. Such necessity has been stated to arise if little or no corroboration supports the criminal charge and if the defense raises the issue of the effect of the witness' mental or emotional condition upon her veracity

This bill would prohibit the trial court from ordering any prosecuting witness, complaining witness, or any other witness or victim in any sexual assault prosecution to submit to a psychiatric or psychological examination for the purpose of assessing his or her credibility

Ch. 17 (AB 1764) Frazee. School facilities: leases

Existing law authorizes a school district, as lessee, to enter into certain leases and agreements for the construction of public school buildings, provided that the district has a site available, as specified, upon which a building may be constructed

This bill would provide that a school district has a site available for such purposes if it is acquiring a site by eminent domain, as specified

This bill would take effect immediately as an urgency statute

Ch. 18 (AB 285) Kapiloff. Taxation

Until January 1, 1980, a documented vessel was assessed, for property tax purposes, at 1% of its full cash value if it was engaged or employed exclusively in carrying or transporting 7 or more people for hire for commercial passenger fishing purposes. This special assessment was eliminated January 1, 1980

This bill would continue to assess such documented vessels at 1% of their full cash value for the 1980–81 fiscal year through the 1982–83 fiscal year

Existing law provides for a continuous appropriation from the State General Fund to

the Controller to reimburse local governmental agencies for the reduced assessment ratio for commercial passenger fishing vessels.

This bill, in extending the termination date for the reduced assessment ratio for commercial fishing vessels, would affect the continuous appropriation.

This bill would take effect immediately as an urgency statute

Ch. 19 (AB 329) Hannigan Bond interest rates: local agencies.

(1) Existing law provides that the maximum interest rate that can be paid on bonds issued by a community services district, a redevelopment agency, a housing authority, or other local governmental agency is, with certain specified exceptions, 8 percent per year

This bill would increase the maximum interest rate to 10 percent for bonds issued by such entities.

(2) Existing law authorizes a housing authority to sell its bonds at not less than par at public sale.

This bill would authorize a housing authority to sell its bonds at not less than 95% of par at public sale.

The bill would take effect immediately as an urgency statute.

Ch. 20 (AB 1216) Cline. Area agency on aging—designation and nutrition and volunteer programs for senior citizens.

(1) Existing law designates the Department of Aging as the single state agency for supervision of all programs under the federal Older Americans Act, as amended

This bill would require the department, in administering the federal program for grants for state and community programs on aging, to give due consideration to the request of any eligible general purpose government to be designated as an area agency on aging

(2) Existing statutes, which self-repeal effective January 1, 1981, provide for a nutrition and volunteer services program for senior citizens

This bill would revise the legislative declaration regarding the Nutrition and Volunteer Services Program for Senior Citizens, delete therefrom the provision of 1 meal per day at minimal or no cost, and confine the volunteer program to educational institutions and community agencies serving children and youths.

An existing statute requires the Department of Aging to establish pilot projects which provide senior citizens with 1 meal per day and, in addition, pilot projects which provide senior citizens the opportunity to volunteer their services, as specified.

This bill would require, instead, the department to establish pilot projects which provide senior citizens with 1 meal per day and the opportunity to volunteer their services, as specified.

This bill would add a provision to authorize, upon a specified determination by the department, advance payments from time to time to private nonprofit organizations administering approved pilot projects for expenses incurred in the pilot project period; provided, that the cumulative total of such advances to any one such organization shall not exceed $6,000.

A provision of an existing statute requires that the evaluation of the department of each pilot project include a comparison of the meals component of the pilot project with the nutrition program currently administered by the department under Title VII of the Older Americans Act of 1965

This bill would delete such requirement

An existing statute provides that the Department of Aging must submit an evaluation of the Nutrition and Volunteer Services Program to the Legislature by July 1, 1980.

This bill would provide that this evaluation must be submitted by September 30, 1980.

An existing statute: (1) appropriates $900,000 without regard to fiscal year, for the nutrition component of the program, (2) appropriates specified sums for, respectively, fiscal years 1977–78 through 1980–81, for funding transportation to and from program sites; and (3) limits to 7% the portion of such appropriation in each fiscal year which could be used for departmental administrative costs

This bill would: (a) change the appropriation in item (2) above, to an appropriation of $150,000, without regard to fiscal years; and (b) change the limitation on such costs in item (3) above, to 10% of such appropriations

This bill would take effect immediately as an urgency statute

Ch 21 (AB 1663) Hallett Fruits, nuts, and vegetables. inspection and certification.

The existing law requires certificates for fruits, nuts, or vegetables, to be paid by owners, shippers, or other interested parties that request such certification The certificate issued by a county agricultural commissioner is required to be of a certain type and to certify that the fruits, nuts, or vegetables have met designated requirements.

This bill would, until January 1, 1983, authorize a county board of supervisors of a county with a mandatory inspection ordinance for any commodity, by ordinance, to certify compliance of a product by means of a county certification stamp or device The commissioner of such a county would be authorized to issue a county certification stamp or device, as specified, instead of the certificate issued under existing law. It would be unlawful for any person to alter a county certification stamp or device, or to use such stamp or device as specified, and the bill would require a commissioner to revoke or suspend the right to use any certification stamp or device, as specified

The bill would take effect immediately as an urgency statute.

Ch. 22 (AB 1948) Knox Vehicles: license plates mounting.

Existing law requires, with certain exceptions, that the rear license plate of a vehicle be mounted not less than 12 inches nor more than 60 inches from the ground.

This bill would create another exception by permitting the rear license plate of a truck tractor to be fastened to the rear of the cab as long as it is mounted not less than 12 inches nor more than 90 inches from the ground

Ch. 23 (AB 1924) Fenton. Discovery.

Existing law permits a party to an action to serve on another party a request to produce and permit the inspection of any designated documents or other tangible things.

This bill would permit the party to request another party to identify such documents or other tangible things of a category specified with reasonable particularity, and to produce and permit the inspection of the same It would make related changes

Ch. 24 (AB 728) Chappie Alcoholic beverages: miniature bottles.

Existing law, until January 1, 1980, permits the sale to consumers by off-sale general licensees of distilled spirits, as defined, in packages containing 2½ ounces or 75 milliliters.

This bill would delete restrictions against such sales after January 1, 1980, and instead require compliance with federal law, as specified.

Ch 25 (SB 393) Sieroty Income taxation

Existing Personal Income Tax Law reduces the amount of the deduction permissible for a charitable contribution of appreciated property by the amount of gain which would have been included in taxable income if such contributed property had been sold. However, for taxable years beginning after December 31, 1979, and before January 1, 1985, such reduction would not apply to a charitable contribution of artistic property created by the personal efforts of the taxpayer if, among other things, the taxpayer is a resident of California for the entire year and the recipient is a tax-exempt religious, charitable, scientific, or educational organization

This bill would delete the requirement that the taxpayer be a resident of California and would also provide that state and local agencies may qualify as recipients of such artistic property.

Existing Bank and Corporation Tax Law imposes a corporation income tax at a rate of 9% upon the corporation's net income derived from sources within this state

This bill would provide that for calendar or fiscal years ending after December 31, 1979, the corporation income tax rate shall be at the same rate as the corporation franchise tax

This bill would take effect immediately as a tax levy

Ch 26 (AB 870) Lehman. Courts· judicial elections

Existing statutes provide that if an incumbent of a judicial office, who has filed a declaration of intention to become a candidate for that office, for any reason fails to file his or her nomination papers by the last day prescribed for the filing of such papers, an

additional 5 days must be allowed for the filing of nomination papers. Any person, if otherwise qualified, is permitted to file nomination papers for the office during the extended period, even though that person has not filed a declaration of intention to become a candidate for the office

This bill would delete the requirement that the incumbent must have filed a declaration of intention to become a candidate as a condition to extending the 5 additional days for filing.

The bill would take effect immediately as an urgency statute.

Ch. 27 (AB 670) Lockyer. Contractors.

Provisions of existing law, which were effective January 1, 1980, provide for an increase in the face amount of the contractor's bond or cash deposit required to be filed by an applicant or qualifying individual as a condition precedent to the issuance, reinstatement, reactivation, or renewal of a license.

This bill would add a declaration of legislative intent stating that the Legislature intended such increase to be operative as to all licensed contractors on January 1, 1980. The declaration further states that the Legislature intended that all active licensees, as a condition to the continued maintenance of their licenses, must, on and after January 1, 1980, file or have on file, bonds in the increased face amounts.

This bill would, in addition, specifically provide that the board must require, as a condition to the continued maintenance of any active license, that the holder of a license or the qualifying individual, file, or have on file, on and after January 1, 1980, a contractor's bond or cash deposit, as specified Such individuals would have until May 1, 1980, to file such bonds without penalty. The bill would require the Registrar of Contractors to notify all licensees of the increased bond rates within 30 days of the effective date of this act. The increase for sureties presently having bonds on file could be covered by a single or blanket endorsement.

Existing law, in addition to the contractor's bond or cash deposit, requires a qualifying individual when he is not himself either the proprietor, a general partner, or joint licensee, to file or have on file a qualifying individual's bond. This bill would exempt from such requirement a responsible managing officer who owns 10% or more of the voting stock of a corporation The Registrar of Contractors would be required to determine the nature and form of proof for such exemption

Existing law specifies that the contractor's bond or cash deposit is for the benefit of, among others, the trustees of any express trust fund established pursuant to a collective-bargaining agreement and to which the licensee is obligated to make payments on account of fringe benefits when such trust fund is damaged as a result of the licensee's failure to pay fringe benefits for eligible employees.

This bill would specify that the bond is also for the benefit of the express trust fund itself and would revise the method of calculating the damage and the definition of eligible employees

Existing law requires that a claim to recover fringe benefits must be brought within 6 months after the date the contributions were due and a civil action shall be brought within 1 year after the filing of the claim

This bill would change such time limits for making such claims to 6 months from the discovery of delinquency and, for a civil action, to 2 years from the date the contributions were due

This bill would take effect immediately as an urgency statute.

Ch 28 (AB 2099) N. Waters. Beef cattle: fees.

Existing provisions of the California Beef Council Law require that a fee of 25¢ per head (formerly 10¢ per head) be collected on the sale of beef cattle for disbursement by the Director of Food and Agriculture for necessary expenses incurred by the director and the California Beef Council in carrying out the programs and activities of that law Such provisions also provide that in the event that a national promotion program for beef is approved by the producers, such fee shall immediately revert to 10¢ per head

This bill would provide, instead, in such event, that the fee shall revert to 10¢ per head after July 1, 1981 The bill would make an appropriation because the fee increase from 10¢ to 25¢ provided in 1978 would remain in effect until July 1, 1981, rather than until approval of the national promotion program, thereby increasing the money available for

expenditure by the director for carrying out duties under the California Beef Council Law.

The bill would take effect immediately as an urgency statute.

Ch. 29 (AB 325) Frazee. Unemployment compensation disability benefits· worker contribution payments.

Existing unemployment compensation disability law requires employers to withhold workers' contributions from their wages and to forward such contributions to the Employment Development Department quarterly, except that if the total amount of such worker contributions, or the amount of the personal income taxes, withheld by the employer, exceeds a specified threshold amount, they are forwarded to the department on a monthly basis.

This bill would increase the specified threshold amounts under which such worker contributions must be forwarded on a quarterly or monthly basis. Certain conforming changes would be made in another provision of law

Ch. 30 (AB 1474) Nolan Clinical laboratories

Existing law requires the State Department of Health Services to determine by written oral, and practical examination that an applicant for a clinical laboratory bioanalyst's license is properly qualified

This bill would require such an applicant to successfully pass a written, oral, and practical examination conducted by the department or a committee designated by the department indicating that the applicant is qualified

Ch. 31 (AB 1248) McCarthy. Senior citizen discount program.

Existing law does not provide for a statewide discount program for senior citizens.

This bill would require the Department of Consumer Affairs to establish a program of technical assistance to communities to facilitate the development of local discount programs known as the Golden State Senior Citizen Discount Program and would authorize the department to adopt guidelines to carry out the purposes and intent of the program, as specified

The bill would establish an advisory committee to advise the department on matters relating to such discount program

The bill would require the department to conduct an evaluation and report to the Legislature on or before July 1, 1982, relating to specified areas of the program.

The bill provides that provisions of the act are to be operative until December 31, 1982, and on such date are repealed.

Ch. 32 (AB 1860) Egeland Public assistance· county data: monthly submission to Legislature

An existing statutory provision requires the Department of Finance, upon receiving from each county its required monthly caseload movement and expenditure report regarding specified categories of public assistance, to make the data contained therein immediately available to the Joint Legislative Budget Committee

This bill would, instead, condition the statutory duty to make such data available, upon such committee making a request for such data, rather than upon the receipt by the department of such reports

Ch. 33 (AB 2003) Kapiloff Operational grants for clinics

Present law authorizes the State Department of Health Services to conduct a program of grants-in-aid to assist in stabilizing the health care operations of specified licensed community clinics, free clinics, and nonprofit corporations comprised of not less than 3 such clinics with a combined service area covering an entire county or more Moneys for this grant program have already been appropriated from the General Fund Present law also authorizes grants for such clinics and corporations for funding specific innovative and creative programs of such clinics However, this latter grant program has not yet been funded

This bill would expand the types of clinics eligible for the above grants to include clinics located on federally recognized Indian tribal land and conducted, maintained, or operated by a federally recognized tribe or tribal organization Since the bill would expand the types of clinics eligible for receipt of already appropriated state funds, the

bill would in this respect provide for a different use of previously appropriated moneys and, thus, constitutes a reappropriation of such moneys.

This bill would take effect immediately as an urgency statute.

Ch. 34 (AB 2034) McAlister. Earnings withholding orders.

The existing Employees' Earnings Protection Law provides that an earnings withholding order shall be served by a levying officer

This bill, in addition, would authorize persons registered as process servers to serve earnings withholding orders A court would be authorized to allow process servers up to $1.50 for service of an earnings withholding order.

The bill would take effect immediately as an urgency measure.

Ch. 35 (SB 941) Presley Motorcycles: headlamps.

Under existing law, motorcycles are not permitted to have flashing headlamps.

This bill would permit motorcycles to be equipped with a device modulating the upper beam of the headlamp between a high and lower brightness at a rate of 200 to 280 flashes per minute The lights could not be modulated during darkness.

The bill would take effect immediately as an urgency statute.

Ch 36 (AB 330) Knox. Corporations

Existing law provides that the term of office of a director of a professional medical corporation may not exceed three years

This bill would authorize a professional medical corporation with more than 200 shareholders to provide that a director who is an officer of the corporation or who is responsible for the management of all medical services at one or more medical centers may have a term of up to six years; however, no more than 50% of the members of the board, plus one additional member of the board, may be authorized to serve six-year terms.

Ch. 37 (AB 1120) Hannigan. Housing. relocation assistance and Capitol area.

(1) Existing law prescribes various forms of relocation assistance to be provided for persons displaced from a dwelling or business as the result of a governmental activity Currently, the law permits, in part, such payments and assistance to be made to persons displaced or potentially displaced by rent increases resulting from a demolition program or a program for the enforcement of building codes by a public entity, as defined.

This bill would revise provisions of existing law concerning the amount of payments to be made by a public entity for such a code enforcement or demolition program to permit a public entity to make payments in the amounts it deems appropriate, as specified. It would also declare that these revisions are declaratory of existing law and would make other declarations of legislative intent.

(2) Existing law, among other things, requires the Capitol Area Development Authority to make certain housing units available at affordable rents, to low-income households, as specified Such requirement contains, among others, the following conditions: availability of 25 percent of the specified units depends upon when the units have been completed and "occupied", one block of units is variably set at 600 for purposes of mandating the authority to establish a certain rent schedule, and an enumerated conclusive presumption is established as to availability of units to low-income households under prior written agreements

This bill would revise these provisions to do the following. as an alternative to the requirement that the specified units be "made available" require that the authority "have currently occupied" such units, base availability of 25 percent of the specified units upon them being completed and "initially" occupied, change the base number of units for one block of units, for purpose of the rent schedule, to 800, make the conclusive presumption as to availability of units to low-income households inapplicable to any provision of a lease or other agreement between the authority and a developer of newly constructed units, and make various technical changes

(3) This bill would take effect immediately as an urgency statute

Ch. 38 (SB 1116) Cusanovich County Employees Retirement Law of 1937: benefits.

Existing County Employees Retirement Law of 1937 authorizes a county which has

established a county retirement system under such law to adopt various alternative provisions for its retirement system

This bill would authorize the governing body of a county or district to terminate the applicability of optional provisions as to current employees of the county or district who elect by written notice to have the applicability of such provisions terminated as to them. The election by a current employee to have provisions terminated could not be rescinded unless the county or district makes such provisions applicable again by adoption of an ordinance or resolution

The provisions would not be applicable to safety members and would be applicable only in Ventura County.

Ch. 39 (AB 1571) Moore. Improvement Act of 1911. geologic hazards.

The Improvement Act of 1911 authorizes the legislative body of a city or county to create assessment districts for paying the cost and expenses of various improvements to property in the district benefited by the work done.

This bill would authorize, under the act, work to prevent, mitigate, abate, or control a geologic hazard, as defined, or to repair damages therefrom and the performance of such work on private property under specified conditions.

The bill would require the Division of Mines and Geology of the Department of Conservation to carry out a slope stability study of the Baldwin Hills area and to report the findings of the study to the Governor, the Legislature, the Los Angeles County Board of Supervisors, and the Los Angeles City Council within 6 months after the effective date of this act

The bill would appropriate $85,000 to the Division of Mines and Geology to carry out the study pursuant to this act.

The bill would require, if an assessment district is created to perform such geologic hazard work in the Baldwin Hills area, the assessment district to reimburse the General Fund with interest on the amount expended by the division to carry out the study.

The bill would take effect immediately as an urgency statute

Ch 40 (SB 88) Rodda. School finance· deferred maintenance

(1) Although there is no State School Facilities Aid Fund, a provision of existing law requires the State Allocation Board to make certain moneys from such fund available to the Director of General Services for the purpose of providing assistance to the board in administering the local allocation law

This bill would make the State School Building Lease-Purchase Fund the source of such moneys

(2) Under existing law, the governing board of each school district is authorized to establish a district deferred maintenance account in the general fund of the district for specified deferred maintenance purposes. School districts maintaining such an account which have an approved 5-year plan of maintenance needs of the district and which deposit a prescribed minimum amount of local funds into that account are entitled to a specified apportionment by the State Allocation Board from the State School Deferred Maintenance Fund to the extent of funds available in that fund in accordance with the greatest need as reflected in the maintenance plans

This bill would, instead, authorize the governing board of each school district to establish a restricted fund to be known as the "district deferred maintenance fund" and would delete language requiring apportionments to be made in accordance with the greatest need as reflected in the 5-year maintenance plans It would also authorize the State Allocation Board to apportion from the State School Deferred Maintenance Fund an amount in excess of the prescribed formula in instances of extreme hardship in a school district, as specified

(3) Existing law places certain conditions on the apportionments and allowances to school districts from Section A of the State School Fund.

This bill would require the Superintendent of Public Instruction to reduce a school district's entitlement in the 1980–81 fiscal year by a specified amount if such school district fails to expend an amount in the 1980–81 fiscal year for certain programs involving the education of children in institutions at least equal to the amount it expended for such programs in the 1979–80 fiscal year.

This bill would make such provision effective until June 30, 1981, and would repeal it

as of that date

(4) This bill would take effect immediately as an urgency statute

Ch 41 (AB 1709) Cline. School and community college district litigation

Under existing law a school district or a community college district is authorized under specified conditions to contract with an attorney in private practice or utilize an administrative adviser to prepare and conduct district litigation, or to assist in these activities, and is generally authorized to contract with an attorney to provide legal services

This bill would specifically authorize the governing board of any school or community college district to contract for the services of an attorney in private practice, as an employee or independent contractor, or utilize an administrative adviser for whatever purpose the governing board deems appropriate

Ch 42 (SB 1236) Beverly Burglary

(1) Under existing law, burglary is first degree if committed in a specified inhabited place in the nighttime First degree burglary is punishable by a state prison term or probation Probation may not be granted where there is certain use or arming with a firearm, injury inflicted, prior convictions, commission while on parole with violent felony involvement, or a handicapped victim

This bill would, as to first degree burglary cases not presently subject to denial of probation, deny probation except in unusual cases where the interests of justice would best be served by granting probation.

(2) Under existing law, daytime burglary of any inhabited place is second degree burglary and is punishable either as a felony with a state prison term, or as a misdemeanor with a county jail term. Except in certain limited instances relative to firearms or commission on parole with violent felony involvement, probation may be granted

This bill would require a minimum 90-day county jail term for a misdemeanor second degree burglary of specified inhabited places, and deny probation so as to require a state prison term for felony second degree burglary of such inhabited places, except in unusual cases where the interests of justice would best be served

(3) This bill would require the Legislative Analyst to report on its effects by July 1, 1982

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(5) The provisions of this bill would be repealed on January 1, 1983.

Ch. 43 (SB 1356) Maddy. Medi-Cal. Fiscal intermediary contracts.

Existing law provides for contracts between the State Department of Health Services and Medi-Cal fiscal intermediaries and sets forth requirements for the manner in which such contracts are to be drafted and described in reports to the Legislature

This bill would provide that, with regard to a specified contract for fiscal intermediary services, the Joint Legislative Budget Committee shall monitor the claims processing procedure developed under the contract and report to the Legislature and the public

This bill would further provide that the Joint Legislative Audit Committee shall investigate the implementation of fiscal intermediary contracts in force to ascertain and identify problems relating to the claims processing procedures A report shall be submitted to the Legislature by May 15, 1980 For the specified purposes of this bill, the committees shall have access to records of the disbursement of funds of payments including documents identifying names of applicants and recipients of Medi-Cal benefits, but the committees shall not disclose the identity of any applicant or recipient

This bill would further provide that change orders or amendments to the contracts, as specified, shall require approval of the chairman of the committee of each house which considers appropriations or the chairman of the Joint Legislative Budget Committee

This bill would finally provide for the transfer of funds by the State Controller between Item 261 and Item 262 of Chapter 259 of the Statutes of 1979

This bill would take effect immediately as an urgency statute

Ch 44 (AB 1676) McAlister Property

Existing law provides for an action to determine title to property as between particular parties, but does not generally provide for a determination of title equally binding on all persons as, for example, where a property owner acquired title by grant deed and thereafter seeks to establish or clear the title The basis of jurisdiction in such an action under existing law is the defendant's interest in the property and a judgment entered pursuant thereto binds only the defendant personally and has no effect upon other persons who may have or claim an interest in the property.

This bill would repeal such provisions and would enact a general, comprehensive statutory scheme providing for an action to establish title against adverse claims to property or any interest therein The basis of jurisdiction would be over the parties personally as well as over the property described in the complaint A judgment in the action would be binding and conclusive on (a) all persons, known and unknown, who were parties to the action and who have any claim to the property, whether present or future, vested or contingent, legal or equitable, several or undivided, (b) all persons who were not parties to the action and who have any claim to the property which was not recorded at the time a lis pendens was filed or, if none was filed, at the time the judgment was recorded, except where the plaintiff knows of the unrecorded claim, and (c) all persons claiming an interest under (a) or (b) The judgment would not affect the claim of any person who is not a party to the action and who had a claim of record in the property at the time the lis pendens was filed or the judgment recorded

The bill also would make conforming changes and would recast and renumber other similar existing provisions including provisions for a special action to identify a person in the chain of title to property, to clear title to real property formerly dedicated for public improvement, to adjudicate the right of entry or occupation of surface lands under an oil or gas lease

The bill would apply to actions commenced on or after its effective date and would authorize a court to permit an action commenced prior to the effective date to proceed under the provisions of the bill where it could be done without prejudice to the parties.

Existing law authorizes an action to be brought against the state to determine whether an escheat has occurred under the Alien Land Law which was declared unconstitutional by the Supreme Court of California in 1952 and subsequently repealed by the Legislature in 1955 The Alien Land Law essentially had limited the right of aliens ineligible to citizenship to acquire real property

This bill would repeal the provision authorizing such action against the state

Ch. 45 (AB 1982) Duffy Employee housing multiyear permits

Existing provisions of the Employee Housing Act do not permit the enforcement agency, as defined, to issue a multiyear permit to operate a labor camp, as defined, consisting only of permanent housing, as defined. Existing law, however, permits the operator of a labor camp on a dairy farm, as defined, consisting of permanent housing, upon fulfilling specified requirements, to request an exemption from the requirement of obtaining an annual permit to operate Existing law, additionally, requires the employment agency to enter and inspect, annually, all registered labor camps except for a labor camp on a dairy farm, as described above

This bill would permit the issuance of multiyear permits by the enforcement agency to operate a labor camp consisting only of permanent housing, as specified It would delete the requirement of annual inspection of a labor camp for which a multiyear permit is issued

This act would take effect immediately as an urgency statute

Ch 46 (SB 528) Watson Public Employees' Retirement System: benefits

(1) Existing Public Employees' Retirement Law prescribes and limits the eligibility of local safety members to become subject to the different retirement formula when a contracting agency elects to be subject to the 2% at 55 rather than the one-half pay at 55 formula

This bill would delete some of those limitations and would further prescribe eligibility to change retirement formulas.

(2) Existing law includes specified employees of the former Adult Authority within the state industrial and state safety member classifications.

This bill would revise such provisions to reflect the establishment of the Board of Prison Terms and the Youthful Offender Parole Board.

(3) The bill would take effect immediately as an urgency statute.

Ch. 47 (SB 769) Beverly. Prisoners of the United States.

Existing law requires the sheriff to receive and keep in the county jail any prisoner committed thereto by process or order issued under the authority of the United States as if the prisoner had been committed under process issued under the authority of the state

This bill would, as an exception to existing law, require the sheriff in counties where a facility of the United States Bureau of Prisons exists within 50 miles of the county seat to receive and keep such federal prisoners only if he determines that adequate detention areas currently exist for this purpose.

Ch 48 (SB 961) Sieroty. Marriage: conciliation courts.

Existing law requires each superior court to exercise jurisdiction as a conciliation court, and sets forth various provisions for the appointment of personnel to assist the conciliation court in disposing of its business in carrying out its functions, the number, classification, compensation, and duties of such personnel differing according to the population of the county involved. This bill would repeal the law relative to conciliation courts and reenact such law in revised form, changing the name of such law to the Family Conciliation Court Law, deleting the latter provisions, and establishing uniform provisions for the appointment of personnel to assist the family conciliation court in disposing of its business in carrying out its functions, the classification in salaries of such persons to be determined by the board of supervisors involved.

Existing law specifies the duties of a supervising conciliation counselor.

This bill would delete such provisions and specify the minimum qualifications for a supervising counselor of conciliation or associate counselor of conciliation.

Existing law authorizes the destruction of specified records by a counselor of conciliation upon order of the judge of the conciliation court.

This bill would authorize such destruction only by the supervising counselor of conciliation.

Existing law does not provide for agreements between counties to provide joint conciliation court services.

This bill would so provide.

Existing law does not specify that the jurisdiction of a conciliation court with respect to controversies arising out of an instance of domestic violence are not exclusive

This bill would so provide.

Existing law does not grant jurisdiction to the conciliation courts of controversies relating to child custody or visitation regardless of the parents' marital status

This bill would grant such jurisdiction.

Existing law does not require mediation of an application for modification of an order for child custody or visitation rights.

This bill would so require, operative January 1, 1981

Existing law provides for various filing and other fees for the support of the conciliation court.

This bill would revise such provisions

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch. 49 (SB 1384) Presley. School districts bonds: special taxes

Existing law provides for the issuance and sale of school bonds Although statutory law authorizes the board of supervisors of a county to levy a specified property tax sufficient to pay the interest and principal of such bonds, Article XIII A of the California Constitution and statutory provisions limit the rate of property tax which actually may be levied

This bill would specifically limit the authorization to levy the specified property tax to those bonds which were approved by the district electors prior to July 1, 1978.

This bill would authorize the boards of supervisors of the counties in which the Jurupa Unified School District is located, with two-thirds voter approval, to levy special taxes to pay the interest and principal of school bonds, the issuance and sale of which had been approved by the voters at an election held at the same time as the special tax election. This bill would apply retroactively and prospectively to such an election called or held after January 1, 1980.

This bill would take effect immediately as an urgency statute.

Ch. 50 (SB 1321) Ayala. California Conservation Corps.

Under existing law, there is a California Conservation Corps in the Resources Agency which is generally engaged in projects for conserving, improving, or developing natural resources and preserving the environment. The Secretary of the Resources Agency is responsible for the activities of the corps and has specified powers, including the power to establish rural centers which are operated by the Director of Forestry. The corps is to remain in existence until January 1, 1981

This bill would recast the legislative declarations of findings and intent in the establishment of the corps. It would expand and recast functions of the corps to include the undertaking of projects to contribute to energy conservation or to making public facilities accessible to persons with disabilities, and other public works projects and to conduct activities in both rural and urban areas. The corps would remain in the Resources Agency, but the administration of the corps' programs would be vested in the director of the corps, rather than the Secretary of the Resources Agency. The director would be authorized to employ special corpsmembers without regard to age. The bill would also require the adoption of a corpsmember bill of rights and the implementation of a corpsmember grievance procedure and search and seizure guidelines The corps would be required, in conjunction with the Employment Development Department, to develop plans to assist corpsmembers in obtaining employment. The operation of fire suppression centers would be under the joint direction of the director of the corps and the Director of Forestry, rather than the Director of Foresty. The director of the corps would be required to report to the Legislature on the corps' activities, including the cost-effectiveness of completed programs, on or before August 1, 1984 The existence of the corps would be extended to January 1, 1986.

Ch. 51 (SB 1220) Johnson Judges: service after retirement

(1) Under the existing Constitution, judges who are retired may be assigned, with their consent, to serve on any court. Also, under existing statutory law, a judge who has been defeated in an election for his office and who, before his term of office expires, elects to receive deferred retirement benefits may not be deemed to be a retired judge within the meaning of the above constitutional provision.

This bill would provide that any judge who retires at the end of the term to which he has been elected, and who is receiving benefits under a public employees' retirement system shall be deemed a retired judge for such purposes, except as provided above.

(2) Existing law specifies the compensation of justice court judges sitting on assignment.

This bill would revise such compensation with respect to an assigned justice court judge who is deemed retired.

Ch 52 (AB 1880) Lancaster Credit unions

Under existing law the capital funds, undivided profits and guaranty fund of any credit union may be deposited in, among other financial institutions, any national bank located in this state or in shares or certificates for funds received or any form of evidence of interest or indebtedness issued by any credit union in this state organized as a state credit union or a federal credit union

This bill would permit the deposit of funds with any credit union whose member accounts are insured pursuant to the Federal Credit Union Act, or comparable insurance

acceptable to the Commissioner of Corporations It would also, with respect to deposits in savings and loan associations, remove limitations on the total sum invested by any credit union

Existing law provides that no credit union shall make any gift or donation unless such gift or donation be in the best interests of the credit union, first approved by a resolution of the board of directors, and approved by a vote of the members, as specified.

This bill would delete the requirement that such gift be approved by a vote of the members, and would require such gift having a value in excess of $100 to conform to the rules and regulations of the Commissioner of Corporations.

Existing law prohibits a credit union from issuing shares to anyone not qualified for membership except shares issued in joint tenancy

This bill would remove permission to issue shares in joint tenancy, and instead permit shares to be issued in coownership. It would also permit shares to be transferred to a public agency lawfully entitled to receive them when designated by a member as assignees of an account pledged as a surety deposit to the public agency by the member

Existing law sets forth the powers of credit unions

This bill would specifically permit credit unions to participate in guaranteed loan programs of federal or state governments, and in loans to credit union members jointly with other credit unions

Ch 53 (AB 2062) Hannigan Solano County flood control

Under existing law, the Solano County Flood Control and Water Conservation District is authorized to sell, lease, or otherwise dispose of water to member units, as defined.

This bill would define member unit to include an electric utility which serves at least 2,000,000 customers, but would require all water sold to such an electric utility to be for use in an electric power generating plant within the district and would prohibit the furnishing of any such water direct from the Solano Project of the United States Bureau of Reclamation

Ch 54 (AB 2251) Fenton Candidate's statement judicial office

Existing law authorizes each candidate for local office to prepare and submit a candidate's statement Such statement is included in the voters' pamphlet However, existing law prohibits candidates' statements from including certain kinds of matter.

This bill would, in addition to the above, limit a candidate for judicial office to only include in his or her candidate statement the candidate's own personal background and qualifications, and would prohibit any candidate for judicial office from including in a candidate's statement any reference to other judicial candidates or to the qualifications, character, or activities of other candidates The clerk would be prohibited from publishing or circulating any statement which is not so limited, or which includes any such references

The bill would take effect immediately as an urgency statute

Ch 55 (AB 1535) W. Brown Inheritance tax· referees

Under existing law, the Controller appoints inheritance tax referees for a term of office, however, the assignment of individual estate matters is done by the superior court which the referee serves

This bill would eliminate the authority of any person to act as an inheritance tax referee after the person ceases to hold such office

Ch. 56 (SB 1057) Presley Counties: enterprise activities.

Existing law authorizes the county boards of supervisors to create enterprise accounting funds only for such activities as are designated by regulations adopted by the Controller.

This bill would authorize the boards of supervisors of Riverside and San Bernardino Counties to create enterprise funds for county health delivery systems, in addition to the enterprise funds designated by the Controller

The bill would also make a legislative finding and declaration that a special act is necessary.

The bill would take effect immediately as an urgency statute

Ch. 57 (SB 1200) Robbins Summary judgment

Existing law authorizes a party to make a motion for summary judgment in an action if it is contended that the action has no merit or that there is no defense thereto. The motion is required to be supported or opposed by affidavits, declarations, admissions, answers to interrogatories, depositions and matters of which judicial notice is required or permitted to be taken A hearing on the motion is held prior to the motion being granted or denied Generally, a decision or judgment will not be set aside, based upon erroneous admission of evidence, unless an objection was "timely" made and so stated as to make clear the specific ground of objection; and a decision or judgment will not be set aside, based upon the erroneous exclusion of evidence, unless the substance, relevance, and purpose of the excluded evidence was made known to the court

This bill, in addition, would provide that evidentiary objections, as to a matter concerning the motion for summary objection, not raised in writing, or orally at the hearing, shall be deemed waived.

Under existing law, a motion for summary judgment is required to be granted if all the papers submitted in support or opposition to the motion show that there is no triable issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. The court, in making such determination, is required to consider all of the admissible evidence set forth in the papers

This bill would delete the requirement that the evidence be admissible and, instead, would authorize the court to consider all of the evidence set forth in the papers except that to which objections have been made and sustained by the court.

The bill would specify that the changes made by it would not apply to any appeal if the notice of appeal is filed prior to January 1, 1981

Ch 58 (AB 144) Boatwright County Employees Retirement Law of 1937· alternative benefits system

Under the existing County Employees Retirement Law of 1937, a county is authorized to adopt an ordinance establishing a retirement system under the provisions of that law which includes, among others, provisions prescribing retirement benefits

This bill would state the intent to provide an alternative system of benefits under the County Employees Retirement Law of 1937 for Contra Costa County which would be applicable to persons who become officers and employees after such plan is adopted by the board of supervisors

This bill would take effect immediately as an urgency statute.

Ch 59 (SB 1407) Garamendi Developmental services.

Under existing law, the Department of Developmental Services is required to contract with appropriate private nonprofit corporations for the establishment of regional centers to serve the developmentally disabled Category (b) of Item 271 of the Budget Act of 1979 (Chapter 259 of the Statutes of 1979) currently appropriates $145,895,343 for such purpose

This bill would appropriate $6,184,168 from the General Fund in augmentation of category (b) of Item 271 of the Budget Act of 1979, in accordance with a specific schedule

This bill would take effect immediately as an urgency statute

Ch 60 (AB 1973) Knox Property taxation

Existing law permits a county auditor to refund overpayments of property taxes under specified conditions

This bill would permit the county auditor of a county which has been determined by a final decision of an appellate court to have levied a tax rate on property on the unsecured roll in excess of the maximum permissible by statute or Article XIII A of the California Constitution to refund to the assessee, for the 1978–79 fiscal year only, an amount equal to property taxes paid on unsecured property which exceed the amount based on a rate determined for such roll by a final decision of an appellate court, and would specify that upon approval of the board of supervisors the refund shall include interest, at the rate of 6% per annum

The bill would also permit the county auditor to increase the tax rate on the unsecured roll for indebtedness approved by the voters prior to July 1, 1978, based on the rates on the prior year's secured roll

This bill would take effect immediately as an urgency statute

Ch. 61 (SB 1413) Keene Salmon.

Existing law provides that only qualified individuals may commercially fish for salmon, defines the term "qualified individual," and provides that the holder of a commercial salmon fishing permit may have a person engage in such fishing in his place for one period not to exceed 15 calendar days in any one year

This bill would do the following:

(1) Require that the master, as defined, of every vessel engaged in the taking or landing of salmon for commercial purposes shall have a commercial salmon permit, except as specified.

(2) Provide that, in the event of serious illness, a period longer than 15 days may be allowed for substitution for a permit holder.

(3) Provide that a commercial salmon permit holder may have as his crew members 2 persons who are not qualified individuals, if specified conditions are met.

(4) Provide that the bill take effect immediately as an urgency statute.

Ch. 62 (SB 1308) Nejedly Water pollution· oil transfers.

(1) Existing law provides, subject to specified exemptions, that it is unlawful to cause or permit any petroleum, chemical, or other hazardous substance, as defined, to be transferred between a vessel and a shore facility or another vessel by means of a pipeline or similar conduit unless the flow is continuously monitored by a properly installed, operated, and maintained mechanism that will warn of the imminent occurrence of an overflow so that the flow can be terminated in time to avert the overflow, and unless the vessel and shore facility are each equipped with a properly installed, operated, and maintained mechanism that will warn whenever any person is no longer properly discharging his duties in connection with the transfer, is inattentive, or becomes disabled.

This bill would provide that vessels and shore facilities subject to specified provisions of the Code of Federal Regulations satisfy the above requirements if specified conditions are met.

(2) The bill would take effect immediately as an urgency statute.

Ch. 63 (AB 1410) N. Waters. Georgetown Divide Public Utility District: directors

Existing law generally specifies that, where a public utility district formed and operating pursuant to the Public Utility District Act is situated entirely in one county, the directors of the district shall be elected at large

This bill would authorize the directors of the Georgetown Divide Public Utility District to be elected from wards as nearly equal in population as may be, upon adoption by the board of directors of a resolution or ordinance to establish the boundaries of the wards subject to approval of the board of supervisors, as specified.

Ch. 64 (AB 1226) Mello. Law libraries: fees.

Existing law provides that except in counties containing a population of 4,000,000 and over, the board of supervisors of any county may increase the costs provided by law, for the law library, for filing fees and first appearance fees in the superior, municipal, or justice court, from $1 to not more than $7 for each such event, whenever the board determines that the increase is necessary to defray the expenses of the law library

This bill would permit such increase in counties not containing a population of 4,000,000 or over to not more than $12.

Existing law also permits establishment by the [board of law library]* trustees of a revolving fund of not more than $1,500 from money in the law library fund in a county for expenditures not exceeding $50 each for purposes for which the law library fund may lawfully be expended

This bill would increase the maximum amount of such revolving fund to $2,500, and increase the maximum individual expenditure to $150

Ch 65 (AB 920) Alatorre State civil service employees layoff procedure

Under existing law, state civil service employees may be laid off because of lack of work or funds Layoffs are required to be made in accordance with the relative seniority of the employees in the class of layoff A procedure exists for determining seniority for layoff purposes by the State Personnel Board

This bill would change the manner of determining seniority credit and provide that such credit shall not be given for service prior to breaks of more than 3 years in the continuity of state employment

This bill would take effect immediately as an urgency statute.

Ch. 66 (AB 1048) M. Waters Conflict of interest restricted activities of former state officers and employees

Under existing law, the Political Reform Act does not provide for restrictions on the activities of officers and employees who formerly served in the executive branch of state government but who subsequently engaged in post-government employment for compensation

This bill would provide for such restrictions It would prohibit representation, as specified, by a former agency official of a post-government employment client in a judicial, quasi-judicial, or other proceeding, in which the State of California is a party or has a direct and substantial interest, and the former agency official had participated This bill would further prohibit the former agency official from aiding, assisting, or advising anyone else in representing such a client in such a matter if the official himself would be prohibited from serving in a representative capacity

This bill would provide exceptions to the regulatory provisions of the article, as specified

This bill would empower the judge, presiding officer or other person in charge of a pending proceeding, upon the petition of an interested person and after notice and opportunity for a hearing, to exclude anyone found to be in violation of the proposed article from further participation in the pending proceeding.

Finally, this bill would impose the requirements of the proposed article only prospectively, so that only persons leaving state office or employment after the effective date of the article would be covered thereby

Ch. 67 (AB 869) Naylor Vehicles chemical test

Existing law provides that any person who drives a motor vehicle upon a highway shall be deemed to have given his consent to a chemical test of his blood, breath, or urine to determine the alcoholic content of his blood, if lawfully arrested for any offense allegedly committed while the person was driving a motor vehicle while under the influence of intoxicating liquor.

This bill would provide that any person who drives a motor vehicle upon a highway or upon other than a highway in areas which are open to the general public shall be deemed to have given his consent to a chemical test of his blood, breath, or urine to determine the alcoholic content of his blood, if lawfully arrested for any offense allegedly committed while under the influence of intoxicating liquor

Ch. 68 (SB 1267) Stiern Tuberculosis tests schools community colleges

Current law generally requires certificated and classified employees in school districts and community college districts to submit to examinations to determine that such employees are free of active tuberculosis Current law requires an employee whose intradermal tuberculin test is positive to have an X-ray taken of the lungs

This bill would authorize the district superintendent to exempt a pregnant employee from such X-ray requirement for a period not to exceed 60 days following termination of the pregnancy

Ch. 69 (SB 1299) Johnson. Historical property

Under existing law, cities and counties, generally, and in some instances districts, must utilize competitive bidding procedures in order to sell or lease real property of the county, city, or district

This bill would permit a city, county, or public district, upon such terms and conditions as its governing body determines to be in the public interest, to convey to an historical society or association, as defined, surplus real property, together with any building thereon, which is of general historical interest The bill would require such conveyance to contain specified conditions

Ch 70 (AB 1065) Ryan Student aid

Existing law authorizes the renewal for 4 years of full-time attendance, as specified, of Cal Grants for tuition, and student fees, and for tuition, student fees, and subsistence costs for disadvantaged students

This bill would authorize the renewal of such grants for 5 years of full-time attendance,

under a specified circumstance

Furthermore, this bill would not become operative if Proposition 9 on the ballot for the statewide election on June 3, 1980 is adopted by the voters.

Ch 71 (AB 1939) Knox Courts: pilot projects

Existing law requires the Judicial Council to conduct a pilot project on alternative civil action procedures for 3 years

This bill would extend the duration of such pilot project to 5 years

Ch. 72 (SB 1262) Beverly Alcoholic beverages.

Existing law provides that an alcoholic beverage on-sale license authorizes the sale of alcoholic beverages for consumption on the premises where sold

This bill would authorize any on-sale licensee which maintains a bona fide eating place in conjunction with such license to allow any person who has purchased and partially consumed a bottle of wine to remove such partially consumed bottle from the premises upon departure.

Ch. 73 (SB 1247) Ayala Schools· pupil suspension

Existing law prescribes reasons for which pupils can be suspended from attendance at schools and prescribes procedures to be followed in carrying out such suspension.

Current law authorizes the principal to designate a person to suspend pupils when the principal is absent from school. Existing law authorizes a principal to suspend a pupil without a conference if the principal determines an emergency situation exists, as defined, but requires a conference no later than two schooldays from the day the suspension is ordered

This bill would delete the condition requiring the principal to be absent from school in order to appoint a designee, and would, instead, permit the principal to designate a person to carry out suspension procedures whether the principal is present on school grounds or is absent from the school

In cases where a pupil is suspended without a conference because of an emergency situation, this bill would permit the pupil to waive the right to the conference This bill would also permit the conference to be held later than 2 schooldays after the suspension if the pupil is physically unable to attend for any reason In such case the conference would have to be held as soon as the pupil is physically able to return to school for the conference

This bill would take effect immediately as an urgency statute

Ch 74 (AB 1890) Leonard. Littering removal

Under existing law, it is unlawful to litter private or public property or to dump waste matter in or upon any public or private property The first violation of such provision is, before July 1, 1983, an infraction punishable by a mandatory fine of $10, and, on and after that date, is a misdemeanor. A second or subsequent violation for littering or dumping before July 1, 1983, is a misdemeanor and upon conviction the court may require the convicted person to pick up litter for a specified period as a condition of probation

This bill would, instead, make it an infraction to dump waste matter in or upon any public or private property, as specified, on and after January 1, 1981, except as specified, and each day such waste remains would be a separate violation The bill would also make the punishment for violations of such provision effective on such date The bill would authorize the court to require a person convicted of violating such dumping prohibitions to pick up waste matter within the jurisdiction of the court, as specified, as a condition of probation

The bill would also make it an infraction to litter, as defined, and would specify the fines for conviction of such provisions The bill would also authorize the court to require a person convicted of violating such littering provisions to pick up litter within the jurisdiction of the court, as specified, as a condition of probation

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board

of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 75 (AB 2065) Greene School and community college building construction inspectors

Existing statutes specify that as of January 1, 1980, any person employed to inspect the construction, reconstruction, or alteration of school buildings shall be a registered construction inspector, except as otherwise exempted An exemption is made in the case of an inspector approved by the Office of Architecture and Construction and employed pursuant to a particular building contract prior to January 1, 1980

This bill would extend that exemption to inspectors employed pursuant to such building contracts prior to January 1, 1982

This bill would take effect immediately as an urgency statute

Ch 76 (AB 955) Statham Horseracing minus pools

Existing Horse Racing Law authorizes any association conducting a thoroughbred racing meeting at which the total amount handled in parimutuel pools exceeds $20,000,000 to take 0 44% of any actual losses sustained at the meeting on parimutuel minus pools from a prescribed part of the purse portion There is no other provision with respect to the funds to be used for the payment of parimutuel minus pools

This bill would authorize the retention of a portion of the amount deducted for license fees, commissions, and purses from parimutuel pools for distribution for payment of any actual losses sustained at the meeting on parimutuel minus pools The provision in existing law for a deduction of 0 44% from the purse portion at a thoroughbred meeting would be deleted The proportion of license fees, commission, and purses deducted for payment of parimutuel minus pools would be the same as the proportion in the provision under which they were deducted

Ch 77 (AB 1873) Hannigan Mental health peace officers

Under existing law, the Lanterman-Petris-Short Act authorizes specified peace officers and other persons to, upon probable cause, take certain mentally disordered persons into custody and place them in an evaluation and treatment facility

This bill would expand the definition of peace officers with such authorization to include parole or probation officers of the Department of Corrections and of the Department of the Youth Authority when acting in relation to cases for which they have a legally-mandated responsibility

Ch 78 (SB 382) Vuich Pest abatement

Existing law authorizes the State Department of Health Services to enter into cooperative agreements with certain local agencies engaged in the work of controlling certain pests Existing law permits such agreements to provide for state financial assistance not to exceed 50% of the total cost of any acceptable plan

This bill would require the department to provide special assistance under such provisions, as prescribed, for surveillance and control of mosquito vectors of encephalitis during the final quarter of the 1979–80 fiscal year and the first quarter of the 1980–81 fiscal year

The bill would appropriate $3,250,000 for such purpose, with $2,000,000 of such amount to be expended in the remainder of the 1979–80 fiscal year and the remainder in the 1980–81 fiscal year

This bill would take effect immediately as an urgency statute

Ch 79 (AB 1923) Chappie Court reporters

Existing law specifies the compensation of court reporters in Calaveras, Nevada, Sierra, Placer, and Yolo Counties

This bill would revise the compensation of court reporters in Calaveras, Nevada, Sierra, Placer, and Yolo Counties

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in

certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Yolo County, Sierra County, Placer County, Calaveras County, and Nevada County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Yolo County, Sierra County, Placer County, Calaveras, and Nevada County and the Legislature. Such provisions would not become operative if similar provisions for such records on a statewide basis proposed by AB 1099 are enacted.

This bill would also make the provisions of the act inseverable.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 80 (AB 2070) Knox. County clerks fees.

Existing law contains various provisions relating to the collection of fees by county clerks for filing and indexing certain corporation documents.

This bill would repeal those provisions.

Ch 81 (AB 1454) Chappie. Courts: jurors.

(1) Existing law specifies the method for the selection of trial jurors and grand jurors in superior courts, municipal courts, and justice courts, provides for the compensation of jurors in such courts; specifies the general grounds for challenge of jurors in criminal cases, requires the Department of Motor Vehicles to provide lists of licensed drivers for use in the selection of trial jurors; and exempts certain residents of Los Angeles County from jury duty upon affidavit of hardship.

This bill would delete the statutory provisions for the selection of jurors in superior courts, municipal courts, and justice courts, would enact uniform provisions for the selection of jurors pursuant to rules adopted by the Judicial Council and supplemented by local court rules, as specified, would revise the provisions for compensation of jurors in such courts; would delete the specified general grounds for challenge of jurors in criminal cases; revise the duty of the Department of Motor Vehicles to provide lists of licensed drivers, operative July 1, 1981; and would delete the above exemption from jury duty

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 82 (SB 1550) Dills State lands· mineral rights

Under existing law, the Director of General Services, with the approval of the State Public Works Board, is authorized to sell all or any part of two specified parcels of real property, and any water company stock held in connection therewith, to the County of San Mateo or the Midpeninsula Regional Open Space District, or to both the county and the district, for current market value, and in accordance with specified conditions, including a reservation to the state of all mineral deposits

This bill would limit such reservation of mineral rights to mineral deposits 200 feet below the surface of such lands, and would limit the right to enter such lands to reach such depth to a total area not exceeding 1 acre and to 2 locations along the boundaries of the lands, to be selected in accordance with prescribed procedures

The bill would take effect immediately as an urgency statute.

Ch 83 (AB 1379) McVittie Personal income tax. place of residence.

Existing Personal Income Tax Law authorizes a deduction for all ordinary and necessary expenses incurred in carrying on any trade or business, including traveling expenses while away from home in pursuit of such trade or business For purposes of such deduction the place of residence of a Member of the Legislature is deemed to be within the district which he represents.

This bill makes technical nonsubstantive changes clarifying existing law relating to residences of Members of the Legislature

This bill would take effect immediately as an urgency statute.

Ch 84 (AB 2204) Moorhead Municipal utility district employees

Existing law permits the general manager of a municipal utility district to establish a probationary period of 12 months for professional, scientific, administrative, management, or executive positions within the district's civil service and also for supervisors and operators of municipal waste water treatment plants.

This bill would, in addition, permit the general manager to establish a probationary period of 12 months for technical employees.

Ch. 85 (AB 2944) Harris Municipal utility district elections.

Under existing law relating to municipal utility district elections, nomination documents for candidates for the office of director of a municipal utility district are required to be filed within specified periods prior to the election Existing law contained in the Elections Code specifies the period for the filing of nomination documents by candidates in elections notwithstanding any other provision of law

This bill would revise such periods specified for municipal utility district elections to be consistent with the requirements of the Elections Code

The bill would take effect immediately as an urgency statute.

Ch 86 (SB 761) Craven Parks Anza-Borrego Desert State Park, De Anza Cycle Park, Castle Rock State Park, Marina Beach; Seccombe Park

(1) Under existing law, the state park system is administered by the Department of Parks and Recreation Anza-Borrego Desert State Park is a unit of the state park system

This bill would appropriate $500,000 from the State Park Contingent Fund to the department for the acquisition of described lands as an addition to such unit, subject to specified conditions The bill would require the State Park Contingent Fund to be reimbursed in the amount of the appropriation from funds allocated to the state from the Federal Land and Water Conservation Fund for such acquisition

(2) Chapter 759 of the Statutes of 1979 appropriated $6,800,000 from the Off-Highway Vehicle Fund to the department for expenditure as a grant to the County of Riverside for the planning, acquisition, and development of described property at or near the De Anza Cycle Park

This bill would authorize those funds to also be used for the development of specified parcels of land presently owned by the County of Riverside

(3) The Budget Act of 1979 reappropriated specified funds for land acquisition for Castle Rock State Park, provided that such lands may be acquired only if the owners are willing sellers

This bill would provide that such reappropriation shall not be subject to such proviso

(4) The Budget Act of 1979 does not contain an appropriation for land acquisition for Marina Beach

This bill would amend and supplement the Budget Act of 1979 by appropriating $1,400,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the Department of Parks and Recreation for such purpose and $290,000 from the State Highway Account in the State Transportation Fund to the Department of Justice for payment of specified judgments in connection with the land acquisition

(5) Existing law requires any facility to be developed on Seccombe Park project lands to only be constructed in accordance with a development plan approved by the Director of Parks and Recreation.

This bill would require such development plan, together with any contracts entered into pursuant to the plan, to be approved by a citizens' advisory committee appointed by the chief executive officer of the City of San Bernardino before such plan is submitted to the director for approval.

(6) Under existing law, the State Lands Commission is required, with certain exceptions, to deposit revenues, moneys, and remittances in the State Treasury, and to apply such moneys to specified obligations in a specified order. The balance of state lands revenues, moneys, and remittances in excess of that distributed for specified obligations is allocated to the Capital Outlay Fund for Public Higher Education.

This bill would require the commission to deposit $7,800,000 of such revenues, moneys, and remittances into the State Parks and Recreation Fund, provided that obligations specified under existing law have been met and the chairman of the commission finds that there exists, as of July 1, 1980, an unencumbered balance available for appropriation of not less than $150,000,000 in the Capital Outlay Fund for Public Higher Education

(7) Existing law appropriates $1,300,000 from the State Beach, Park, Recreational and Historical Facilities Fund of 1964 to the department for Seccombe Park, $1,200,000 for acquisition and $100,000 for general plan development, provided that the latter funds are transferred to the City of San Bernardino to reimburse the city for costs incurred in the development of the general plan.

This bill would appropriate $7,800,000 from the State Parks and Recreation Fund to the department for expenditure, without regard to fiscal year, for Seccombe Park acquisition, planning, working drawings, and construction, provided that such amount as is necessary to reimburse the city for those costs incurred in the development of the general plan which were not met by funds transferred under existing law may be transferred to the city.

(8) The bill would take effect immediately as an urgency statute.

Ch. 87 (AB 1959) Hughes. Displaced homemakers.

Existing law provides funding for the displaced homemaker center in Los Angeles until January 1, 1980.

This bill would continue the existence of the center until July 1, 1980 and would appropriate $60,000 for the center, which would be available for expenditure until July 1, 1980.

This bill would take effect immediately as an urgency statute

Ch. 88 (AB 2066) Filante Police protection and fire prevention and protection: special tax.

(1) Existing law authorizes, until June 30, 1983, a city, county, special district, or any other municipal or public corporation or district which is authorized by law to provide fire protection and prevention services to adopt an ordinance for approval of the voters which would impose a specific standby or availability charge for the purpose of funding fire suppression activities. Existing law also authorizes, until June 30, 1983, a community services district to adopt an ordinance for approval by the voters which would impose such a charge for the purpose of funding police protection. Such entities are also authorized, until June 30, 1983, to adopt an ordinance for approval by the voters imposing a special tax for the specific purpose of funding fire protection and prevention services and police protection, correspondingly Under existing law, such charges and special taxes may not be imposed on federal or state governmental agencies or on any city, county, city and county, special district, or any other municipal or public corporation or district which is authorized to provide fire protection and prevention, or on community services districts which are authorized to provide police protection

Other provisions of existing law also authorize cities and counties generally to impose special taxes upon approval of the voters

This bill would revise the provisions relating to fire protection and prevention and police protection charges and special taxes to authorize adoption of such charges and special taxes by any city, county, or city and county, district, public authority, or any other political subdivision in the state which provides fire protection and prevention or

police protection services, as specified. The bill would change the exemption from such charges and special taxes for fire protection and prevention and police protection to exempt cities, counties, districts, public authorities, or any other political subdivision in this state

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(3) This bill would take effect immediately as an urgency statute

Ch. 89 (AB 2119) McAlister Veterans benefits: guardianship.

Existing law, to be operative January 1, 1981, provides a new statutory scheme for the "Uniform Veterans' Guardianship Act" which specifies procedures for appointment of a guardian to receive benefits from the Veterans Administration and to handle and dispose of such benefits The uniform act relates only to Veterans Administration benefits and not to other assets or sources of benefits

This bill would repeal the above Uniform Veterans' Guardianship Act and incorporate certain of its provisions in the general law relating to guardianship, conservatorship, and other protective proceedings, which will become operative January 1, 1981, as Chapter 726 of the Statutes of 1979 The provisions incorporated into the general law, by way of amendments thereto, include those relating to notice to be given to the Veterans Administration, the furnishing of public and military records without charge when the record is to be used in determining eligibility for Veterans Administration benefits, and certain other requirements as to the contents of a petition for the appointment of a guardian.

The bill would permit the continuation of certain guardianships under the law to be repealed January 1, 1981

Ch 90 (SB 148) Presley County and city jail prisoners medical care.

Existing law provides that medical or surgical care necessitating hospitalization provided to prisoners confined in a county or city jail is a charge against the county or city However, with court approval a hospital, other than a county hospital, may make a special agreement with the prisoner or his relatives or friends for the payment of such expenses

Existing law which would become operative on the enactment of this bill would provide that, notwithstanding such provisions of law, a county or city or the Department of the Youth Authority, with respect to juveniles, is authorized to make claim for and recovery of the costs of necessary hospital, medical, surgical, dental, or optometric care except care rendered for injury caused during confinement, rendered to any prisoner confined in a county or city jail or any juvenile confined in a detention facility, who would otherwise be entitled to such care under Medi-Cal to the extent that federal financial participation is available, or under any private program or policy for such care, and the county or city shall be liable only for such costs which cannot be recovered in such manner If a claim is made under Medi-Cal by a county or city, the county or city would be required to reimburse the state costs in paying such a claim.

This bill would provide that no person for whom federal financial participation is available shall be denied public assistance benefits, for which federal financial participation is available, solely because such person is incarcerated in a county or city jail or juvenile detention facility

No provision of existing law prohibits health care service plans, nonprofit hospital service plans, insurers issuing group disability policies, or self-insured employee welfare benefit plans from denying a claim for hospital, medical, surgical, dental, or optometric services for the reason that the individual served was confined in a city or county jail

as a prisoner or was a juvenile detained in any facility

This bill would do so for all such plans or policies entered into or renewed on or after July 1, 1980, whether or not the plan contract, policy, plan, or plan or group contract contains any provision terminating benefits to an individual for the reason that the individual was so confined if the individual is otherwise entitled to benefits and has incurred expenses for such services during confinement

This bill would take effect immediately as an urgency statute

Ch 91 (SB 1049) A Garcia Sales tax permits

Under existing provisions of the Sales and Use Tax Law, a tax is imposed on the retail sale of personal tangible property, and requires sellers engaged in, or desiring to engage in, the business of selling such property at retail to apply for a permit, and provide that a person who engages in such business without such permit is guilty of a misdemeanor.

This bill would require a person signing an application for a sales tax permit to certify that the applicant will actively engage in or conduct a business as a seller of tangible personal property, and would provide that any person who fails to surrender the permit to the State Board of Equalization if he is not actively engaged in or conducting a business as a seller of tangible personal property or knowingly issues a resale certificate in such circumstances for personal gain or to evade the payment of taxes shall be liable for the taxes that would otherwise be due on the transaction plus a penalty, as specified

Ch 92 (SB 351) Montoya Hearings Department of Motor Vehicles

Under existing law, a referee or board involved in a formal or informal hearing commenced by the Department of Motor Vehicles submits recommendations to the department The department is required to exercise its powers of review and render a decision In the case of a formal hearing, a departmental employee above the assistant division chief level or the director's designee is required, after review of the record, to render a decision concerning the nature of the action to be taken, or, if the department has already taken action, to render a decision sustaining, modifying, or reversing the action

This bill would authorize the referee or board, after an informal hearing, to render a decision on behalf of the department without the department's review If the subject of such a hearing requests a review of the decision, the department would be required to stay any action pending a review of the decision Following a formal hearing, the bill would require the director or the director's designee to adopt the decision of the board or referee in its entirety without review or would permit reduction of the proposed penalty and adoption of the balance of the proposed decision If the decision is not adopted, the director or designee would be permitted to decide the matter based upon the record or to remand the case for further findings However, if the proposed decision is not adopted, the director or designee would be prohibited from deciding the matter without giving the person an opportunity to present oral or written argument

Ch 93 (SB 1269) Craven California State University and Colleges building construction appropriation

Under current law, all money in the Capital Outlay Fund for Public Higher Education is available, when appropriated by the Legislature, for expenditure for capital outlay purposes relating to public higher education

This bill would appropriate from the Capital Outlay Fund for Public Higher Education $1,675,000 to the Trustees of the California State University and Colleges for preliminary plans, working drawings, and construction of repairs to, or the replacement of, facilities located at Calexico, which, in whole or in part, are no longer usable due to severe earthquake damage It would provide that such moneys be repaid to the Capital Outlay Fund for Public Higher Education upon receipt of specified federal funds

This bill would take effect immediately as an urgency statute

Ch 94 (SB 1297) Presley Highway funds county snow removal

Under existing law, up to $1,500,000 of certain revenues derived from the Motor Vehicle Fuel License Tax Law (gas tax) may be allocated annually to counties for their reimbursable snow removal costs Chapter 1072 of the Statutes of 1977 increased that amount to $2,000,000, but made the increase operative only upon adoption of the Califor-

nia Transportation Plan and upon the adoption of specified legislative findings

This bill would delete the contingency of adoption of the California Transportation Plan and the adoption of the legislative findings and thereby makes operative the provisions of Chapter 1072 of the Statutes of 1977 increasing the amount that may be allocated to counties for their reimbursable snow removal costs

The bill would take effect immediately as an urgency statute

Ch 95 (SB 1485) Maddy Health care service plans peer review

Under existing law, registered health care service plans and specialized health care service plans are required to establish procedures, in accordance with regulations of the Department of Corporations, for review of the quality of care, performance of medical personnel, utilization of services and facilities, and costs Existing law also confers certain immunities from liability for persons participating in such review

This bill would expressly confer certain immunity from liability for optometrists participating in such review

Ch 96 (SB 1958) Greene. Real estate commissions

Existing law requires any printed or form real estate agreement for the sale of specified residential property to contain a notice that the amount or rate of a real estate commission is not fixed by law but set by each broker individually and may be negotiable between the seller and broker

This bill would include the sale of mobilehomes within such provision It would also specify that such form or agreement is one which initially establishes, or is intended to establish, or alters the terms of any agreement which previously established, a right to compensation by the real estate licensee

The bill would take effect immediately as an urgency statute

Ch 97 (AB 2061) Hannigan Filing fees

Existing law requires candidates for judicial office or the office of district attorney to pay the county clerk a filing fee of 1 percent of the annual salary of the office and requires candidates for other county offices to pay 2 percent of the annual salary for all such offices.

This bill would require candidates for judicial office or any county office to pay a 1 percent filing fee unless the annual salary of the office is $2,500 or less

Ch 98 (AB 2068) Ellis Employment of minors· permits to work

Existing law provides that a permit to work may be issued to a minor over the age of 14 years to work not more than 4 hours outside of school hours on a schoolday Existing law prohibits an employer from employing a minor for more than 4 hours on a schoolday except in personnel attendance occupations and school-approved work experience and cooperative vocational education programs.

This bill would provide that a permit to work may be issued to a minor 16 years of age or older to work for a period of time not to exceed 8 hours outside of school hours on any schoolday immediately prior to a nonschoolday This bill would also permit an employer to employ such a minor for not more than 8 hours a day on any schoolday if employed in accordance with such permit

Ch 99 (AB 2106) Torres Developmentally disabled persons

Under existing law, the State Department of Developmental Services is authorized to designate one or more agencies to implement, throughout the state, community living continuums for developmentally disabled persons In carrying out this function the department is required to give consideration to private nonprofit corporations, public or quasi-public corporations, or a joint powers agreement agency

This bill would eliminate public or quasi-public corporations from, and add public agencies to, the list of entities which must be considered under such provisions

Also under existing law, the board of directors or advisory committee of such an agency designated by the department must be composed of governmental representatives, private sector representatives, and consumer representatives, including members of the immediate family of the consumer Conflict of interest provisions are included with respect to financial interest, except as a consumer, and persons who are on the policy committee of a designated agency, or employed by a local agency which directly

affects such agency's operations, or an employee or member of the state council or an area board

This bill would eliminate the conflict of interest provisions except with respect to financial interest, and require that consumer representatives, including members of the consumer's immediate family, constitute at least one-third of the membership of such a board or advisory committee

This bill would take effect immediately as an urgency statute

Ch 100 (AB 2186) Bergeson School and community college joint occupancy leases

(1) Existing law provides that school district and community college district governing boards shall require any person, firm, or corporation with whom it enters into a lease or agreement for a joint occupancy lease to file a bond, executed by either two or more good and sufficient sureties or by a corporate surety, for performance of such lease or agreement

This bill would, in addition, permit school district and community college governing boards, at their discretion, to require any person, firm, or corporation to file an irrevocable letter of credit issued by a state or national bank for the performance of such lease or agreement in lieu of filing the bond

(2) Under existing law, the authority of a community college district governing board to enter joint occupancy leases and agreements with private parties ends on June 1, 1980

This bill would, by the removal of this termination date, continue the governing board's authority to enter such leases indefinitely

This bill would take effect immediately as an urgency statute

Ch 101 (AB 2336) Levine Santa Monica Unified School District· Santa Monica Community College District classified employees

Under existing law, if 2 or more school districts or community college districts are under the jurisdiction of governing boards of identical personnel, only 1 personnel commission must be appointed, and, in such cases, provisions of law concerning the merit system must apply alike to all of the districts

This bill would provide that, notwithstanding existing law, in the case of a unified district and a community college district which are under the jurisdiction of governing boards of identical personnel and which had a majority of their population within an incorporated city of a specified population, the governing boards may elect to make provisions of law concerning the merit system applicable to each district individually and separately

This bill would take effect immediately as an urgency statute

Ch 102 (SB 1253) Rodda State claims

This bill would appropriate $3,518,881 from the General Fund to the State Board of Control to pay specified claims against the state

This bill would also require the State Board of Control to take specified action with regard to claims for reimbursement of specified costs

This bill would take effect immediately as an urgency statute

Ch 103 (AB 2137) D Brown Property taxation refunds

Under existing laws relating to property taxation, provision has been made for refunds of taxes paid in excess of the required amounts, including refunds on property subject to escape assessments

This bill would change the period for filing a claim for a property tax refund on property on the 1975–76 assessment roll and subject to escape assessment until June 30, 1980, or 30 days after mailing of such escape judgment, whichever is later The provision providing for such change would be repealed on January 1, 1981

This bill further states that there are no state-mandated local costs because there are no new duties, obligations or responsibilities imposed on local government by this act

The bill would take effect immediately as an urgency statute

Ch 104 (AB 2266) Knox State General Obligation Bond Law form of bonds maximum interest rate

Section 1 of Article XVI of the California Constitution authorizes the Legislature to raise, by a ⅔ vote, the maximum interest payable on all state general obligation bonds

authorized but not sold

The State General Obligation Bond Law prescribes a maximum interest rate for state general obligation bonds of 7%, and does not specifically authorize the issuance of bonds in the registered form

This bill would increase such maximum interest rate from 7% to 9%, and would specifically authorize issuance of bonds under such law in coupon form or in registered form or in both such forms

This bill would take effect immediately as an urgency statute

Ch 105 (SB 895) Campbell Horseracing parimutuel pools

(1) Existing Horse Racing Law defines the terms "parimutuel" and "parimutuel pool."

This bill would revise the definitions of such terms

(2) The Horse Racing Law authorizes an additional 3% deduction from daily double, quinella, and exacta parimutuel pools for associations other than fairs conducting a thoroughbred meeting The additional deduction is used for commissions and purses

This bill would authorize such additional 3% deduction for other multiple wagering parimutuel pools approved by the California Horse Racing Board

The bill would take effect immediately as an urgency statute

Ch 106 (SB 1214) Garamendi Schools Field Act

Current law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act

This bill would permit the Curtis Creek Elementary School District and the Columbia Union Elementary School District to continue to use specified buildings until June 30, 1983 The bill would also permit the Black Butte Elementary School District and Redlands Unified School District to continue to use specified buildings until June 30, 1981

This bill would exempt these facilities from provisions of the so-called Field Act during such periods

This bill would take effect immediately as an urgency statute

Ch 107 (SB 240) Robbins Vehicles headset covering, television

(1) Under existing law, no person operating any motor vehicle, except law enforcement personnel when on duty, any person engaged in the operation of either special construction equipment or equipment for use in the maintenance of any highway, and any person engaged in the operation of refuse collection equipment, may wear any headset covering, or any earplugs in, both ears

The bill would exempt from such provisions firefighting personnel while on duty and any person wearing hearing protectors, designed to attenuate injurious noise, which do not inhibit the wearer's ability to hear motor vehicle horns or sirens

(2) Under existing law, it is unlawful to drive a motor vehicle equipped with a television receiver, screen, or other means of visually receiving a television broadcast located forward of the back of the driver's seat or which is visible by the driver while operating the vehicle

This bill would exempt from those provisions a mobile digital terminal installed in a law enforcement vehicle

(3) The bill would take effect immediately as an urgency statute

Ch 108 (SB 1121) Watson Contracts

Under existing provisions of law which prohibit financial institutions from entering into a contract which provides for reassignment, "reassignment" is defined as the right of a financial institution which is the assignee of a contract secured by real property to, among other things, return the contract to the party assigning it to the financial institution

This bill would instead prohibit reassignment of contracts which are governed by the provisions on retail installment sales and are secured by a mortgage on real property

Existing law requires that a contract for the services of a mortgage foreclosure consultant meet specified regulatory provisions designed to protect the rights of homeowners whose homes are in foreclosure It excludes from the definition of "foreclosure consultant" a real estate licensee acting within the scope of his or her license, except as

specified

This bill would revise the scope of actions by a real estate licensee that would be excluded from the definition of a foreclosure consultant, including the making of a direct loan, as defined

The bill would take effect immediately as an urgency statute

Ch 109 (SB 1343) Watson Alternative child care programs

On June 30, 1979, provisions on the establishment and maintenance of alternative child care programs terminated Chapter 251 of the Statutes of 1979, purporting to extend indefinitely the authorization for such programs, was chaptered too late to prevent the termination of such programs

This bill would reenact the provisions on alternative child care programs and validate any authority exercised under such provisions between their termination date and the effective date of this bill

This bill would also require the Superintendent of Public Instruction to submit an annual report as specified, on such programs to the Legislature and the Governor

This act would take effect immediately as an urgency statute

Ch 110 (SB 1256) Foran Public officers conflicts of interest

Existing law prohibits various public officers and employees from being financially interested in any contract made by them in their official capacity, or by any board of which they are members Existing law prescribes that an officer not be deemed to be interested in a contract entered into by a body or board of which such person is a member, if the officer has only a remote interest in the contract, as defined, and other conditions are satisfied Existing law provides that "remote interest" means, among other things, that of a nonsalaried officer of a nonprofit corporation Existing law also specifies certain instances when an officer or employer is deemed not to be interested in a contract

This bill would preclude an officer or employee from being deemed to be interested in a contract and an officer from being deemed to have a remote interest in a contract if the interest is that of a noncompensated officer of a nonprofit, tax-exempt corporation, which as one of its primary purposes supports the function of the public body or board, or to which the body or board has a legal obligation to give particular consideration, if such interest is noted in its official records

It would specify that an officer is noncompensated for purposes of its provisions even though he or she receives reimbursement for certain expenses incurred in performing duties of the office

This bill would make other technical nonsubstantive changes

It would take effect immediately as an urgency statute

Ch 111 (AB 2846) Filante State property Bolinas-Stinson Union School District

Under existing law, the Director of General Services is authorized to execute grants to real property belonging to the state in the name and upon behalf of the state, whenever the sale or exchange of real property is authorized or contemplated by law

This bill would require the director to quitclaim to the Bolinas-Stinson Union School District, at no cost to the school district, a specified parcel of land

This bill would take effect immediately as an urgency statute

Ch 112 (AB 1980) Fenton Domestic water supply systems

Existing law (the California Safe Drinking Water Bond Law of 1976) permits the Legislature to authorize, subject to specified limits, the use of bond proceeds in the California Safe Drinking Water Fund for a grant program, with grants provided to water suppliers that are political subdivisions of the state, if it is determined that such suppliers are otherwise unable to meet minimum safe drinking water standards established pursuant to applicable provisions of law Chapter 322 of the Statutes of 1978 authorized the use of bond proceeds for such a grant program with any such grant to be made only upon the specific approval of the Legislature, by an act enacted after the receipt of a report on the grant application filed by the Department of Water Resources

This bill would authorize grants from the California Safe Drinking Water Fund not to exceed the amount of $400,000 each to the City of Pico Rivera and to the Stinson Beach

County Water District for the purpose of improving their domestic water systems to meet, at a minimum, safe drinking water standards The bill would make legislative findings in such connection. The bill would require the Department of Water Resources to determine eligibility for such grants in accordance with the provisions of Chapter 322 of the Statutes of 1978

The bill would take effect immediately as an urgency statute

Ch 113 (AB 2233) Bergeson Youths

Existing law provides for state subventions to counties for numerous programs and services relating to the juvenile justice system Any funds not used for actual expenditures for the funding year revert to the state, except as specified. All funds allocated to counties for the fiscal year 1978–79 which are unexpended or unencumbered at the end of such fiscal year do not revert to the state but rather are carried over and are available for use in fiscal year 1979–80 Any such funds are to be allocated only to programs that were in existence in fiscal year 1978–79 and such funds are not to be considered in determining a base for increased levels of funding under the subvention program.

The bill would authorize the unexpended or unencumbered funds allocated to counties for fiscal year 1978–79 to be carried over to 1980–81 for programs or activities in existence in 1978–79 and would make similar provisions for funds allocated to counties for fiscal year 1979–80 to be carried over to 1980–81 for programs or activities in existence in 1979–80 The authorization would be repealed July 1, 1981

It would also take effect immediately as an urgency statute

Ch 114 (SB 1538) Rains Security for costs

Existing statutory law provides procedures to require a plaintiff to furnish an undertaking as security for the defendant's recoverable costs, in actions for libel or slander, actions against the Regents of the University of California, actions against public entities, actions against public employees, and actions against members of the state militia. Such provisions either have been held unconstitutional or are of doubtful validity, in view of numerous cases, including Beaudreau v Superior Court, 14 Cal 3d 448 and Allen v Jordanos' Inc., 52 Cal App. 3d 160.

This bill would repeal each such statutory provision

Existing law provides for cost bonds in malpractice actions against architects, landscape architects, engineers, building designers, and land surveyors in the sum of $500, as security for the costs of defense which may be awarded against the plaintiff

This bill would change the flat $500 amount to an amount not to exceed $500 in such actions.

Existing law provides in any such action requiring a cost bond, upon dismissal of the action or award of judgment to the defendant, any sureties shall be liable for each defendant's costs of defense in an amount not to exceed $500 with respect to whom the sureties have executed such a bond

This bill would limit such liability to $500 or the amount of the undertaking, whichever is less

Existing law, in malpractice actions against various licensed professionals in health care, including but not limited to physicians and surgeons, dentists, registered nurses and others, provides for a hearing upon notice prior to requiring the plaintiff to furnish a cost bond or cash deposit, except that an ex parte procedure may be utilized to obtain a court order requiring a plaintiff to file a cost bond or cash substitute when exemplary damages are sought

This bill would delete the provision for an ex parte order

Existing law provides that the defendant, when the plaintiff resides out-of-state or is a foreign corporation, may require the plaintiff to provide an undertaking for the costs and charges which may be awarded against the plaintiff and provides for a stay of all proceedings until such undertaking is made

This bill would delete such provisions and, instead, provide for a written undertaking to secure costs and attorneys' fees, as defined, which may be awarded only after a hearing upon a noticed motion and pursuant to a court order

Ch. 115 (SB 1939) Speraw Decedents' estates. investments

Existing law does not specifically authorize the investment of money in a decedent's estate to be invested in a common trust fund, however, money is authorized to be invested in state or federal securities, or annuities, and may be deposited in banks, savings and loan associations and trust companies, under specified circumstances

This bill would authorize money to be invested in common trust funds, upon authorization of the court

Ch 116 (SB 1472) Vuich Farm products commission merchants

Existing law prohibits, until January 1, 1981, a commission merchant from charging against a consignor's account for a downward price adjustment or a reduction in the quantity of farm products delivered, unless the commission merchant has a federal-state inspection certificate, as specified, or has a private third-party inspection in substitution for such certificate, as specified

This bill would delete the termination date to extend such provisions indefinitely

Ch 117 (SB 1451) Beverly Insurers investments

Existing law provides that insurers may invest in notes or bonds secured by guaranteed mortgages, and mortgage participation certificates

This bill would ~~instead~~* permit insurers to invest in certificates evidencing an undivided beneficial interest in a pool of loans secured by mortgages, deeds of trust or other instruments meeting specified conditions

The bill would take effect immediately as an urgency statute

Ch 118 (SB 1436) Campbell State Fire Marshal

(1) Existing law imposes specified duties and authority, including the adoption of building standards and other regulations, upon the State Fire Marshal Such existing law contains obsolete or completed requirements.

This bill would delete obsolete and completed requirements from existing law and make other technical, nonsubstantive changes

(2) Existing law declares the intent of the Legislature to have specified regulations of the State Fire Marshal and specified building standards applicable to specified homes and institutions apply uniformly throughout the state and declares the intent to prohibit local regulations relating to fire and panic safety in buildings or structures used or intended to be used as community care facilities, which provisions have been interpreted to preempt local rules and regulations pertaining to such homes and institutions

This bill would expressly prohibit local rules or regulations relating to fire or panic safety in such specified buildings or structures which are inconsistent with such state building standards and regulations of the State Fire Marshal

Ch 119 (AB 2184) McAlister Probate homestead

Under existing law, there are two sets of statutory provisions for homesteads, the declared homestead and the probate homestead Existing law provides that, as to a declared homestead, on the death of either spouse, title to the land affected by the homestead vests in the surviving spouse

This bill would repeal such right of survivorship

Existing law provides that, when the inventory of a decedent's estate is filed, the court, at that time or at any subsequent time during the administration, must set apart to the surviving spouse or, if none, the minor children of the decedent a homestead previously selected, declared, and recorded by the parties If none has been selected, declared, and recorded the court must select, designate, set apart, and cause to be recorded a probate homestead out of designated property The homestead would vest in fee, as specified

This bill would make establishment of a probate homestead permissive rather than mandatory and permit the homestead to be set apart for minor children of a decedent even if there is a surviving spouse, and specifies the property from which the homestead may be selected The court would have broad discretion in selecting the homestead

Under existing law, creditors may or may not be able to satisfy their claims from property set apart as a probate homestead, depending upon the nature of the claim and the character of the homestead While statutory law provides that a probate homestead is not subject to the payment of any debt or liability existing against either spouse or both of them at the time of the death of either, except as to prior liens and encumbrances, creditors often must resort to case law to determine their rights

This bill would provide as follows

(a) Property set apart as a homestead would be liable for claims against the decedent's estate subject to the homestead right The homestead property would remain liable for liens and encumbrances existing at the decedent's death, except as otherwise provided

(b) The homestead property would not be liable for claims against the person for whose use the homestead is set apart

(c) The homestead property would be liable for claims against the debts of the heirs or devisees who may acquire the property, subject to the homestead right

Ch 120 (AB 2260) Wyman Mojave Water Agency

Under existing law, the Board of Directors of the Mojave Water Agency is required to hold its first meeting at noon on the last Friday in December next following the general agency election.

This bill would change the date of such meeting to noon on the last Friday in November next following such election

Ch 121 (AB 2194) Felando. Pacific mackerel

Existing law provides, until January 1, 1981, that a season allowable catch for Pacific mackerel shall be determined by the Director of Fish and Game, as specified; requires the Department of Fish and Game to make an annual report to the Legislature on the status of the resource, and allows the director to adjust the season allowable catch, as specified, to set an allowable tolerance for the taking of Pacific mackerel incidental to fishing of other species, as specified, and to allow any load of fish weighing 3 tons or less to contain any amount of Pacific mackerel

Existing law provides, after January 1, 1981, that Pacific mackerel may not be taken or possessed, except as specified, except that loads of fish may contain 18 percent by weight of Pacific mackerel taken incidentally to other fishing operations, that it is the intent of the Legislature that the Pacific mackerel resource be enhanced, as specified; and that a season harvest quota shall be permitted, as specified

This bill would, operative July 1, 1980, repeal such provisions and provide as follows:

(1) That it is the intent of the Legislature that Pacific mackerel be maintained at a total population above 20,000 tons in specified waters.

(2) That the department shall annually make an estimate of the Pacific mackerel population, and when the population exceeds 20,000 tons in specified waters, the director shall establish a specified season allowable catch If the population falls below a specified amount, a moratorium shall be in effect, as specified.

(3) That the director may increase or decrease the season allowable catch to reflect changes in biological data

(4) That the director may establish an allowable tolerance for Pacific mackerel mixed with other species, after the determined allowable catch is taken

(5) Specify limitations on the taking of Pacific mackerel under 10 inches fork length.

(6) Make additional related changes

(7) Provide that the bill takes effect immediately as an urgency statute

Ch 122 (AB 2120) McAlister Special assessment liens

Existing statutory law does not specifically address the issues of the payment and apportionment of assessment liens, as between the condemnor or purchaser and the property owner, when property which is acquired for public use is encumbered by special assessment liens

This bill would establish specific statutory rules, as follows

(a) A lienholder would be required to be joined as a defendant to an eminent domain proceeding

(b) Fixed lien special assessments would either be paid to the lienholder from the award in an eminent domain proceeding or withheld from the award by the condemnor and paid to the lienholder when due

(c) Special annual assessments would be apportioned between the property owner and condemnor on the basis of the time of acquisition of the property

(d) Where there is a partial taking by eminent domain of property subject to a fixed special assessment lien, the lienholder would share in the award to the extent determined by the court to be necessary to prevent an impairment of the security, and the

lien would continue on the remainder as security for the unpaid portion of the indebtedness

(e) Where there is a partial taking of property subject to a special annual assessment, the lien would be apportioned between the part taken and the remainder on the same basis as that used for the original assessment, based on the date of acquisition

(f) Where property is acquired by negotiated purchase, rather than eminent domain, the lien would continue to encumber the property subsequent to the purchase, unless the seller and purchaser otherwise provide for the satisfaction of the lien.

(g) Where there is no applicable statutory procedure for segregation and apportionment of a lien that secures a special assessment or bond therefor, if the property acquired is part of a larger parcel encumbered by a lien, any party to the transaction could petition the court to segregate and apportion the lien among the parties to the transaction

Ch 123 (AB 2117) McAlister Sole traders married women

Existing law specifies a procedure whereby a married woman may become a sole trader Such provisions were enacted at a time when the husband had the entire management and control of the community property and a married woman had no capacity to create a personal liability by contract Such a status authorizes a married woman to carry on, in her own name and on her own account, a designated business, the property, revenues, moneys, and credits invested by her and the profits thereof are not liable for any debts of her husband.

This bill would repeal such provisions It would also specify that (a) a judgment made under such provisions declaring a woman to be a sole trader shall cease to have any effect for any purpose on the effective date of the bill; and (b) notwithstanding the foregoing, rights acquired prior to the effective date of the bill shall not be affected by the repeal of such provisions, but such rights shall be recognized only to the same extent that they would have been recognized had the repeal not been made

Ch 124 (AB 2116) McAlister Enforcement of obligations

Under existing law, the death of a defendant terminates an attachment lien on the defendant's property.

This bill would provide that the death of the defendant whose property is attached does not terminate the attachment lien; would specify the instances when an attachment lien may be converted to a judgment lien upon the property of a decedent's estate; and would provide for an exemption for property levied upon pursuant to the attachment.

The bill also would relocate in the Probate Code provisions and rules of existing law regarding the enforcement of a judgment after the death of the judgment creditor or judgment debtor.

The bill would also make other technical changes

Ch 125 (AB 2672) McAlister Insurance

Existing law, with respect to the California FAIR Plan Association, defines "inspection bureau" as the fire insurance rating organization designated by the industry placement facility with the approval of the commissioner to make inspections to determine the condition of the properties for which basic property insurance is sought and to perform such other duties as may be authorized by the industry placement facility.

This bill would revise such definition to define "inspection bureau" as the organization or organizations designated by the association with the approval of the commissioner to make inspections to determine the condition of the properties for which basic property insurance is sought and to perform such other duties as may be authorized by the association

Existing law defines "association" as a joint reinsurance association consisting of all insurers licensed to write and engaged in writing in this state on a direct basis, basic property insurance and crime insurance, or any component thereof in multiperil policies, and defines "industry placement facility" or "facility" as the organization formed by insurers licensed to write and engaged in writing basic property insurance within this state to assist persons in securing basic property insurance and to formulate and to administer a program for the equitable apportionment among such insurers of such basic property insurance

This bill would instead define "association," "industry placement facility," or "facility," as a joint reinsurance association, formed by insurers licensed to write and engaged in writing basic property insurance within this state to assist persons in securing basic property insurance and to formulate and administer a program for the equitable apportionment among such insurers of such basic property insurance

This bill would take effect immediately as an urgency statute

Ch 126 (AB 2077) Naylor Improvement Act of 1911 maintenance districts

(1) Under the Improvement Act of 1911, the board of supervisors may levy an ad valorem tax within a maintenance district to pay the expenses thereof However, Article XIII A of the California Constitution limits, with 1 exemption, the amount of ad valorem tax that may be levied on real property to 1% of its value Existing law authorizes assessments for such districts, for lighting purposes only, to be levied if approved by a majority vote at an election

This bill would authorize the board of supervisors to adopt an ordinance authorizing a special tax for maintenance districts within the town of Portola Valley for the purpose of maintaining improvements if it is approved by not less than ⅔ of the voters of the maintenance district voting on the ordinance at an election The board would be authorized to impose the same special tax for such purposes each year until the authorizing ordinance is superseded by a subsequent ordinance with a ⅔ voter approval or repealed by the board, except that the ordinance may provide that the special tax could be adjusted by the percentage change in the appropriations subject to limitation of the local government under Article XIII B of the California Constitution

(2) The bill would state that the Legislature finds and declares that the special assessment tax authorized for maintenance districts under the Improvement Act of 1911 is an ad valorem tax prohibited by Article XIII A of the California Constitution

The bill would also state that the Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable

(3) The bill would take effect immediately as an urgency statute.

Ch 127 (AB 2063) Hannigan Tax losses reserve funds.

Existing law enables a county to adopt procedures to establish a tax losses reserve fund Such fund is utilized to cover losses which may occur in the amount of tax liens as a result of special sales of tax-deeded property Whenever, in any year, the amount of the tax losses reserve fund reaches an amount equivalent to 5% of the total of all taxes and assessments levied on the secured roll for that year, the amount hereafter authorized to be credited to the fund is credited to the county general fund.

This bill would enable counties whose rate of secured tax delinquency has been 3% or less for a preceding 3-year period to lower the amount credited to the fund to 3% The bill further provides that if such rate exceeds 3% during one fiscal year, the fund shall revert back to 5%.

Ch 128 (AB 418) Chappie Property taxation technical errors· validation

Annually in the past, the Legislature has enacted legislation validating various technical or procedural errors or omissions in the functions of taxing agencies and revenue districts

This bill would similarly validate such actions

Ch 129 (AB 2162) Thurman Local agencies employee benefits

Under existing law, the legislative body of a local agency, subject to such conditions as may be established by it, is authorized to provide for any health and welfare benefits for the benefit of its officers, employees, retired employees, and retired members of the legislative body who elect to accept the benefits and to authorize the local agency to deduct premiums, dues, or other charges from their compensation

This bill would also authorize local agencies to include former members of the legislative body itself within the category of persons covered under these provisions if such persons serve after January 1, 1981, and have 12 years of total service on the legislative body

Ch 130 (AB 1996) Chappie State Housing Law regulations

The State Housing Law requires the Commission of Housing and Community Development to adopt regulations governing the erection, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court, area, sanitation, ventilation and maintenance of all hotels, motels, lodging houses, apartment houses, and dwellings, and buildings and structures accessory thereto Such regulations are required to impose substantially the same requirements as are contained in the most recent editions of specified industry codes, except that the commission may substantially deviate from the uniform industry codes where it determines such deviation is appropriate because of local conditions

Under present law, counties and cities are generally required to adopt the same requirements for hotels, motels, lodging houses, apartment houses, and dwellings as set forth in the regulations of the commission, within one year after the effective date of the commission's regulations However, a city or county may make modifications or changes in the state requirements by making an express finding of reasonable necessity based upon local conditions and filing such finding, together with the modifications or changes, with the Department of Housing and Community Development

This bill would authorize application of the commission's standards for "limited-density owner-built rural dwellings" only in counties and cities which have (1) adopted an express finding that such standards are reasonably necessary because of local conditions and (2) filed a copy of the finding with the department The bill would expressly authorize local modifications or changes of the commission's standards for limited-density owner-built rural dwellings based upon local conditions, if the city or county (1) makes an express finding that such changes or modifications are reasonably required because of local conditions and (2) files a copy of the finding and modifications or changes with the department

Ch 131 (AB 2147) Nestande Environmental quality notice, negative declarations; writ of mandate

(1) Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment In the event that the agency determines that a proposed project does not have a significant effect on the environment, the agency is required to adopt a negative declaration to that effect

Under the act, any public agency which is preparing an environmental impact report or a negative declaration is required to provide public notice of such fact, as specified Such notice is also required to be given by at least one of several procedures, including direct mailing to owners of contiguous property

This bill would clarify such provision by specifying the procedure to be a direct mailing to the owners of contiguous property as such owners are shown on the latest equalized assessment roll The bill would make legislative declarations in such connection

(2) Under the act, if an action or proceeding is commenced alleging that an environmental impact report does not comply with the act, and an injunction is issued prohibiting the project from being carried out or approved, agencies responsible for approving or disapproving the project are required to issue a conditional approval or disapproval If no injunction is issued, the responsible agency is required to approve or disapprove the project and, if approval is granted, the applicant may proceed with the project at the applicant's risk pending final determination of the action or proceeding

This bill would make those provisions also applicable with respect to a negative declaration and to cases where a stay is issued prohibiting the project from being carried out or approved

The bill would require the petitioner, in a writ of mandate proceeding alleging noncompliance with the act, to request a hearing within 90 days of filing the petition or be subject to dismissal of the action

(3) The bill would take effect immediately as an urgency statute

Ch 132 (AB 2123) Boatwright Felonies

Existing statutory law has been interpreted by judicial decision to exclude specified violent felonies from calculation of a subordinate state prison term

This bill would provide and express the legislative intent that such violent felonies be included in such calculation

This bill would take effect immediately as an urgency statute

Ch 133 (AB 2279) Calvo Multispecialty clinics

Present law requires licensure of various types of clinics, including clinics which meet the criteria specified by the statutes for "multispecialty clinics"

This bill would exempt such multispecialty clinics from licensure

Ch 134 (SB 1325) Stiern Milk vitamins and minerals labels

(1) Under existing law, market milk to which vitamins and minerals have been added is required to be labeled to show the amounts of the added vitamins and minerals

This bill would delete such requirement

(2) Under existing law, when vitamin D is added to milk, the amount is required to be such as to increase the vitamin D content to at least 400 U S P units per quart

This bill would require that, when vitamin D is added to milk, each quart of the milk contain 400 International Units thereof, within limits of good manufacturing practice, and that, when vitamin A is added to milk, each quart of the milk contain not less than 2,000 International Units thereof, within limits of good manufacturing practice, and would restrict requirements regarding vitamins A and D to fluid market milk products The bill would also make a technical change

(3) Under existing law, every label required for skim milk or nonfat milk is required to be in capital letters

This bill would delete such requirement

(4) Under existing law, every nonglass container of skim or nonfat milk must be labeled with the words "skim milk" or "nonfat milk" in capital letters

This bill would delete the requirement that such letters be capital letters.

(5) Existing law permits low-fat milk to contain added vitamins and minerals if labeled as specified

This bill would delete the labeling requirement

Ch 135 (SB 1539) Rains Assignments creditors

Under existing law, an assignment for the benefit of creditors may be made pursuant to statutory provisions or pursuant to the common law

This bill would repeal the statutory provisions and would make other corresponding changes in other specified provisions of law to reflect such repeal

Ch 136 (SB 1525) Petris Decedents' estate intestate succession

Under existing law, if a decedent leaves neither spouse nor issue, and there are issue of the decedent's predeceased spouse, the portion of the decedent's estate attributable to the decedent's predeceased spouse, as defined, is required to go in equal shares to the children of the predeceased spouse, or, if none, one-half of such portion passes to the parents or other relatives of the decedent and the other half goes to the parents and other relatives of the predeceased spouse

This bill would revise such provisions to require that the portion of such a decedent's estate attributable to the decedent's predeceased spouse, as defined, shall go in equal shares to the children of the predeceased spouse or to the parents or other relatives of the predeceased spouse

Ch 137 (AB 760) Ellis Mobilehome parks

Existing law requires that the management of a mobilehome park enter into a written agreement with a tenant of such park The agreement is required to contain, among other provisions, a specification that the management shall meet and consult with the tenants, either individually or collectively, on certain enumerated matters

This bill would provide that the management shall meet and consult with the tenants, upon written request, either individually, collectively, or with representatives of a group of tenants who have signed a request to be so represented on matters enumerated by present law

Existing law provides that the management shall terminate a park tenancy only for specified reasons, including the change of use of the park, as defined, provided the

tenant is given written notice thereof, as specified

This bill would further define "change of use" as not including the adoption, amendment or repeal of a park rule or regulation.

Ch. 138 (AB 1242) Lockyer. Contractors

Existing law authorizes the Contractors' State License Board and the Registrar of Contractors to waive an examination for a contractor's license if the applicant is a licensee applying for an additional license

This bill would authorize the board and registrar to, in addition, waive such an examination if the applicant is (1) a responsible managing individual who is applying for an additional license, or (2) an individual who is applying to qualify as a responsible managing individual on behalf of a licensee where such individual and such licensee meet specified qualifications

Existing law contains separate provisions relating to home improvement businesses and to swimming pool construction

This bill would include the provisions regarding swimming pool construction under the provisions regarding home improvement businesses, would revise certain provisions thereof; and would make corresponding changes

Under existing law, (1) home improvement contracts must contain a notice, as specified, stating that the owner or tenant contracting for such home improvement work has the right to require the contractor to have a performance and payment bond or funding control, and (2) specified requirements regarding schedule of payments are not applicable to a contract for the construction of a swimming pool if such contract provides for the contractor to furnish a bond, as specified, covering 100% of the contract.

This bill would (1) delete the requirement with respect to funding control; and (2) provide, instead, that requirements regarding schedule of payments are not applicable to a contract for the construction of a swimming pool if such contract provides for the contractor to furnish a bond, as specified, covering full performance and completion

This bill would authorize the Contractors' State License Board and the Registrar of Contractors to waive an examination for an applicant who is otherwise qualified and whose application was on file prior to January 1, 1980.

The bill would appropriate $1,089,894 from the unencumbered balance of the Contractors' License Fund to meet contingencies and emergencies during the 1979–80 fiscal year

This bill would take effect immediately as an urgency statute

Ch 139 (AB 1905) Bosco Geothermal resources· federal lease sales: disposition of revenues

Existing state law does not provide for the distribution of moneys received by the state from federal geothermal lease sales of public lands Existing federal law provides for 50% of the moneys received for geothermal leases under the Geothermal Steam Act of 1970, as amended, and under Section 35 of the Mineral Lands Leasing Act of 1920, as amended, to be paid to the state where the leased lands are located.

This bill would create the Geothermal Resources Development Account in the General Fund, would require all of the moneys received by the state from the federal government for federal geothermal leases to be deposited in the account, would, in addition, require that $2,000,000, or so much thereof as may be necessary, of the revenues received by the state pursuant to designated federal law from sources other than activities undertaken pursuant to the Geothermal Steam Act of 1970 be deposited each fiscal year, commencing with the 1980–81 fiscal year, in the account until a total amount is deposited that is equal to the revenues that were received by the state on and after January 1, 1976, from activities undertaken pursuant to such federal act but which were not deposited in the account, and would continuously appropriate all funds in the account for expenditure or transfer in the manner and at the times specified in the bill The bill would require the Controller to immediately disburse 40% of the revenues received in the account to the county of origin for expenditure for enumerated activities The bill would authorize the State Energy Resources Conservation and Development Commission annually to expend 30% of the revenues in the account to provide grants to local jurisdictions to carry out enumerated activities

If Proposition 1 is adopted by the voters at the June 3, 1980, election, the bill would

annually transfer 30% of the revenues in the account to the Parklands and Renewable Resources Investment Fund If Proposition 1 is not adopted, 30% of the revenues in the account would be annually transferred to the Renewable Resources Investment Fund for specified purposes, which fund would be continued in existence by the bill

The bill would take effect immediately as an urgency statute

Ch 140 (AB 2185) Ryan Motor vehicles· parking· exemption from restrictions.

Under existing law, local authorities may, by ordinance or resolution, restrict or prohibit the parking or standing of vehicles on certain streets during all or certain hours of the day Local authorities may include in the ordinance or resolution a designation of certain streets on which preferential parking privileges are given to residents and merchants adjacent to those streets by issuance of a permit exempting them from the parking restrictions

This bill would specify that the preferential parking privileges issued to residents and merchants are for their use and the use of their guests

Ch 141 (AB 2225) Costa California Veterans Board membership

Existing law requires that 6 members of the California Veterans Board be veterans as such term is defined in specified provisions of law

This bill would require, in addition, that one such member be retired from the active or reserve forces of the United States military service The bill would also delete an obsolete reference.

Ch 142 (AB 2256) Mello Counties. loans to special districts

(1) Present law authorizes a county, by resolution of its board of supervisors, to lend available funds when certain prescribed conditions are met to certain enumerated special districts located wholly within the county in order to enable the districts to provide for current expenses

This bill would make technical, nonsubstantive changes to that existing law

This bill would, additionally, authorize such loans to special districts, as defined in the bill, which are located in more than one county, when the county making the loan has a majority of the assessed valuation of the special district in that county and other conditions, as specified, are met

(2) This bill would take effect immediately as an urgency statute

Ch 143 (AB 2292) Mori. County boards of education.

Existing law authorizes a county board of education in a county having a population over 450,000 and under 500,000 to which the board of supervisors has transferred specified duties and functions to exercise the power of eminent domain to acquire any property necessary or convenient for carrying out certain duties and functions

This bill would extend such authorization to any county board of education to which such duties and functions have been transferred

This bill would take effect immediately as an urgency statute

Ch 144 (SB 1252) Rodda. State claims

This bill would appropriate $7,668,097 80 from specified funds to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control

This bill would take effect immediately as an urgency statute

Ch 145 (SB 1821) Alquist Construction capital outlay

Item 441 of the Budget Act of 1978 appropriated moneys from the General Fund for construction of state office buildings proposed by the Governor, for expenditure in the 1979–80 and 1980–81 fiscal years when reappropriated by the Legislature in the budget acts of those years

This bill would amend and supplement the Budget Act of 1979 by adding a section thereto to appropriate $6,388,934 from the General Fund to the Department of General Services for specified construction for expenditure during the 1979–80, 1980–81, and 1981–82 fiscal years The appropriation would be a reappropriation of the funds appropriated in Item 441 of the Budget Act of 1978

This bill would take effect immediately as an urgency statute

Ch 146 (SB 1246) Presley. Domestic violence centers

Existing law provides for the establishment and funding, on a demonstration basis, of a statewide network of domestic violence project centers These centers are required to submit quarterly reports and a final report on or before October 1, 1979, to the Department of Social Services, and the department is required to submit a report on or before January 1, 1980, to the Legislature.

This bill would provide for the continuation of those centers already in existence or the establishment of new programs by the state Counties would also be authorized to establish domestic violence programs This bill would further provide that such programs will assist victims of "domestic violence" as defined, their children, and physically handicapped victims of domestic violence This bill would set forth the types of services which shall be offered by such programs and further provide that such programs shall make an effort to employ formerly battered spouses and persons who are bilingual.

Existing law provides for a $10 fee to be paid for issuing a marriage license and for portions of this fee to be deposited with officials, departments, and funds as specified by law Existing law also provides a $10 fee to be paid for the filing of certificates of marriage to those persons who get married without a license

This bill would authorize the county clerk to collect an additional $8 fee at the time of the issuance or filing of a marriage license or certificate, as the case may be, for deposit into county domestic violence programs special funds for funding of county programs Money not used for county programs would be deposited in the General Fund, as specified, and the State Controller would be required to ensure that the amount so deposited would be obligated to repay any General Fund appropriation made in the 1980 Budget Act and thereafter would be used to finance domestic violence programs as specified The bill would also provide for disbursement of the fees in the special county fund to approved programs on a yearly, or more frequent basis commencing July 1, 1980. This bill would also provide that a special county fund shall be used to support domestic violence programs established by a county, and that no more than 10 percent of a county domestic violence fund shall be spent for administrative costs associated with implementation of this act and no more than 4% of such funds shall be used to cover the costs incurred by counties electing not to participate.

The bill would also provide that any appropriation made in the 1980 Budget Act for the continued support of the six domestic violence programs established in the state by Chapter 892 of the Statutes of 1977 be allocated equally among the respective boards of supervisors of the counties in which the domestic violence programs are located for disbursement by the boards in the manner specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

This bill would take effect immediately as an urgency statute

Ch 147 (AB 1755) Ingalls Schoolbuses temporary permits regulations

(1) Existing law requires the Department of the California Highway Patrol to adopt regulations requiring school district governing boards to monitor bus routes and schedules and to notify law enforcement agencies when a schoolbus is unreasonably overdue

This bill would delete this requirement

(2) Under existing law, the owner or operator of a privately owned schoolbus in entitled to pay a nominal $10 fee for registration and licensing in lieu of all other fees required by the Vehicle Code, except fees for duplicate plates, certificates, or cards, if (a) the bus is owned by a private nonprofit educational organization, operated in accordance with prescribed rules and regulations, and used exclusively to transport school pupils, or school pupils and employees, of the private nonprofit educational organization, or (b) the bus is operated in accordance with the rules and regulations of the Department of Education and the California Highway Patrol, and used exclusively to transport school pupils, or school pupils and employees, of any public school or private

nonprofit organization pursuant to a contract, as prescribed

When a privately owned schoolbus is operated as a regular commercial vehicle, transporting persons other than school pupils or school employees, it is subject to regular registration and license fees If the schoolbus is only temporarily operated as a regular commercial vehicle, the owner or operator is required to obtain regular registration or a temporary registration for any 3 consecutive calendar months The fee for a temporary permit is ¼ of the normal annual registration fee, including the vehicle license fee. There is no proration of fees for any fraction of the 3-month period.

This bill would instead provide that a temporary permit could be obtained for any 1 or more calendar months and would specify that the fee for the temporary permit would be ⅒ of the annual fee for each calendar month. The bill would also specify that there will be no proration of fees for any fraction of a calendar month.

Ch. 148 (AB 2073) Thurman. Outdoor advertising farm produce outlets.

Under existing law, no advertising display may be placed within 660 feet from the edge of a right-of-way of any highway in the National System of Interstate and Defense Highways or the federal-aid primary system, except as specified

This bill would except from such prohibition, as to primary highways but not as to interstate highways until January 1, 1984, advertising displays erected and maintained pursuant to regulations of the Director of Transportation, which would not incur specified federal penalties and which identify the location of a farm produce outlet where farmers sell their products directly to the public. Such displays would be prohibited from indicating price and from being larger than 8 square feet

Ch 149 (AB 2287) Egeland Burn and smoke inhalation injuries

Existing law requires the State Fire Marshal to establish and maintain a registry of burn injuries and deaths from burn injuries, and to annually compile a statistical report of such injuries and deaths Existing law requires that a burn center, as defined, examining, treating, or admitting a person with a burn or smoke inhalation injury or a person who suffers a burn-related death to make a report to the State Fire Marshal on a form developed by the State Fire Marshal in cooperation with the burn centers. Present law requires the burn centers to file a report with the State Fire Marshal on such burn or smoke inhalation patients at the end of examination or treatment or at the time of discharge or at the time of a patient's death Present law in this regard is effective only until January 1, 1981, and is repealed on such date.

This bill would delete the provision in present law which provides for a repeal on January 1, 1981.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 150 (SB 1416) Watson. Mobile intensive care paramedics

Until January 1, 1982, existing law authorizes any county to conduct a pilot program which provides emergency medical care services utilizing mobile intensive care paramedics, as defined Under such existing law, such paramedics may, within such program, perform specified patient care, and, when at a participating general acute care hospital and under the direct supervision of a physician or registered nurse or when at the scene of a medical emergency and in specified contact with a physician or certified mobile intensive care nurse, as defined, such paramedics may perform additional specified types of patient care.

This bill would authorize such paramedics in such pilot programs when under the specified supervision or in the specified contact with such a physician or nurse, additionally, to perform pulmonary ventilation by approved airway management techniques, to apply antishock trousers, and perform other standard emergency medical treatment practice approved by the county health officer The bill would also add to the authorized

functions such paramedic may perform the initiation prior to such supervision or contact of the administration of specified intravenous agents or solutions, the pulmonary ventilation by use of approved, as specified, airway management techniques, and the application of antishock trousers

The bill would also authorize such paramedics to initiate any paramedic procedures specified in specified existing law or the bill when such paramedic is at the scene of an emergency, the specified communication cannot be established or maintained, the life of the patient is endangered, as specified, the initiation is authorized by protocols approved by the county health officer, and such paramedic has received training in the procedure The bill would require a written report to be filed within 24 hours of such incident with the participating general acute care hospital

Ch 151 (AB 1861) Egeland Administrative regulations

Under existing law, at a hearing regarding the adoption, amendment, or repeal of a regulation by a state agency, the state agency is required to provide any interested person or his duly authorized representative, or both, the opportunity to present statements in writing with or without opportunity to present the same orally

This bill would, instead, provide that when a public hearing is scheduled, an oral presentation shall also be permitted if a written request is submitted to the state agency no later than 15 days prior to the hearing

Ch 152 (AB 1956) Tucker. Minors.

Existing law authorizes a minor 12 years of age or older who may have come into contact with any infectious, contagious, or communicable disease to give consent to the furnishing of hospital, medical, and surgical care related to the diagnosis or treatment of such disease, if the disease or condition is one which is required by law or regulation to be reported to the local health officer.

This bill would also authorize a minor to consent to diagnosis or treatment of related sexually transmitted diseases, as may be determined by the [State]* Director of ~~the State Department of~~* Health Services.

Ch 153 (AB 2060) Hannigan Reclamation districts

(1) Under existing law, reclamation districts are authorized to fix and collect charges and fees, including minimum and standby charges, for the provision of benefits and services and, by resolution of the governing board, to provide a procedure for and collect such charges and fees, by way of the tax bills of the county or counties in which such district is located.

This bill would also authorize a reclamation district to collect assessments levied by the district pursuant to specified provisions by way of the tax bills of the county or counties in which such district is located

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would provide that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(3) The bill would take effect immediately as an urgency statute

Ch. 154 (AB 2085) Hannigan Airports, Yolo County funds

Existing law authorizes the Department of Transportation to make allocations from the Aeronautics Account in the State Transportation Fund to public entities for capital expenditures for airport and aviation purposes, as defined

This bill would include as a specific meaning of the term "airport and aviation purposes" for these provisions engineering and preliminary engineering related directly to a project funded pursuant to these provisions of law

This bill would also direct the department to authorize the expenditure of $8,836 64 allocated from the Aeronautics Account to Yolo County for airport and aviation purposes

when such funds were encumbered by the county prior to January 1, 1976.

Ch. 155 (AB 2087) Statham Aeronautics Account. County of Siskiyou.

This bill would validate allocations totaling $31,868 made by the Division of Aeronautics of the Department of Transportation from the Aeronautics Account in the State Transportation Fund to the County of Siskiyou and used for airport purposes

Ch. 156 (AB 2101) Hughes Bond housing finance agencies.

Chapter 1069 of the Statutes of 1979 enacted a requirement that all city or county programs for the issuance of revenue bonds to provide long-term financing or acquisition of housing, other than multifamily rental housing, be in conformity with provisions enacted by Chapter 1069 There is, however, an exemption for issuance of revenue bonds meeting prescribed criteria prior to February 1, 1980.

With respect to the Cities of San Bernardino, Burbank, and Pasadena only, this bill would extend the deadline for issuance of such bonds, as a requirement for such exemption, to July 1, 1980, provided interest on the issuance is tax-exempt under federal law in effect on the date of issuance

This bill would take effect immediately as an urgency statute

Ch 157 (AB 2102) Hughes Augmentation of 1979 Budget Act: Department of Real Estate

The Budget Act of 1979 contains an appropriation from the General Fund for the support of the Department of Real Estate.

This bill would augment the Budget Act of 1979 by appropriating $803,842 from the Real Estate Fund to the Controller for support of personal services and operating expenses and equipment within the Department of Real Estate necessary to process subdivision applications.

This bill would take effect immediately as an urgency statute.

Ch. 158 (AB 2422) Mangers. Vehicles: parking

Under existing law, it is unlawful to park a vehicle in front of a private driveway.

This bill would permit a local authority, by ordinance, to authorize the owner or lessee of property to park a vehicle in front of that owner's or lessee's private driveway when the owner or lessee displays on the vehicle a permit issued pursuant to the ordinance. The local authority would be authorized to charge a nonrefundable fee to defray the costs of issuing and administering the permits. Such an ordinance would not become effective as to any state highway without prior submission to and approval by the Department of Transportation

The bill would take effect immediately as an urgency statute.

Ch 159 (AB 2521) Wyman. Air pollution: district hearing boards.

Under existing law, there is in every county a county air pollution control district unless the county is included within the Bay Area Air Quality Management District, the South Coast Air Quality Management District, a regional air pollution control district, or a unified air pollution control district, in which case there is a county district in that part of the county not so included Each district is required to appoint 1 or more hearing boards of 5 members who have specified qualifications, except that in a county of less than 500,000 population the specified qualifications may be waived if the county district board is unable to appoint a person having the requisite qualifications

This bill would specify that, in a county district of less than 500,000 population, the specified qualifications may be waived if the county district board is unable to appoint a person of the requisite qualifications

Ch 160 (AB 1977) Kelley Court reporters

Existing law specifies the compensation of court reporters in Imperial County

This bill would increase the compensation of court reporters in Imperial County

Existing law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for Imperial County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Imperial County and the Legislature This bill would also make the above provisions of the act inseverable

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this bill pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 161 (AB 2154) Felando Cemeteries

Existing law provides a system for the regulation of cemeteries Under this system public cemetery districts, their officers, and their employees are prohibited from engaging in the business of selling monuments or markers.

This bill would extend the prohibition to cemeteries owned and operated by cities, counties, and cities and counties, as well as to their officers and employees, as prescribed

Ch 162 (AB 1254) Hart University of California California Writing Project

Existing law vests the authority to manage and control the University of California in the Regents of the University of California.

This bill would provide for the establishment of a California Writing Project by the regents to solve by cooperatively planned and funded efforts the writing skills problem of students in California. It would require that the resource center policy board of each resource center have the opportunity to review and comment on writing project applications

This bill would be operative, and apply to the University of California, only for such times as the Legislature has appropriated funds therefor and the regents have accepted such funds

This bill would take effect immediately as an urgency statute

Ch 163 (AB 1967) McAlister Civil actions

Under existing law, in any action concerning real property or affecting the title ~~a~~ [or the]* right to possession of real property, a notice of the pendency of the action may be recorded in the county where the property is situated by the plaintiff, or by the defendant where the defendant claims affirmative relief in his answer However existing law no longer permits affirmative relief to be claimed in an answer, but instead such relief may be claimed in a cross-complaint

This bill would provide ~~for~~ [that in]* such actions ~~that~~* a notice of the pendency of the action may be filed where the defendant files a cross-complaint

Under existing law, a party may object to a complaint or cross-complaint, by demurrer or answer, if in an action founded upon a contract it cannot be ascertained from the pleading whether the contract is written or oral

This bill would permit such objection if it cannot be determined from the pleading whether the contract is written, oral, or implied by conduct.

Ch 164 (SB 1087) Dills Garbage and refuse disposal fees and charges

(1) Existing law requires the county board of supervisors to levy and collect with general county taxes an ad valorem property tax on property in a garbage disposal district sufficient to defray costs of disposal of garbage and other refuse in the district and the maintenance and other authorized expenses of the district Article XIII A of the California Constitution imposes a 1% limit on all ad valorem property taxes on such property and other provisions of law prohibit, for the 1979–80 fiscal year, such property taxes to be directly levied for the district

This bill would authorize a garbage disposal district in Los Angeles County to prescribe, revise, and collect fees and charges, for the purpose of defraying the cost of the disposal of garbage and refuse in the district, maintaining the district, and meeting other expenditures of the district

The bill would specify the procedure for imposing such service fees and charges, including a vote on the question of whether the district shall be authorized to prescribe fees before adoption of the ordinance prescribing such fees

The bill would authorize the governing body of such a district, which is, ex officio, the Board of Supervisors of Los Angeles County, to determine what majority of the voters voting on the proposition is required to approve such authorization

(2) The bill would take effect immediately as an urgency statute

Ch 165 (AB 1917) Lancaster School districts. private educational institutions' summer sessions

(1) Existing law authorizes any school district to enter a lease or agreement with a private educational institution for such institution's sole occupancy of the real property and buildings of the district, except that no such occupancy may occur during normal school hours when the school is in session

This bill would also authorize joint occupancy with such institution, and would permit joint or sole occupancy during normal school hours during summer session

(2) Existing law requires the governing board of any school district, prior to any sale or lease of, or any rental of any excess district property for a period exceeding 30 days, to appoint a district advisory committee to advise the board regarding the use or disposition of such property

This bill would permit governing boards to elect not to appoint such an advisory committee in the case of a lease or rental to a private educational institution for the purpose of offering summer school in the district pursuant to a specified lease or agreement.

(3) Existing law restricts the sale of district personal property and of instructional materials of the district

This bill would permit any school district to sell or lease any personal property or instructional materials of the district to a private educational institution for use in any summer school which such institution offers in the district pursuant to the specified lease or agreement

(4) This bill would take effect immediately as an urgency statute.

Ch 166 (AB 2084) Hannigan. Administrative adjudication of traffic infractions

(1) Under existing law, a demonstration project of the administrative adjudication of traffic safety violations is to be conducted in Placer, Sacramento, and Yolo Counties, beginning July 1, 1980

This bill would postpone its commencement until October 1, 1980, and would make technical clarifying changes, including changing the terms "summary hearing" and "confrontation hearing" to "informal hearing" and "full hearing", respectively The bill would delete the exclusion of a "no contest" answer from being used as an admission in any subsequent criminal action The bill would delete the condition that the amount of monetary sanctions and penalty assessments be specified in a schedule, when an individual would otherwise be required to submit payment of such monetary sanctions and penalty assessments The bill would also exclude contested, rather than only noncontested, parking violations from the program, thus continuing administration of all parking violations by the courts

(2) Under existing law, all money other than monetary sanctions and penalty assessments received by the Traffic Adjudication Board is deposited into the Traffic Adjudication Fund and transferred to the General Fund to pay for administrative costs of the board.

This bill would provide for such money to be deposited directly to the General Fund and would delete the purpose for which such funds are to be used

(3) The bill would take effect immediately as an urgency statute

Ch 167 (AB 1685) N Waters School facilities

Current law requires that all "school buildings," as defined, be constructed or reconstructed in accordance with the structural standards of the so-called Field Act

This bill would authorize the Lodi Unified School District to lease, for either an additional 2½-year period or for a 5-year period, residential houses constructed after January 1, 1978, to house elementary school pupils, as long as such houses meet specified

standards. Such houses would be exempt from the provisions of the so-called Field Act for the duration of such lease.

Ch 168 (AB 1931) Chappie. Superior courts. register of actions.

Existing law requires the clerk of the superior court to keep a register of actions

This bill would authorize suspension of such a register in Placer County as a 3-year pilot project.

Ch 169 (AB 1953) Boatwright. Tao House: transfer to federal ownership.

Existing law appropriated $255,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for acquisition of Eugene O'Neill's former residence, the "Tao House" and surrounding grounds in the County of Contra Costa as a unit of the state park system The law provides for the department to enter into an agreement, having specified stipulations, with the Eugene O'Neill Foundation, Tao House, a California nonprofit corporation, or the County of Contra Costa, or both, for the development, improvement, restoration, care, maintenance, and control of the property by either or both of them and at the expense of either or both of them

This bill would, notwithstanding such provisions, authorize the Director of Parks and Recreation, with the approval of the Director of General Services, to transfer such property on behalf of the state to the United States without monetary consideration, but otherwise upon such terms and conditions as are determined to be in the best interests of the state. The bill would authorize an amendment to the operating agreement if necessary to effect the transfer.

The bill would take effect immediately as an urgency statute.

Ch 170 (AB 1971) Mello. Coastal zone boundaries

The California Coastal Act of 1976, generally, provides for the planning and regulation of development within prescribed areas of the state's coastline, designated as the coastal zone.

(1) Under existing law, in certain designated areas in the City of Monterey, the specified coastal zone boundary is delineated by reference on a designated map dated and filed with the office of the Secretary of State, as prescribed.

This bill would provide that, notwithstanding any such map, the inland coastal zone boundary in a certain designated area in the City of Monterey would be as prescribed by the provisions of this bill

(2) This bill would include and exclude a designated number of acres from the coastal zone in the Aliso Creek area in Orange County, indicated on designated maps dated and filed with the Secretary of State as prescribed, if certain specified conditions provided in the bill are met

(3) The act requires, generally, each local government to prepare a local coastal program, based on various resources planning and management policies set forth in the act, for that portion of the coastal zone within its jurisdiction, and provides for the approval and certification of any such program by the regional coastal commission and the California Coastal Commission.

The bill would require the commission, on or before July 1, 1981, to adopt a local coastal program for a designated area within the City of Carlsbad, specifically delineated on prescribed maps to be filed with the Secretary of State on the prescribed date, which shall be deemed certified, and which shall, for all the purposes of the act, constitute the certified local coastal program for the area Failure of the commission to so adopt such a local coastal program would cause that designated area to be excluded from the coastal zone.

(4) Under the act, certain designated areas in the City of Carlsbad and adjacent unincorporated areas are excluded from the coastal zone as indicated on specified maps

This bill would, in addition, exclude a specified number of acres lying west and south of Palomar Airport, as shown on a designated map filed with the Secretary of State, as prescribed, from the coastal zone after the City Engineer of the City of Carlsbad approves and the commission certifies a drainage plan for the area, which plan the City of Carlsbad shall implement and enforce

(5) The bill would also provide that local governments would be reimbursed pursuant to designated provisions of the California Coastal Act of 1976 for costs that may be

incurred by them in carrying out any program or performing any service required by the bill

(6) The bill would take effect immediately as an urgency statute

Ch 171 (AB 1301) Bannai Financial transactions.

Existing provisions of the Check Sellers and Cashers Law provide for the licensing and regulation of check sellers, check cashers, proraters and certain business agents Exempted from the necessity of being licensed under the law are certain nonprofit community service organizations, provided, among other things, that if such an organization arranges and administers debt settlement plans, it charges no more than 5% of the money disbursed monthly, or $10, whichever is less, for its services

This bill would permit such exempt organizations to charge 6 5% of the money disbursed monthly or $12, whichever is less.

Ch 172 (AB 2091) Mangers Property taxation: veteran's exemption.

Under existing property tax law, property which is owned by a disabled veteran or an unmarried surviving spouse of a disabled veteran, as his or her principal place of residence, is exempt from taxation on that part of assessed valuation of the residence which does not exceed $10,000. In addition, Chapter 1276 of the Statutes of 1978 increased the allowable exemption to $15,000 for otherwise eligible persons whose incomes do not exceed specified amounts. If a claimant for the exemption fails to file the claim for exemption by April 15 but files such claim on or before December 1, the exemption is the lesser of $8,000 or 80% of the assessed value of the dwelling Commencing January 1, 1981, the exemption for late filing claimants shall be the lesser of $32,000 or 80% of the full value of the dwelling

This bill would provide that late-filing claimants for the $15,000 exemption who file in conjunction with a late-filed claim for the $10,000 exemption, the exemption shall be the lesser of $12,000 or 80% of the assessed value of the dwelling and for late filing claimants for the $15,000 who file in conjunction with a timely filed claim for the $10,000 exemption, the exemption shall be the lesser of $14,000 or 80% of the assessed value of the dwelling. Commencing January 1, 1981, the exemption for late-filed claims for the higher exemption when filed in conjunction with a late-filed claim for the lower exemption shall be the lesser of $48,000 or 80% of the full value of the dwelling while those filed in conjunction with a timely filed claim shall receive the lesser of $56,000 or 80% of the full value of the dwelling.

The bill would require the Controller to report to the Legislature on the amount of the claims made pursuant to Section 2229 of the Revenue and Taxation Code by county auditors for state reimbursement for property tax revenues lost by reason of this enactment

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency measure.

Ch 173 (AB 145) McAlister Remedies

Existing law provides that all money held, controlled, or in process of distribution by a public agency for retirement or pension purposes, or the right to or payment of disability, death or other specified benefits, are (a) exempt from execution of judgment, (b) not subject to garnishment, attachment, or other process and are not generally assignable except as otherwise specifically provided, or (c) not subject to an order of assignment to a court or county officer to ensure payment of child support

This bill would do the following where a benefit is payable

(a) Eliminate the above-referenced exemption from execution of judgment for court-ordered child or spousal support payments, except as to specified unemployment insur-

ance benefits, as specified

(b) Eliminate the above-referenced prohibition against garnishment, attachment, assignment or other process, as to court-ordered child or spousal support payments, as specified.

(c) Eliminate the above-referenced prohibition of an assignment to a court or county officer as to court-ordered payments of child support, as specified

Existing law provides that all money held, controlled, or in process of distribution by any private retirement plan, or the payment of benefits from such plans are exempt from execution of judgment except that the exemption, in the case of court-ordered child or spousal support payments, does not apply to self-employed retirement plans and individual annuities or accounts, as specified.

This bill would extend the exception to the exemption, as to court-ordered child or spousal support payments, to the entire above provision

Existing law provides that the right of a person to benefits under the State Teachers' Retirement System are not subject to execution, garnishment, attachment or other process and are not assignable except as otherwise specifically provided.

This bill would eliminate the prohibition against such execution, garnishment, attachment, or other process, or assignment in cases of court-ordered child or spousal support payments, as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

The bill would take effect immediately as an urgency statute.

Ch. 174 (AB 502) Robinson Information Practices Act of 1977

The Information Practices Act of 1977 imposes upon state agencies, as defined, various affirmative duties and restrictions regarding the collection, retention, use, and disclosure of confidential and personal information, as such terms are defined in such act.

For purposes of the act, "individual" is defined to mean a natural person acting in the person's individual and private capacity as opposed to public employment or proprietorship

This bill would revise the definition of "individual" to mean a natural person

Ch 175 (AB 1075) Boatwright Peace officers

Existing law prohibits any insurer, in issuing or renewing a private automobile insurance policy, as defined, to a peace officer, member of the California Highway Patrol, or fireman, with respect to his operation of a private motor vehicle, from increasing the premium on such policy for the reason that the insured or applicant for insurance has been involved in an accident while operating an authorized emergency vehicle, as defined, in response to a call to duty, and prohibits any insurer from failing to renew any such policy of such a peace officer, member of the California Highway Patrol, or fireman for the reason that the insured has been involved in such an accident It also provides that no such peace officer, member of the California Highway Patrol, or fireman shall be required to report any such accident to any person who has issued such peace officer, member of the California Highway Patrol, or fireman a private automobile insurance policy

This bill would make such provisions applicable to such persons in performance of their duties during the hours of their employment rather than in response to a call to duty.

Ch. 176 (AB 1473) Statham Air pollution: subventions

(1) Under existing law, the State Air Resources Board may not subvene funds to an air pollution control district if it is not actively and effectively engaged in the reduction of air contaminants pursuant to the basinwide air pollution control plan and its implementation program

This bill would require the findings of the state board to be based on criteria established by the state board jointly with the districts, as specified, for the evaluation of such plans and programs before allocating the district's subvention to itself to carry out the plan and program

(2) Under existing law, the state board is authorized to review the programs and expenditures of each district receiving subventions from the state board to ascertain that nonstate funds are being expended substantially in accordance with the budget on which the subvention was based and to take specified actions if the nonstate funds are not being so expended

The bill would require a public hearing prior to the state board taking any such specified action

Ch 177 (AB 1493) Imbrecht Public officers and employees sheriff· marshals

Existing law provides for the sheriff and marshal to perform similar functions for the superior and municipal courts, respectively and specifies the number, classification, and compensation of municipal court employees in Ventura County

This bill would enact the Ventura County Court Services Consolidation Act of 1980 It would create a court services officer within the office of the Sheriff in Ventura County to serve the superior and municipal courts in that county, subject to regulation by a Court Services Oversight Committee, as specified, and would assign all personnel of the marshal's office and specified personnel of the sheriff to the court services office on the effective date of the act, and would make related changes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

The bill would also declare that it constitutes necessary special legislation

Ch 178 (AB 1862) Moorhead Health manpower planning

Under existing law, the Office of Statewide Health Planning and Development is vested with various powers and duties in conjunction with statewide health planning, including the preparation of a Health Manpower Plan for California The California Postsecondary Education Commission is presently required to issue a Health Sciences Manpower Plan which must take into account the Health Manpower Plan

This bill would focus on such planning from the standpoint of data collection for health manpower planning purposes, and in this regard would require the California Postsecondary Education Commission to submit to the Office of Statewide Health Planning and Development, at least biennially, data which the commission has compiled in preparing the Health Sciences Manpower Plan, and which constitutes basic data as to enrollees in all public and private educational institutions and programs preparing or training health personnel The office would also be authorized to request licensing boards to provide supplemental data

The bill would authorize the Office of Statewide Health Planning and Development to receive, with the cooperation of the respective licensing boards, certain basic data respecting physicians and surgeons, registered nurses, licensed vocational nurses, pharmacists, dentists, and optometrists Except in the case of physicians and surgeons, for which present law already specifies the mode of data collection, the office would be required to develop suggested formats for data collection However, the method of data collection would ultimately be discretionary as to each licensing board The bill would authorize the respective licensing boards for registered nurses, licensed vocational nurses, pharmacists, optometrists, and dentists to require their licentiates to provide information pursuant to the bill as a condition of relicensure

The bill would authorize the Board of Medical Quality Assurance to provide information to the office pursuant to the bill respecting individual physicians, which would be encoded to prevent identification of the physician's name or license number However,

the bill would declare the intent of the Legislature that data transmitted to the office under the bill be processed by the respective licensing boards in such a manner that individual licentiates are not identified by name or number. The bill would permit the office to release information received by it only in a form that cannot be used to identify individuals.

The bill would require the office to implement the bill on a phased basis, as specified.

Ch 179 (AB 2004) Boatwright Air pollution motor vehicle fuel

Under existing law, the State Air Resources Board is required to establish by regulation specified maximum standards for the volatility of gasoline sold in California at 9 pounds per square inch Reid vapor pressure.

This bill would exempt from any law or regulations, for the 3-year period commencing with the effective date of the bill, any blend of gasoline consisting of at least 10% ethyl alcohol, if the gasoline used in the blend meets the 9 pounds per square inch Reid vapor pressure standard.

The bill would require the Legislative Analyst to submit a report to the Legislature 2 years after the effective date of the bill on the impact of the use of gasohol on the ambient air quality in the state

The bill would take effect immediately as an urgency statute

Ch. 180 (AB 2224) Lancaster. School districts. sale or lease of real property: use of proceeds.

Under existing law, a school district is authorized to deposit the proceeds from the sale of or lease with an option to purchase of district property in the general fund of the district for any general fund purpose, so long as it has been determined that the district has no need for additional sites or building construction in the next 5 years and that the district has no major deferred maintenance requirements

This bill would instead require that proceeds from the sale of or lease with an option to purchase of district property be used for capital outlay or costs of maintenance that the governing board of the school district determines will not recur within a 5-year period and would continue to permit the deposit of such proceeds in the general fund if the required determinations have been made

This bill would take effect immediately as an urgency statute.

Ch. 181 (AB 2312) Wray Public meetings· executive session. reporting requirement.

The provisions of existing law contained in the Ralph M Brown Act, among other things, require, where an action is taken in executive session by the legislative body of a local agency, as defined, relative to the appointment, employment, or dismissal of a public employee, that the legislative body of the local agency publicly report at its next public meeting the action taken and the rollcall vote thereon.

This bill would require, instead, that the report be made at the public meeting during which the executive session is held or at the next public meeting

Ch. 182 (SB 2059) M. Garcia Wills· destruction of animals

Under existing law, a provision in a decedent's will may validly compel the destruction of any animal owned by the decedent

This bill would specify that any such provision of a particular will or codicil, as described, is invalid and unenforceable The bill would also state that it is necessary special legislation, for the reasons stated

The bill would take effect immediately as an urgency statute

Ch 183 (AB 1682) Bosco Political Reform Act financial disclosure and disqualification.

Under existing law, contained in the Political Reform Act of 1974, the definition of "income" as used in that act does not exclude payments received from a pension plan

This bill would exclude payments received under a defined benefit pension plan qualified under Section 401(a) of the Internal Revenue Code from the act's definition of income

Existing law, relating to the disqualification of a public official from decisions because of conflicts of interest provides that a public official has an indirect investment or

interest in real property if the investment or interest is owned by a spouse, dependent child, or agent of the official, or by a business entity which the official, his agents, spouse and dependent children control through an ownership interest of over 50%, or by a trust in which the official, his spouse and dependent children have an interest worth over $1,000.

This bill would provide, instead, that an official has an indirect investment or interest if the investment or interest is owned by a spouse, dependent child, or agent of the official or by a business entity or trust in which the official, his agents, his spouse and dependent children own directly, indirectly, or beneficially, a 10% interest or greater

Existing law requires certain high level government officials to file statements disclosing their investments, interests in real property, and income, as specified Existing law, dealing with such disclosure requirements, specifically provides that in the case of an investment which constitutes 50% or more of the ownership interest in a business entity, the filer must disclose the investments and interests in real property of the business entity

This bill would delete the above specific requirement.

Ch 184 (AB 574) Bannai Certified school employees leaves of absence

Existing law requires the governing boards of school districts and county superintendents of schools to grant to any certificated employee, upon request, a leave of absence without loss of compensation for the purpose of enabling such employee to serve as an elected officer of any statewide public employee organization, or national organization with which such statewide organization is affiliated, or of any local organization of a school district having at least 50,000 employees which is affiliated with both a statewide organization and national organization and provides for payment of compensation and earning of service credit for retirement of not to exceed 8 years in connection therewith

This bill would provide that specified retirants shall receive service credit in the State Teachers' Retirement System for such leave of absence between October 1, 1974, and June 30, 1978 [if they waive claims for specified benefits]*.

The provisions of the bill would be repealed on January 2, 1981, unless a later enacted statute deletes or extends such date

The bill would take effect immediately as an urgency statute

Ch 185 (AB 3240) Kelley. Pest control advisers registration

Existing law authorizes a county to charge a fee not to exceed $10 for a pest control adviser to register in person in the county in which he intends to work and prohibits any other county from charging a registration fee to a pest control adviser who mails a properly executed registration form to the county

This bill would allow the county board of supervisors to set a fee for registration by mail, not to exceed $5 per year, and would provide that no charge shall be made for registering in person in additional counties

The bill would make an additional technical change

Ch 186 (AB 2014) McVittie Discovery

Existing law provides that a party may serve upon any other party written interrogatories to be answered by the party served or by any officer or agent of certain organizations, and that interrogatories may be served upon any other party without leave of the court except as specified Existing law, however, does not specify which party shall retain the original interrogatories

This bill would provide that the party serving the interrogatories shall retain the original thereof with the original proof of service affixed thereto

Existing law requires the responding party to respond to the interrogatories under oath, to sign the answers, and to submit such responses to the interrogating party within a specified time

This bill would require the responding party to submit the original, verified responses to the interrogating party and require the interrogating party to retain such responses It would make a corresponding, conforming change in existing provisions relating to the lodging with the court of the original or a copy of a written interrogatory or response thereto

Ch 187 (SB 1531) Sieroty Actions procedures

(a) Existing law provides that after the plaintiff has completed his opening statement, or the presentation of his evidence in a trial by jury, the defendant, without waiving his right to offer evidence in the event the motion is not granted, may move for a judgment of nonsuit; and if the motion is granted, unless the court in its order for judgment otherwise specifies, such judgment of nonsuit operates as an adjudication upon the merits.

This bill would provide that if it appears that the evidence presented supports the granting of the motion as to some but not all the issues involved in the action, the court shall grant the motion as to those issues and the action shall proceed as to the issues remaining; and that, despite the granting of such a motion, no final judgment shall be entered prior to the termination of the action, but the final judgment in such action shall in addition to any matters determined in the trial, award judgment as determined by such motion

(b) Existing law provides that after a party has completed his presentation of evidence in a trial by the court, the other party, without waiving his right to offer evidence in support of his defense or in rebuttal in the event the motion is not granted, may move for a judgment, thereupon the court as trier of the facts shall weigh the evidence and may render a judgment in favor of the moving party, in which case the court shall make findings or may decline to render any judgment until the close of all the evidence, such a motion may also be made and granted as to any cross-complaint, and if the motion is granted, unless the court in its order for judgment otherwise specifies, such judgment operates as an adjudication upon the merits

This bill would provide that if it appears that the evidence presented supports the granting of the motion as to some but not all the issues involved in the action, the court shall grant the motion as to those issues and the action shall proceed as to the issues remaining; and that, despite the granting of such a motion, no final judgment shall be entered prior to the termination of the action, but the final judgment in such action shall, in addition to any matters determined in the trial, award judgment as determined by such motion

Ch. 188 (AB 2366) Nolan. Certificates of acknowledgment· out of state

Under existing law, in order for a certificate of acknowledgment taken outside the state to be sufficient in this state, it must contain a certification by a court clerk that the clerk is authorized to make such certification, that the clerk's signature is true and genuine, and that the underlying acknowledgment is taken in accordance with the laws of the other state

This bill would delete the requirement of such certification as a condition for validity of an acknowledgment taken outside this state

Ch. 189 (AB 2417) Vicencia. Escrow agents.

Under existing law when the move of a licensed escrow agent's business is less than 2 miles, the Commissioner of Corporations' approval of such move is required to be made within 30 days of the licensee's request for approval [However, when a licensed business is to be moved a distance of more than 2 miles, the application for authorization for a change of location is treated as an application for a new license]*

This bill would [instead]* require approval within 30 days of moves of less than 5 miles - [, and require that moves of more than 5 miles be treated as an application for a new license]*

Ch. 190 (AB 3181) Mangers Juvenile court law

Existing law provides that in counties having a population in excess of 2,000,000 there shall be a probation committee in lieu of the county juvenile justice commission otherwise required by law

This bill would make such provision applicable only to counties having a population in excess of 6,000,000

Ch 191 (AB 2244) Hughes Discrimination

Existing law makes every person licensed under the Business and Professions Code subject to disciplinary action if, because of race, color, sex, religion, ancestry, physical handicap, or national origin, he or she refuses to perform his or her licensed activity, or aids or incites the refusal to perform such licensed activity by another licensee, or makes any discrimination, distinction, or restriction in the performance of his or her licensed

activity

This bill would additionally specify marital status as grounds for disciplinary action for refusal of a licensee to perform his or her licensed activity, or aiding or inciting another licensee to refuse to perform such licensed activity, or making any discrimination, or restriction in the performance of such licensed activity

Ch 192 (SB 1279) Maddy CSUC student body organization fees.

Existing law prescribes the manner of establishing mandatory student fees for membership in a student body organization at a state university or college and requires the Trustees of the California State University and Colleges to fix such fee Current law provides that no student shall be required to pay student body membership fees in an aggregate amount exceeding $20 per academic year Current law also provides that the student body membership fee is subject to referendum upon presentation to the president of the university or college of a petition containing the signatures of 20 percent of the regularly enrolled students of the university or college

This bill would delete the provision which limits the amount of such fees a student can be required to pay in an academic year It would also specify that the trustees may approve an increase in the student body fee only after such a fee increase has been approved by a majority of students voting in a referendum established for that purpose It would also reduce the percentage of signatures required on the petititon for a referendum on the student body fee to 10 percent

Ch 193 (SB 1108) Sieroty Health facilities and clinics smoking prohibition

(1) Existing law requires not less than 20 percent of the area of a cafeteria or other dining area with an occupied capacity of 50 or more persons in a publicly owned health facility or clinic to be designated and posted as a nonsmoking section and requires such publicly owned health facilities and clinics to assign patients to rooms according to the patient's individual smoking or nonsmoking preference Such provisions of existing law are enforceable against the public entity by writ of mandate, with reasonable costs and attorneys' fees recoverable by the applicant

This bill would prohibit smoking in patient areas of any clinic, as such term is defined by existing law, excepting specified health facilities, and except in patient rooms designated for occupancy exclusively by smokers The bill would also prohibit smoking in patient care areas, waiting rooms, and visiting rooms of health facilities, as such term is defined by existing law, except designated smoking areas The bill would exempt specified health facilities from such prohibition The bill would prohibit the permitting of smoking in any patient room in a health facility unless all persons assigned to such room have requested a room where smoking is permitted, and, if the occupancy has reached capacity, reasonable time to reassign patients to appropriate rooms would be allowed The bill would also require, with specified exceptions, posting of places where smoking is unlawful or, alternatively, where smoking is permitted The bill would provide that violation of such requirements would be an infraction punishable by a fine of up to $50

The bill would also require all health facilities and clinics to designate and post an area of not less than 20% of the area of a cafeteria or other dining area with an occupied capacity of 50 or more persons as a nonsmoking section and to make every reasonable effort to assign patients to rooms according to the patient's individual smoking or nonsmoking preference

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for 2 specified reasons, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 194 (SB 599) Keene. Special school elections.

Existing law requires vacancies on school and community college district governing boards to be filled by appointment or election, under various specified circumstances. If a board fills a vacancy by appointment, the registered voters of the district are permitted to petition for the conduct of a special election The petition must be deemed sufficient if it bears a sufficient number of signatures signed by a prescribed percentage of the registered voters of the district who voted in the last regular election for governing board members.

This bill would revise the number of signatures required on such petition based on a prescribed percentage of the registered voters at the time of the last regular election for governing board members.

Ch. 195 (SB 1342) Keene. Rules of the road· right-of-way

Under existing law, generally, when two vehicles enter an intersection from different highways at the same time, the driver on the left is required to yield the right-of-way to the driver of the vehicle on his right One exception to this rule is that it does not apply to an intersection controlled by stop signs

This bill would revise that exception so that the rule would apply to an intersection controlled in all directions by stop signs. The revision would not be applicable to acts or omissions occurring before January 1, 1980

Ch. 196 (SB 1664) Petris. Notices

Existing law provides that when a written notice of a motion is required, it must be given at least 10 days prior to the time of the hearing on the motion, irrespective of the manner in which service is accomplished or the location of the person to whom the notice must be given

This bill would extend the 10-day period, if notice is served by mail, to 15 days if mailed to an address within California, to 20 days if mailed to an address outside California but within the United States, or 30 days if mailed outside the United States

Existing law requires that proof of service by mail be made by affixing to the original, or to a true copy, of the document served and filed an affidavit or certificate containing specified information

This bill would eliminate the requirement that the affidavit or certificate be affixed to the original or a true copy of the document served and filed and, instead, would require the affidavit or certificate to set forth the exact title of the document served and filed

The bill also would make a clarifying change

Ch. 197 (AB 2011) Levine. Alcohol: vehicle· open containers

Existing law exempts passengers in a bus or taxicab from provisions prohibiting passengers to possess an open receptacle containing any alcoholic beverage or to drink any alcoholic beverage while in a motor vehicle operated upon any highway

This bill would extend that exemption to passengers in any limousine for hire licensed to transport passengers

Ch. 198 (SB 1855) Johnson. Road projects. federal funds

(1) Under existing law, a city or county is required to submit to the Department of Transportation documents for the construction of a safer off-system road project within 4 years of the beginning of the federal fiscal year of apportionment in order to qualify the road project for federal funds of that federal fiscal year. Under existing law, all federal funds for the safer off-system roads program lapse unless documents are submitted within the 4-year period.

This bill would delete the requirement that submission of such documents be within such 4-year period in order to qualify the road project for federal funds and the provision on the lapse of such funds

(2) This bill would take effect immediately as an urgency statute

Ch 199 (AB 3099) Rosenthal Notices size of type

Existing law requires notice to be given in numerous instances and often provides a specified size of type to be used

This bill would provide that, whenever a specified size of type or printing is to be measured by points, the conventional customs and practices of the printing industry shall be used to determine the size required unless the size is otherwise defined

Ch 200 (SB 1375) Beverly Insurance grants and annuities societies

Under existing law, grants and annuities societies are not specifically prohibited from issuing variable annuities.

This bill would specifically prohibit the issuance of variable annuities by any grants and annuities society

Ch 201 (AB 2418) Vicencia Insurance

Existing law, with respect to uninsured motorist coverage, defines the term "insured motor vehicle" as the motor vehicle described in the underlying insurance policy of which the uninsured motorist endorsement or coverage is a part, and a temporary substitute or newly acquired automobile for which liability coverage is provided in the policy under specified conditions

This bill would, with respect to such definition, make a technical nonsubstantive change

Ch 202 (AB 3255) Deddeh County auditors

Existing law requires county auditors to notify the State Controller, in writing, of the release of impounded revenues of any tax on secured or unsecured property

This bill would delete such requirement

Existing law authorizes a method of the distribution of proceeds derived from the renting of tax-deeded property

This bill would authorize a method for distribution of proceeds for tax-deeded land in the absence of a share claim or distribution agreement

Existing law requires that the county auditors obtain approval from the boards of supervisors for certain tax distribution methods.

This bill would delete such requirement

Ch 203 (SB 1914) Stiern Air pollution control districts hearing boards

Existing law requires each air pollution control district or air quality management district to have 1 or more hearing boards composed of 5 members meeting prescribed qualifications, except that, in the case of a county with a population of less than 500,000, any person may be appointed to the county air pollution control district hearing board if there are no persons with qualifications who are willing and able to serve

This bill would delete the exception for appointment of members to county district hearing boards and instead would provide such an exception for appointment of members to district hearing boards in districts with a population of less than ~~100,000~~ [500,000]*

Ch 204 (AB 943) Lehman Administrative law regulations

(1) Currently, every state agency is generally required to file with the Secretary of State and with the Rules Committee of each house of the Legislature a certified copy of every regulation adopted by it and a certified copy of every order of repeal of a regulation

This bill would provide instead, with respect to provisions operative on July 1, 1980, that such certified copies of adopted regulations and certified copies of orders of repeal of regulations be transmitted to the Office of Administrative Law for filing only with the Secretary of State

(2) Existing law establishes basic minimum procedural requirements for the adoption, amendment, or repeal of administrative regulations These requirements have limited application to regulations prescribing an agency's organization or procedure and to emergency regulations

This bill would add certain regulations of the Savings and Loan Commissioner to those regulations as to which such requirements have limited application The bill would further make such regulations of the Savings and Loan Commissioner effective upon filing with the Secretary of State rather than 30 days after such filing

(3) An existing provision requires that the required 45-day prior notice of the adoption, amendment, or repeal of a regulation, inform the reader that the agency has prepared a statement of the purpose of the proposed action and the information upon which it is relying in making the proposal

This bill would remove from such provision notices of the repeal of a regulation

(4) An existing provision (a) exempts the Public Utilities Commission and the Division of Industrial Accidents from provisions prescribing the procedure for the adoption of regulations and provisions providing for judicial review, with a specified exception and (b) requires such entities to mail, at least 45 days prior to the adoption amendment

or repeal of any regulation required to be filed with the Secretary of State, a notice of the proposed action to every person who has filed with the commission or the division a request therefor

This bill would: (a) also exempt such entities from provisions requiring review of regulations; and (b) revise item (b) above, to, instead, require such publication of such notice in the California Administrative Register.

(5) An existing provision requires every agency to prepare prior to publication of the required 45-day prior notice, to update prior to final adoption, and to make available to the public, upon request, a general statement of the reasons for the proposed adoption or amendment of a regulation, including specified matters.

This bill would deem as compliance with such provision, for regulatory changes in federally mandated regulations identical to a previously adopted or amended federal regulation, inclusion in such required 45-day prior notice of a specified statement of such conforming action and a citation to related explanations.

(6) This bill provides that any statutory reference to the provisions governing state administrative regulations, which provisions are repealed operative July 1, 1980, shall be deemed to be a reference to the provisions governing state administrative regulations, which become operative July 1, 1980

(7) This bill would also make related, technical, and corrective changes.

(8) This bill would take effect immediately as an urgency statute.

Ch. 205 (AB 2207) Mori State employees. career executive assignments-termination and reinstatement.

Existing law: (1) prohibits acquisition, as a result of a career executive assignment (CEA), of any other civil service rights; and (2) requires, upon termination of a CEA and upon request, reinstatement to the former position.

This bill would: (a) provide for exception to item (1) above, by State Personnel Board rule; and (b) revise item (2) above to: require the board to provide by rule for such reinstatement but to a civil service position that is not a CEA and that is at least at the same salary level as the last position held as a permanent or probationary employee If the employee has completed a minimum of 5 years of state service, he or she may return to a position that is (a) at substantially the same salary level as the last position in which he or she had permanent or probationary status or (b) at a salary level that is at least two steps lower than that of the career executive position from which the employee is being terminated.

Ch. 206 (AB 2177) Deddeh. Rental agreements term

Existing law provides that a tenant of a mobilehome park shall be given a rental agreement for such term as he may request, not to exceed 12 months, or for a longer period as the management may approve

This bill would revise such provisions by requiring that such a tenant shall be given a rental agreement for a term of 12 months, or a lesser period as the tenant may request, or a longer period as the parties may set by agreement This bill would also make technical, nonsubstantive changes in the law.

Ch. 207 (AB 2148) Nestande. Insurance. group life policies

In defining group credit life insurance, existing law provides that the amount insured on any 1 borrower or purchaser shall not exceed, with certain exceptions, the balance of the indebtedness to the financial institution or vendor, or $15,000, whichever is less, on any 1 life

This bill would increase such limitation to $50,000

Ch. 208 (SB 1411) Beverly Insurance

Existing law provides for the establishment of a malpractice joint underwriting association to provide medical malpractice insurance under certain circumstances when such insurance is not available through private insurers The purpose of the association was to provide, for a period ending on March 1, 1978, a market for medical malpractice insurance

This bill would repeal such provisions

Ch 209 (AB 2007) McAlister Insurance.

Existing law provides that when an application for a license or a certificate of convenience to act as an insurance solicitor or an application for a change of employer is filed, the insurance commissioner shall notify, in writing, every other agent or broker who is employing or has agreed to employ such applicant.

This bill would delete such provision.

Existing law provides that applications for renewals of licenses may be filed between April 15th and July 15th of the year in which they are renewable upon payment of the appropriate fee plus an additional late payment penalty fee in the amount specified for a 1-year period for such filing, but in no case shall such additional penalty fee exceed $30 for each individual licensee or natural person so named to transact insurance for an organization

This bill would delete such dollar limitation and instead provide that each individual licensee, and each natural person so named to transact insurance for an organization, shall be subject to payment of penalty fees, as specified

Existing law provides that no written proxy of a general mutual insurer shall be made irrevocable nor be valid beyond the earliest of, among other dates, 5 years from the date of execution of the proxy, or such time as may be specified in the bylaws, not to exceed 5 years. This bill would reduce the above 5-year periods to 11 months

Existing law relating to fraternal benefit societies provides the Insurance Commissioner, or any person he may appoint, with the power of visitation and examination into the affairs of any domestic society and requires the commissioner to make such examinations at least once in every 3 years

This bill would delete the requirement that the commissioner make such examinations at least once in every 3 years

Existing law provides that grants and annuities societies are exempt from the general provisions of the Insurance Code, with specified exceptions

This bill would add provisions relating to unfair practices on the part of insurers to those provisions to which grants and annuities societies would be subject

Existing law provides for the creation of the Bureau of Fraudulent Claims within the Division of Consumer Affairs of the Department of Insurance.

This bill would delete the requirement that such bureau be within the Division of Consumer Affairs

This bill would also make various technical and conforming changes in existing law

Ch 210 (AB 3257) Ryan Property taxation tax rate reporting

Present law requires the county auditor to report the rate of taxation for the county within 3 days after such rates have been fixed.

This bill would delete this requirement

Present law further requires that the county auditor forward to the Controller a statement of the rates of taxation, the assessed valuation as shown on the current equalized assessment roll, and the amount of taxes to be levied for county purposes, as specified

This bill would revise such reporting requirements

Ch 211 (SB 2000) Beverly Indemnity construction contracts

Existing law regarding construction contracts generally prohibits agreements to indemnify the promisee against liability for damages for death or bodily injury, injury to property, or design defects arising from the sole negligence or willful misconduct of the promisee or the promisee's agents, servants, or independent contractors who are directly responsible to the promisee However, such provisions do not prevent a party to a construction contract and the owner or party on whose account the contract is performed from agreeing with respect to the allocation or limitation of liability as between the parties for design defects

This bill would provide that a party to the construction contract and the owner or party on whose account the contract is performed may negotiate and expressly agree with respect to the allocation, release, liquidation, or limitation as between the parties of any liability for design defects, or liability of the promisee to the promisor arising out of or related to the contract

Ch 212 (SB 1379) Foran Transportation Government Code code maintenance

Chapter 1106 of the Statutes of 1977 revised state law relating to transportation and, among other things, abolished the State Transportation Board, the State Aeronautics Board, the California Highway Commission, and the California Toll Bridge Authority and vested their duties, powers, purposes, responsibilities, and jurisdictions in the California Transportation Commission

Chapter 1253 of the Statutes of 1972 abolished the Department of Public Works and vested its duties, powers, purposes, responsibilities, and jurisdiction in the Department of Transportation

Chapter 365 of the Statutes of 1978 renamed the Department of Navigation and Ocean Development as the Department of Boating and Waterways

This bill would correct references to the California Transportation Commission, the Department of Transportation, and the Department of Boating and Waterways, and delete obsolete provisions of law in the Government Code relating to transportation

Ch 213 (AB 1055) Fenton Peace officers' training

Existing law authorizes the Commission on Peace Officer Standards and Training to permit peace officer training to be obtained at existing institutions approved by the commission

This bill would require the commission to permit such training to be obtained at institutions approved by the commission The bill would also specify that, for persons with prior equivalent peace officer training, the opportunity for testing in lieu of attending an academy or college shall be provided The bill would require the commission to charge a fee to cover administrative costs, as specified

Ch 214 (SB 1547) Cusanovich State Capitol Restoration Project

This bill would appropriate $8,028,542 from the General Fund to the Contingent Funds of the Assembly and Senate, without regard to fiscal years, for expenditure for purposes of the State Capitol Restoration Project The bill would also require the Joint Rules Committee to cause the removal of the temporary buildings used for sessions of the Legislature during the restoration or rehabilitation of the west wing of the State Capitol. The removal would be required to be completed no later than one year after the commencement of sessions of the Legislature in the restored or rehabilitated west wing of the State Capitol

This bill would take effect immediately as an urgency statute

Ch 215 (AB 2146) McAlister Claims against public entities

(1) Existing provisions of the Government Code specify procedures for presentation and payment of claims for money and damages against state and local public entities

Existing provisions of law also provide that judgments in eminent domain proceedings may be enforced by execution as in a civil case

This bill would specify that judgments in eminent domain proceedings are enforceable against a public entity, with the exception of the Regents of the University of California in accordance with the provisions of the Government Code relating to payment of claims

(2) Existing law provides for the payment of interest on judgments and certain other claims

This bill would provide for the payment of interest on claims or in compromise of claims, except under specific circumstances, which are allowed by a public entity in full or part, unless the public entity and claimant otherwise agree, as specified Such interest would begin to accrue 30 days after the claimant accepts the amount allowed as full settlement and would accrue at the rate provided for judgments paid

(3) Existing provisions of the Government Code require local public entities to pay tort or inverse condemnation judgments and establish procedures for the payment of such judgments

This bill would make such provisions applicable to all money judgments, subject to certain limitations

(4) Existing law permits the settlement of claims by local public entities

This bill specifies that if the local public entity settles a claim it shall pay the amount allowed on the claim in the same manner as if judgment had been obtained by the claimant, and specifies that the local public entity and claimant may agree to installment

payments.

(5) Certain existing provisions regarding payment of claims do not apply to the Department of Transportation

This bill would make such provisions applicable to the Department of Transportation

(6) Existing statutes permit resort to writ of mandate or other proceedings to compel payment of claims which have been allowed

This bill would specify that such remedies are available only if the allowed claim is required to be paid.

(7) Existing law specifies that a judgment is enforceable for 10 years

This bill would specifically provide that a judgment against a public entity is enforceable for 10 years after judgment, or if payable in installments, until 10 years after the final installment is due

(8) Existing law provides that a writ of mandate is appropriate to compel a mandatory duty

This bill would specify that a writ of mandate may be used to compel the performance of duties by the state, its officers or employees, relating to the payment of claims, settlements, or judgments, but would specify that the Legislature has discretion to determine whether or not to appropriate money to pay claims, settlements, or judgments, or to authorize payments.

The bill would also specify that a writ of mandate may be used to compel the Director of Finance to certify that a sufficient appropriation exists for the payment of a claim, settlement, or judgment if a sufficient appropriation does exist

(9) Existing statutory and case law limits the use of execution against property of the state and local public entities

This bill would provide that execution and other methods of enforcement of a money judgment under the Code of Civil Procedure are not available to enforce a money judgment against a public entity

(10) Under existing law where a local public entity makes installment payments on a judgment, each installment is of an equal portion of the principal

This bill would instead provide that each installment is of an equal amount.

(11) Existing law requires certain local public entities to levy taxes or assessments or make rates and charges to provide funds to pay certain judgments

This bill would require local public entities to provide in their budgets for the payment of judgments

The bill would make various related changes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, and provides that the other remedies and procedures for providing reimbursement shall have no application to the bill.

Ch 216 (AB 2112) Cline Lotteries· printed materials

Existing law prohibits various activities relating to the conduct of lotteries, as defined, including the preparation and advertising of lotteries and the sale or transfer of lottery tickets

This bill would permit the printing of advertisements and tickets for lotteries legally conducted outside the state and would permit the sale of such printed materials by the manufacturer only to the parties conducting such lotteries The bill would not authorize any advertisement within the state relating to lotteries, or the sale or resale within the state of specified lottery materials, or any other act in violation of any other law

This bill would take effect immediately as an urgency statute

Ch 217 (AB 3119) Moorhead. Superior courts court reporters

Existing law specifies the compensation of court reporters pro tempore in the superior court in Sacramento County

This bill would revise the compensation of court reporters pro tempore in the superior court in Sacramento County

Ch 218 (SB 1156) Johnson Community colleges registration

Under existing law, community colleges offering in-service training courses, such as police, fire, corrections and other criminal justice system occupations, must have open registration and enrollment to the public for such attendance to be computed into the community college's average daily attendance In-service courses with restricted enrollment are not to be reported for state apportionments Existing law, however, under prescribed circumstances permits preference in enrollment to employed law enforcement trainees

This bill would authorize community colleges to give employees or volunteers of a fire protection or fire prevention agency preference in registering for in-service courses sponsored by any fire prevention or fire protection agency or association Such preference would only be given to specified persons This bill would require that at least 15% of the persons enrolled in these courses be other than employees or volunteers of a fire protection or fire prevention agency or association, if such persons are available to attend such courses This bill also would authorize community college districts to report average daily attendance for such courses for state aid

The provisions of this bill would be limited to certain community colleges

Ch 219 (SB 1301) Vuich Natural gas ammonia production

Under existing law, gas corporations are public utilities subject to the jurisdiction and control of the Public Utilities Commission, including the establishment by the commission of the rates at which natural gas is furnished to consumers

This bill would require that the rates charged for furnishing natural gas for the manufacture of ammonia shall not exceed 10% greater than the average price paid by the gas corporation for all its gas supplies, but not less than the rates in effect on December 31, 1979 It would exempt sales of gas subject to the federal Natural Gas Policy Act of 1978 It would declare the intent of the Legislature that ammonia producers continue to sell ammonia principally for California agricultural purposes It would direct the commission to report to the Legislature by January 1, 1982, on the effects of the bill on gas rates, and direct the Assembly Agriculture Committee to report to the Legislature by January 1, 1982, on the effects of the bill on ammonia production and the effects thereof on California agriculture

The bill would repeal these provisions on January 1, 1983

The bill would take effect immediately as an urgency statute

Ch 220 (SB 1495) Vuich Expenditure limitations local government

Proposition 4 on the ballot for the special election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of state and local government

This bill would provide for the implementation of Article XIII B by authorizing certain newly incorporated cities, to adopt an appropriations limit determined in a specified manner

The bill would take effect immediately as an urgency statute

Ch 221 (SB 1277) Russell Glendale Unified School District Glendale Community College District reorganization

Under existing law, there is a common governing board for the Glendale Unified School District and the Glendale Community College District Current law permits a common governing board, on its own initiative, to determine that a separate community college district be established

This bill would authorize the governing board of the Glendale Unified School District to order an election to be held at, and consolidated with, the general statewide election of November 4, 1980, to determine whether a separate community college district governing board shall be established, subject to specified provisions governing the establishment and election of the separate board

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 222 (SB 1280) Maddy. Sales and use taxes medical tag

Existing California State and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax The sale or use of medical alert tags worn to alert persons that the wearer has a medical disability or allergic reaction and which are furnished by certain tax-exempt organizations are exempted from sales or use taxes, pursuant to Chapter 878 of the Statutes of 1978, which shall remain in effect for 2 years, unless such date is extended

This bill would extend indefinitely, until amended or repealed by the Legislature, such exemption from state and local sales and use taxes

Under existing law, Section 2230 of the Revenue and Taxation Code requires the state to reimburse cities and counties for losses caused by changes in state sales and use taxes which are required to be incorporated in local sales and use taxes

This bill provides that no appropriation is made by this act pursuant to Section 2230 for a specified reason

This bill would take effect immediately as a tax levy

Ch. 223 (SB 1312) Foran Insurance.

Existing law provides that no certificate of authority shall be granted to a foreign or alien applicant that has not actively transacted for 3 years the classes of insurance for which it seeks to be admitted, with certain exceptions

This bill would additionally exempt an applicant meeting certain unspecified conditions established by the Insurance Commissioner

Existing law requires a surplus line broker to pay a specified gross premiums tax payable in quarterly installments

This bill would impose specified penalties for nonpayment or late payment of such tax to accrue until paid The commissioner would be authorized to remit any penalty, where the failure of, or delay in, payment arose out of excusable mistake or excusable inadvertance The bill would also provide, upon a showing of good cause, for specified extensions of time for filing or paying

Existing law requires a surplus line broker, on or before May 1, of each year, to file with the Insurance Commissioner a sworn statement of all business transacted under his license during the last preceding calendar year

This bill would change such filing date to on or before April 1, of each year

Ch 224 (SB 1355) Johnson Happy Camp Community Park local assistance grant relief

Under the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964, a local assistance grant was made to Siskiyou County for development of Happy Camp Community Park Under that law, the county is required to operate and maintain such improvements, and they may be used only for the purpose for which the grant funds were requested, except by specific act of the Legislature

This bill would authorize the county to transfer title to the park and improvements therein to the Happy Camp Community Services District if the district agrees to operate and maintain the park and improvements so that they are open and usable by the public, and would, upon completion of the transfer, relieve the county and the district from obligations under the grant agreement

Ch 225 (SB 1461) Ayala Physicians and surgeons clinic fees

Existing law provides that a clinic operated primarily for the purpose of medical education by a public or private nonprofit university medical school, approved by the Division of Licensing of the Board of Medical Quality Assurance may charge for professional services rendered to teaching patients by physicians and surgeons who hold academic appointments on the faculty of such university, provided that the charges are approved by the physician in whose name the charge is made

This bill would authorize clinics operated by a medical school which is approved by the Board of Osteopathic Examiners to charge for such services

Ch. 226 (SB 1487) Craven Coachella Valley Water District· replenishment assessments

Under existing law, the Coachella Valley County Water District is authorized to levy and collect water replenishment assessments for the purpose of replenishing ground water supplies within the district, but such assessments may not exceed specified charges applicable at the time of levy under the water supply contract between the district and the State of California

This bill would increase the maximum permissible amount of such assessments to also include such sums as are paid by the district to the Desert Water Agency for payment of similar charges under that agency's water supply contract with the state as provided for in the water management agreement of July 1, 1976 The bill would make other nonsubstantive changes

Ch 227 (SB 1595) Speraw Real estate licensees. Mobilehome sales.

Existing law prohibits a real estate licensee who is selling a mobilehome from including in the selling price of such mobilehome, as an added cost, an amount for licensing the mobilehome as a vehicle, which amount is not due to the state, unless prior to the sale, such amount has been paid by the licensee to the state in order to avoid penalties that would have accrued because of late payment of such fees

This bill would make an exception from such prohibition where the buyer and seller agree to the proration of such license fee for the applicable license period

Ch 228 (SB 1626) Alquist Motor vehicle fuels. alcohol

Existing provisions of the Motor Vehicle Fuel License Tax Law impose a license tax for the privilege of distributing motor vehicle fuel Existing provisions of the Alcoholic Beverage Tax Law impose excise taxes on alcoholic beverages

This bill would provide that any alcohol produced for use in or as a motor vehicle fuel shall be taxed as motor vehicle fuel and shall not be subject to taxes under the Alcoholic Beverage Tax Law The bill would require state requirements for determining whether alcohol is produced for use in or as a motor vehicle fuel to be the same as the requirements of the Bureau of Alcohol, Tobacco and Firearms of the United States Department of Treasury under federal law

The bill would take effect immediately as an urgency statute

Ch 229 (SB 1619) Garamendi Court commissioners powers

Existing law grants additional powers to court commissioners in Los Angeles County not granted to court commissioners in other counties.

This bill would grant such additional powers, as specified, to court commissioners in all counties, subject to the supervision of the court

Ch 230 (SB 1678) Greene Inspection warrants

Under existing law, inspection warrants may be issued by a judge to a state or local official commanding the official to conduct certain required or authorized inspections relating to building, fire, safety, plumbing, electrical, health, or zoning

This bill would add the category of labor to those categories which may be the basis for issuing an inspection warrant, and makes related changes

Ch. 231 (SB 1912) Sieroty Pollution navigable waters· liability

Under existing law, the owner or operator of a vessel is absolutely liable for damage proximately caused by the discharge or leakage of petroleum or fuel oil into the navigable waters of the state in the commercial transportation of petroleum or fuel oil, unless an unforeseen or unforeseeable external or independent agency interposed to cause the discharge or leakage

This bill would limit such exception as to the interposition of an external or independent agency to a reasonably unforeseeable agency, and would expand such liability to include the discharge or leakage of hazardous substances, as defined in specified federal law, and to include vessels engaged in the storage or transfer of petroleum, fuel oil, and hazardous substances

Ch. 232 (SB 1916) Stiern Justice Courts constable

Existing law provides for the election of the constable of a justice court by the electors of the justice court district

This bill would authorize the board of supervisors of Kern County to appoint the sheriff of that county as ex officio constable instead

Ch. 233 (SB 1795) Maddy. Special districts power generation

Under existing law, districts organized pursuant to the California Water District Law or the Community Services District Law are not generally authorized to provide for the generation of hydroelectric power

This bill would authorize the Chowchilla Water District, the La Branza Water District, the Tea Pot Dome Water District, and the Clear Creek Community Services District to construct, maintain, and operate plants for the generation of hydroelectric power and transmission lines for the conveyance thereof, in a manner consistent with the district's storage, transmission, and distribution of irrigation water, and would provide for related matters The bill would make legislative findings and declarations in such connection

The bill would take effect immediately as an urgency statute

Ch. 234 (SB 1933) Mills Dissolution of marriage notice

Existing law prohibits a court from decreeing dissolution of a marriage unless one of the parties meets specified residence requirements Where neither party has complied with the residence requirements at the commencement of the proceedings, then either party, upon satisfaction thereof, may amend the petition or responsive pleading to request a decree of dissolution, and the date of the amended petition or responsive pleading shall be deemed to be the date of the commencement of the proceedings for purposes of the residence requirements

Existing law requires that notice of the amended petition or pleading be given to the other party pursuant to rules as prescribed

This bill would provide that if an appearance has been made by a party, notice shall be given pursuant to rules as prescribed If no appearance has been made by the other party, then notice may be given by mail, as specified, or by personal service, provided that the intent of the party to amend the petition or pleading is indicated therein pursuant to rules as prescribed

Existing law provides that, in any enforcement or modification proceedings after final judgment under the Family Law Act, the court may order the proceedings transferred to the county or residence of either nonresident party, as specified

This bill would instead empower a court to so transfer any proceeding under the Family Law Act

Ch 235 (SB 1965) Carpenter County Employees Retirement Law of 1937 safety members.

The County Employees Retirement Law of 1937 provides that various law enforcement employees are eligible for increased safety membership benefits

This bill would provide that specified Orange County welfare fraud investigators and administrators are not eligible for safety membership

Ch. 236 (SB 1992) Alquist Mobilehomes sales escrow accounts

Under existing law, a mobilehome dealer is required, upon the buyer signing a purchase order, conditional sales contract, or security agreement for a new or used mobilehome, to establish an escrow account for the deposit of any cash or cash equivalent received from the buyer at any time prior to delivery as whole or partial payment for the mobilehome, unless a simultaneous transaction occurs in which the buyer receives delivery of a used mobilehome on the site of occupancy within 2 calendar days No deposits may be distributed from the escrow account to the dealer until either (1) the buyer receives delivery of the mobilehome on the site and it has passed inspection, if required, or (2) the mobilehome has been delivered to the location specified in the escrow instructions and the installation is to be performed by the buyer If a portion of the amount in the escrow account is for accessory structures, then that amount cannot be released until the accessory structures are actually installed

This bill would specifically include accessories to the mobilehome within the provisions relating to the establishment of an escrow account for the deposit of any cash or cash equivalent received from the buyer

The bill would also make conforming changes

Ch 237 (SB 1995) M Garcia. Support executions and assignments

Existing law provides generally for procedures to enforce the parental duty of support of a child when there has been a willful failure to provide such support.

This bill would specify that the existence or enforcement of a duty of support owed by a noncustodial parent shall not be affected by a refusal or failure by the custodial parent to implement the rights of the noncustodial parent as to custody or visitation.

Ch 238 (AB 2296) McAlister Infractions

Under existing law, a person arrested for an infraction may be released if the arresting officer or his superior determines the person should be released and if the person signs a written notice to appear in court, as specified

This bill would specify that where a person is arrested for an infraction, subject to certain exceptions, the peace officer shall only require the person to present identification and sign a written promise to appear, and only if the arrestee refuses to present identification or sign the written promise could that person be taken into custody

Ch 239 (AB 2450) Nolan Sales and use taxes. withholding notices.

Under the existing Sales and Use Tax Law, a notice to withhold certain credits or personal property of a delinquent taxpayer in the hands of a third party for the purposes of collecting certain delinquent taxes may be served on such third person personally or by first-class mail If such notice seeks to prevent the transfer or other disposition of assets in a bank such notice must also be delivered to the bank.

This bill would require, that such notice also be delivered to savings and loan associations, if it seeks to prevent such a transfer or other disposition

Ch 240 (SB 1076) Schmitz County Employees Retirement Law of 1937 disability benefits

(1) Existing provisions of the County Employees Retirement Law of 1937 provide that a member can retire for service-connected disability if the member's incapacity is a result of injury or disease arising out of and in the course of the member's employment

This bill would require, in addition, that such employment contribute substantially to such incapacity. The change would be applicable to all applicants for disability retirement on and after the effective date of the bill

(2) The law presently provides a service-connected disability allowance equal to ½ of a member's final compensation

This bill would permit boards of supervisors to adopt a provision providing nonservice-connected disability benefits, up to 40% of final compensation, based upon years of credited service for new members and present members who elect to be subject thereto

Ch 241 (AB 2978) Ingalls. Courts Riverside County.

Existing law does not authorize the appointment of a court commissioner for the municipal court in Riverside County

This bill would authorize the appointment of a court commissioner for the municipal court in Riverside County

Ch 242 (AB 3304) Knox Securities

Under existing law, an open end investment company must generally file an annual application to qualify the sale of its shares in California which will cover anticipated sales in California during the ensuing year

This bill would provide for a continuous registration process for an open end investment company once it has initially qualified its securities for sale in this state

The bill would also take effect immediately as an urgency statute

Ch 243 (AB 3305) Knox Escrow agents

Under existing law, the Escrow Law does not apply to any person licensed by the Real Estate Commissioner while performing acts in the course of or incidental to his real estate business

This bill would instead exempt any licensed real estate broker while performing acts in the course of a real estate transaction in which the broker is an agent or party to the transaction and in which the broker is performing an act for which a real estate license is required

Ch. 244 (AB 3362) Bannai Teachers' Retirement System, State· generally

The State Teachers' Retirement Law prescribes the rights and benefits of members of the State Teachers' Retirement System

This bill would make technical nonsubstantive changes in that law

Ch 245 (AB 2191) Bergeson Schools· categorical aid programs· evaluation.

Under existing law, the Legislature is required to conduct a comprehensive study of specific educational programs, which terminate on specified dates, unless the Legislature enacts legislation providing otherwise, and requires that in each study each program be scrutinized with regard to various specified matters

This bill would include the interrelationships between and among state and federal categorical programs, as appropriate, among the matters already required to be scrutinized

This bill would take effect immediately as an urgency statute

Ch 246 (AB 2118) McAlister Protective proceedings.

Existing law, to become operative January 1, 1981, authorizes a conservator or other interested person to file a petition for a court order authorizing or requiring a conservator to exercise the right of a conservatee to revoke a revocable trust

This bill would limit such authorization to instances where the instrument governing the trust does not evidence a contrary intent, as specified

Existing law, to become operative January 1, 1981, provides that a court, in its discretion, may order any person to deliver the estate plan for a conservatee to the court for examination by the court and by the attorneys for specified persons.

This bill would expressly permit the court to exercise its discretion whether to permit the attorneys to examine the estate plan after it orders the plan to be delivered to the court

Existing law contains duplicative provisions relative to the appointment of a guardian for a minor.

This bill would eliminate such duplication.

Existing law does not expressly provide authority for a court to consolidate 2 proceedings for the establishment of a guardianship or conservatorship where the proceedings are in different counties

This bill would authorize a court first granting the guardianship or conservatorship, where a proceeding for the guardianship or conservatorship of the person is instituted in one county, and a proceeding for the guardianship or conservatorship of the estate is instituted in a different court, to exert jurisdiction over all property of the ward or conservatee in this state, upon a specified finding, and would require the other proceedings to be dismissed

The bill also would make technical changes conforming specified provisions to the provisions of Chapters 726, 730, and 1157 of the Statutes of 1979.

Ch. 247 (AB 2230) Hayden. Insurance

Under existing law, if an applicant for a license as an insurance agent, broker, or solicitor does not qualify for and receive a license, or is not denied its issue, within 6 months of application or the issuance of a certificate of convenience, the application is automatically denied.

This bill would change the 6-month period to a 1-year period It would provide for a similar period for applications to act as surplus lines brokers or special lines surplus lines brokers

Existing law provides that if the Insurance Commissioner has been informed and believes that a licensed agent, broker, or solicitor has committed certain offenses, and if the last renewal application states with respect to a fire and casualty license that the total premium on insurance other than life during the previous calendar year does not exceed $5,000, or with respect to a life licensee that the total life insurance commissions do not exceed $1,000, the commissioner may without notice or hearing reprimand the licensee or suspend the license for not more than 10 days.

This bill would delete the provisions relating to premiums respecting fire and casualty licensees and commissions respecting life licensees It would also eliminate the provisions permitting suspension of licenses for not more than 10 days

Ch 248 (AB 1576) Perino. County Employees Retirement Law of 1937 benefits.

Existing provisions of the County Employees Retirement Law of 1937 generally require members to have 10 years of service credit or achieve age 70 in order to retire for service

This bill would permit members who would have been eligible to retire with less than 10 years of service, upon attaining a former mandatory retirement age, to retire at that earlier age if the provision is made operative in the county by the board of supervisors

The bill would take effect immediately as an urgency statute

Ch 249 (SB 1934) Johnson French Meadows game refuge

Existing law defines the boundary of Fish and Game District 11, commonly known as the French Meadows game refuge

This bill would redefine the boundary of such district

Ch 250 (SB 624) Nejedly Parklands acquisition and development program· bond issue.

(1) Under existing law, state general obligation bonds have been issued pursuant to the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 and the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 to provide funds to acquire and establish state and local beaches, parks, recreational facilities, and historical resources, and pursuant to the Nejedly-Hart State, Urban, and Coastal Park Bond Act of 1976 to provide funds to acquire, develop, and restore real property for state and local park, beach, recreational, and historical resources preservation purposes

This bill would make legislative findings regarding the need for parks, beaches, recreation areas, recreational facilities, and historical resources preservation projects, and would enact the California Parklands Act of 1980, which, if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of $285,000,000 for parklands acquisition and development purposes, as specified

The bill would provide for submission of the bond act to the voters at a special election to be consolidated with the 1980 general election if the bill is adopted by the Legislature by July 1, 1980, with the provisions of the bond act becoming operative December 1, 1980, if it is adopted by the voters at the general election.

(2) Under existing law, Section 2231 of the Revenue and Taxation Code, the state is required to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would declare that there are no state-mandated local costs in this act that require reimbursement pursuant to Section 2231

(3) The bill would take effect immediately as an act calling an election

Ch 251 (SB 1853) Rodda Appropriation· Budget Act augmentation. contingencies or emergencies

(1) The Budget Act of 1979 appropriated moneys from the General Fund and nongovernmental cost funds for expenditure for contingencies or emergencies upon written authorization from the Department of Finance

This bill would appropriate $30,946,471 in augmentation of such appropriation

(2) The Budget Act of 1979 appropriated moneys for support of the Office of the State Architect in the Department of General Services

This bill would appropriate $99,000 in augmentation of such appropriation for initial investigation, testing, and standardization of repair methods of potentially unsafe public school buildings which were constructed with precast, pretensioned, prestressed concrete roof systems

(3) The bill would take effect immediately as an urgency statute

Ch 252 (AB 2404) Lehman Ground water contamination grants

(1) The California Safe Drinking Water Bond Law of 1976, which was adopted by the people in 1976, authorizes the issuance of bond proceeds in an amount not to exceed $175,000,000 for state loans for the construction, improvement, or rehabilitation of domestic water systems, as defined, but permits the use of such bond proceeds, in an amount not to exceed $15,000,000, for a grant program for public agencies which own or operate domestic water systems

This bill would, upon approval by the voters, increase the amount of bond proceeds which may be used for such grant program to $30,000,000 and would permit up to $15,000,000 of such amount to be used for grants for projects for the construction, improvement, or rehabilitation of domestic water systems which have become contaminated by organic or inorganic compounds or radiation, in such amounts as to render the water unfit or hazardous for human consumption. The bill would specify that any of such moneys made available for grants for projects, which have not been encumbered within 2 years after the effective date of these provisions shall be available only for loans pursuant to the bond law

The bill would require the Legislative Analyst to review the grant programs and report to the Legislature by February 1, 1981

The bill would provide for the submission of the measure to the voters at the 1980 general election

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill would provide that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(3) This bill would take effect immediately as an urgency statute

Ch. 253 (SB 1756) Garamendi. Lake Tahoe acquisitions bonds

Existing law provides for the California Tahoe Conservancy Agency and provides for the purposes, duties, and powers thereof

This bill would revise the membership of the governing body of the agency so that the City Council of South Lake Tahoe, the Board of Supervisors of the County of Placer, the Board of Supervisors of the County of El Dorado would each appoint one member to the agency, the Senate Rules Committee and Speaker of the Assembly of the Legislature would each appoint a member of the general public to the agency, and would require the Secretary of the Resources Agency or his or her designee and a representative of the United States Secretary of Agriculture to serve as members of the agency It would require the governing body of the agency to hold its meetings at convenient locations and publish notice thereof, limit the administrative costs of the agency to $100,000; allow the agency to appoint advisory bodies on land acquisition; limit the fees charged by the agency for services to the reasonable costs of providing such services.

This bill would enact the Lake Tahoe Acquisitions Bond Act of 1980 which, if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of $85,000,000 to provide for the acquisition of lands in the Lake Tahoe region This bill would provide for submission of the bond act to the voters at a special election to be consolidated with the 1980 general election, and would provide that, if enacted, the bond act would become operative January 1, 1981

This bill would take effect immediately as an act calling an election.

Ch 254 (AB 30) Young California Advisory Commission on Youth

Existing law provides that the California Advisory Commission on Youth is to be appointed and administered by the Lieutenant Governor

This bill would abolish the commission

Ch 255 (AB 1791) Leonard Alcoholic beverages possession.

Existing provisions of the Alcoholic Beverage Control Act do not prohibit the possession of open containers of alcoholic beverages in city or county owned parks and other adjacent city or county owned public places, or any recreation and park district or any regional park or open-space district

This bill would enact such provision to be operative if the city or county has enacted an ordinance which prohibits the consumption of alcoholic beverages in such areas, except as otherwise specified A violation of such provision would constitute an infraction

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 256 (SB 1833) Presley Stolen property

Existing law does not authorize a peace officer to place a hold on property in the possession of a pawnbroker where there is probable cause to believe it is stolen.

This bill would authorize such a hold for a period not to exceed 90 days, during which period the pawnbroker could not release or dispose of such property except pursuant to a court order or a written authorization from the clerk or person having charge of the property section for a police or sheriff's department

If such property clerk or person having charge of the property section determines that the property has been stolen and authorizes the release of the property, the owner would be given a statement indicating that the payment of a fee is neither required nor prohibited as a condition for the return of the property

The pawnbroker would not be subject to civil liability for compliance with such provisions

Ch 257 (AB 2015) Wyman Franchise Tax Board executive officer

Under existing law, the Franchise Tax Board may appoint an executive officer and may remove such officer by a two-thirds vote of the board

This bill would allow the board to appoint such an officer with the consent and approval of two-thirds of the Senate and to remove the officer by a majority vote of the board

Ch 258 (AB 2218) D Brown Attorney General

Existing law provides that the Attorney General shall give his opinion, in writing, to the Legislature, the Governor, the Secretary of State, Controller, Treasurer, State Lands Commission, Superintendent of Public Instruction, certain state agencies, and any district attorney regarding any question of law relating to their respective offices

This bill would enable city prosecuting attorneys to seek the opinion of the Attorney General, when required on matters relating to criminal law.

Ch 259 (AB 2362) Gage Hazardous waste· disposal sites.

(1) Existing law requires the State Department of Health Services to adopt standards and requirements for hazardous waste disposal sites, and to issue permits for use and operation of such sites Existing law authorizes the department to impose conditions on such permits

This bill would authorize, as a condition of the permit, the requirement that a hazardous waste facility comply with any order of the State Director of Health Services which prohibits a facility operator of a facility which receives hazardous waste from more than one producer from refusing to accept hazardous waste based on geographical origin, as specified

(2) Existing law requires compliance with conditions on the hazardous waste facilities permit and with regulations adopted by the State Department of Health Services Conditions imposed pursuant to existing law are expressly authorized to include, among others, the types of hazardous waste which may be accepted or disposed of and changes in the operation of the permittee necessary to comply with the requirements promulgated pursuant to the specified statutes

This bill would change such expressly authorized conditions to include the changes in operation of the permitted facility, instead of the operation of the permittee, necessary to comply with the regulations promulgated pursuant to the specified statutes

Ch 260 (AB 2413) Moore Teacher qualifications special schools

Existing law generally requires a fifth year of college level work beyond the bachelor's degree to qualify for a teaching credential Existing law also provides that a valid teaching credential, based upon a bachelor's degree, student teaching, and special fitness to perform the duties, qualifies a person holding such a credential for assignment, with the consent of the teacher, as a home teacher and as a teacher in hospital classes, classes for adults, continuation schools, and necessary small high schools

This bill would also authorize such person for assignment, with the consent of the teacher, as a teacher in alternative schools and opportunity schools

Ch. 261 (AB 2522) Tucker Licensed optometrists blindness certification for certain disability purposes

Under existing law, for purposes of the issuance by the Department of Motor Vehicles of distinguishing license plates and placards to disabled persons for authorized handicapped parking, and for purposes of rehabilitation services, programs, and facilities for disabled persons under the Department of Rehabilitation, the blindness of any applicant must be certified by any licensed physician or surgeon who specializes in diseases of the eye

This bill would authorize the certification of such blindness also by any licensed optometrist

Ch 262 (AB 2573) Bannai Insurance

Existing law provides that prior to granting a certificate of authority or amended certificate of authority to any applicant, the insurance commissioner shall consider all relevant qualifications of the applicant

This bill would provide that whenever the applicant is a wholly owned domestic subsidiary of an admitted domestic insurer, the commissioner shall issue a certificate of authority to such applicant within 180 days of application unless findings are made that such applicant is deficient with respect to ~~all~~ [one or more]* relevant qualifications

Existing law prohibits an insurer, as defined, from selling any security of its own issue in the state without having obtained a permit from the insurance commissioner, with specified exceptions

This bill would additionally specify as an exempt transaction any offer or sale of voting common stock by an insurer incorporated in the state if, immediately after the proposed sale and issuance, there will be only one class of stock of such insurer outstanding which is owned beneficially by no more than one domestic insurer, provided specified requirements have been met

Ch 263 (AB 2670) Hannigan. Real estate licenses

Existing law requires that the holder of an inactive real estate license may only reinstate or renew such license on an active basis on and after January 1, 1981, provided such licensee has completed specified continuing education requirements.

This bill would make such continuing education requirements mandatory for renewal of all real estate salesperson licenses It would require persons who, on January 1, 1981, are licensed as real estate brokers only as officers of a corporate broker to complete such continuing education requirements in order for such licenses to be renewed or to be issued in an individual capacity This bill would also provide that licenses which have been revoked as a result of disciplinary action by the commissioner may not be reinstated until continuing education requirements are met

Existing law provides that for a branch office broker's license or a duplicate license the fee is $4

This bill would delete such provisions

Ch. 264 (AB 3089) McVittie Juveniles probation officers

Existing law makes no requirement that the county probation officer notify a school which referred a minor to the probation officer because of school violence with regard to the status, progress, and action on the case

This bill would make such a requirement

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will

be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 265 (AB 3272) Priolo. Parks and recreation· land acquisition grant: permitted use

The Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 requires property acquired by an entity with grant funds to be used by the grantee only for the purpose for which the grant funds were requested, except where another use is permitted by specific act of the Legislature

This bill would specifically permit the existing use of specified lands acquired by the City of Los Angeles with such grant funds to be continued for 5 years from January 1, 1981; provided, the city holds all revenue derived from such use for the sole purpose of developing the lands for the outdoor recreational purposes stated in the grant agreement between the city and the state. The provisions would be repealed January 1, 1986.

The bill would also state the intent of the Legislature that such land be used for park purposes and that there be no extension of these provisions.

Ch. 266 (AB 3298) Knox. Juvenile court wardship proceedings.

Existing law provides that in the trial of a criminal case by the court without a jury the jury having been waived, the court on motion of the defendant or on its own motion shall order the entry of a judgment of acquittal of one or more of the offenses charged in the accusatory pleading after the evidence of the prosecution has been closed if the court, upon weighing the evidence then before it finds the defendant not guilty of such offense or offenses If such a motion is not granted, the defendant may offer evidence without first having reserved that right

There is no provision specifically analogous to this in the juvenile court law, where the court is determining whether a minor is a person who should be a ward of the court, and an appellate court has held that the existing provision relating to criminal trials is not applicable to proceedings in the juvenile court

This bill would add an analogous provision to the juvenile court law, to provide that in a wardship proceeding the court, on motion of the minor or on its own motion, shall order the petition dismissed and the minor discharged from detention or restriction, after the evidence on behalf of the petitioner has been closed, if the court, upon weighing the evidence then before it, finds that the minor is not a person who should be a ward of the court. The provisions would also state that if such a motion is not granted, the minor may then offer evidence without first having reserved that right

It would also add a similar provision to be applicable where a petition to have a minor declared a dependent child of the court has been filed

Ch. 267 (AB 2585) Hughes High blood pressure control programs

Existing law requires the State Department of Health Services to conduct a program of specified content for the control of high blood pressure, including support and funding of local community high blood pressure programs Local community high blood pressure control programs are authorized to include specified components in a listed priority order

This bill would delete the requirement for a specified priority order in such local programs authorized for state funding.

Ch 268 (AB 2979) Rosenthal Adult day health centers. licensing and inspection.

Under present law the State Department of Health Services is vested with responsibility for enforcement of licensure laws respecting adult day health centers.

This bill would authorize the department to delegate to local health departments authority to verify compliance with such licensure laws and regulations, to provide consultation, and to recommend disciplinary action against licensees to the department The bill would provide for payments to local health departments undertaking such functions in accordance with budgets submitted to the department, but not exceeding

amounts appropriated for such inspection and enforcement

Ch 269 (AB 2134) Knox Sanitary and sanitation districts board member compensation

(1) Existing law authorizes the board of directors of a county sanitation district to fix the amount of compensation of members of the board, not to exceed $50 for each meeting of the district board or for each day's service rendered as a member at the request of the board and not to exceed $200 in any one month

This bill would increase such maximum compensation to $75 per meeting or per day, not to exceed $300 in any one month, except for a member of a district board who also serves as an elected official on the governing board of another local agency and receives compensation for such services

(2) Existing law provides for compensation of members of the board of directors of sanitary districts not to exceed $50 per day for each day's attendance at meetings of the board or for each day's service rendered at the request of the board, not exceeding 4 days in a calendar month

This bill would increase such maximum compensation to $75 per day, except for a member of a board who serves as an elected official on the governing board on another local agency and receives compensation for such service

Ch. 270 (AB 2814) Mello T. Hopkins Right-of-Way

Existing law authorizes the Director of Parks and Recreation to acquire properties in Santa Cruz County which include the T Hopkins Right-of-Way, and provides that such properties are thereafter included in the state park system and that the director has no authority, except by permission of the Legislature, to grant, give, or suffer easements, permits, leases, rights, or rights-of-way thereon, except as specified

This bill would authorize the director to negotiate with the County of Santa Cruz for the improvement of that portion of the T Hopkins Right-of-Way which is located between specified points. The use and development plans would be subject to the approval of the Nature Conservancy

Ch 271 (AB 2547) Bosco Freshwater fish taking

Existing law authorizes the taking of specified freshwater fish for commercial purposes pursuant to Fish and Game Commission regulations

This bill would authorize the taking of additional specified freshwater fish for commercial purposes pursuant to regulations adopted by the commission

Ch 272 (AB 2540) Papan Structural pest control

Existing law prescribes the minimum and maximum amount for fees to be fixed by the Structural Pest Control Board with the approval of the Director of Consumer Affairs of structural pest control licenses

This bill would eliminate the minimum fee for such licenses and the requirement of the approval of the director

The bill would provide that the act is an urgency statute, to go into immediate effect

Ch 273 (AB 3180) Hallett Community college districts revolving cash fund

Under existing law, the governing board of a community college district is authorized to establish a revolving cash fund, as specified The amount of the fund is limited to not more than 2% of a district's estimated expenditures for the current fiscal year and in any event is not to exceed $25,000

This bill would increase the maximum amount of money in a community college district revolving cash fund to $50,000

Ch. 274 (AB 2133) Deddeh Otay Municipal Water District.

Under existing law, the maximum interest rate promissory notes issued by a municipal water district may bear is ~~10%~~ [8%]*

This bill would increase the maximum permissible interest rate for any such promissory notes issued by the Otay Municipal Water District to 15%, but would prohibit the issuance of any new notes by such district pursuant to the bill more than 5 years after the effective date of the bill

The bill would make findings and declarations that a special law is necessary and that

a general law cannot be made applicable

The bill would take effect immediately as an urgency statute.

Ch. 275 (SB 2027) Vuich Accountants

Existing law authorizes the State Board of Accountancy to waive the examination for an applicant for a certificate of certified public accountant and to issue a temporary certificate to such an applicant, if the applicant has such a certificate issued under the laws of any state or is the holder of a comparable certificate or degree issued in a foreign country

This bill would delete the authority to waive such examination and to issue such temporary certificate to an applicant who has a comparable certificate or degree issued in a foreign country.

Ch 276 (SB 1429) Presley. Driving under the influence: intoxicating liquor, drugs: reckless driving.

(1) Chapter 790 of the Statutes of 1978, in part, increased the minimum fines for the crimes of driving while under the influence of intoxicating liquor, any drug, or the combined influence of intoxicating liquor and any drug, and for reckless driving, by $25 The increased minimum penalties were to remain in effect until July 1, 1980, and then revert to their levels prior to the enactment of Chapter 790.

This bill would increase the minimum fines by an additional $10 and would increase the maximum fine for reckless driving from $250 to $500, commencing on the effective date of this bill pursuant to existing provisions of law, or July 1, 1980, pursuant to the provisions of the bill, whichever is later. The increases would remain in effect until July 1, 1982, and then would revert to the level prior to the enactment of Chapter 790 of the Statutes of 1978.

(2) Chapter 790 of the Statutes of 1978 also required that, of funds collected by municipal and justice courts from fines, forfeitures, and other sources and deposited with a county treasurer, $25 for each conviction relating to reckless driving or driving under the influence of alcohol or drugs be deposited in a special account to pay for the costs of performing analyses of blood, breath, or urine for alcohol content or the presence of controlled substances or for services related to such testing Those provisions were extended in 1979, to be repealed on July 1, 1981.

This bill would increase the amount to be deposited in the special account to $35 and would require that persons receiving a suspended sentence and diverted to alcoholism programs, as specified, pay the $35 charge The bill would limit the related services to be paid to those of a criminalistics laboratory. The bill would also make such changes become operative on July 1, 1980, and would make the changes remain in effect only until July 1, 1982, and would then repeal the deposit to the special account and eliminate the charge on diverted persons.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would provide that no appropriation is made by this act because self-financing authority is provided, as specified.

(4) This bill would take effect immediately as an urgency statute.

Ch 277 (AB 1396) Berman. Public health services

Under existing law, the State Department of Health Services is required to make a report to the Legislature each odd-numbered year with such suggestions as to legislative action as it deems proper

This bill would delete such provisions and instead require the State Director of Health Services to conduct and prescribe review of public health statutes in cooperation with the California Conference of Local Health Officers and to submit a report thereon, jointly with the conference, to the Legislature no later than December 31, 1982 In connection with such functions, the bill would require the director, in consultation with

the conference, to convene a working task force, and would authorize the director to contract for services that cannot be provided through existing resources.

The bill would reappropriate $225,000 from Item 266 of the Budget Act of 1979 to the department for expenditure without regard to fiscal year for the purposes of the bill.

This bill would take effect immediately as an urgency statute.

Ch. 278 (AB 3379) Ryan. Counties: appropriations: fund shortages

(1) Under existing law, a county board of supervisors may cancel all or part of an appropriation which is not needed and transfer the canceled amount to a contingency fund.

This bill would, additionally, authorize the board to cancel all or part of an unused appropriation upon determining that the source of funding for the appropriation will be unrealized in whole or in part.

(2) Under existing law, a county board of supervisors, by resolution, may provide that county officers and employees who are responsible for receiving and paying out money may be relieved of shortages in their accounts, where there is no proof of fraud or gross negligence in connection with the shortage and the loss is not covered by insurance.

This bill would, additionally, authorize the board, by resolution, to provide that an application to have a shortage in county funds replenished shall be made with the county auditor, rather than the board, and to provide for the auditor to perform the functions of the board to replenish the shortage. The auditor, in such case, would be required to give periodic accounts to the board concerning shortage reimbursements.

(3) Existing law authorizes a county board of supervisors to establish, or to authorize the county auditor to establish, a revolving cash trust fund for the payment of services, expenses and other charges legally payable from trust funds. Whether established by the board or by the auditor, the amount of such revolving cash trust fund is to be determined by the board of supervisors.

This bill would authorize a county board of supervisors to delegate to the county auditor the authority to fix the amount of, as well as to establish, a revolving cash trust fund.

(4) Existing law limits the interest rate which may be paid by local agencies on certain forms of indebtedness, other than bonds, to 8%.

This bill would raise the interest rate limit to 10%.

(5) This bill would take effect immediately as an urgency statute.

Ch. 279 (AB 3336) Frazee. Schools: employees: funding of San Marcos Unified School District.

(1) Existing law requires that school district governing boards shall employ for positions requiring certification qualifications only persons who possess those qualifications.

This bill would require that every contract for employment for a position requiring certification qualifications between a school district governing board and a person who possesses certification qualifications from another state provide that employment shall terminate upon notice by the Commission for Teacher Preparation and Licensing that the employee does not have the necessary qualifications for the credential required for the service rendered.

(2) Existing law prescribes numerous formulas for the allowance and apportionment of state funds to school districts.

This bill would appropriate a sum not to exceed $700,000 from the General Fund to the Superintendent of Public Instruction for allocation to the San Marcos Unified School District for the 1979–80 fiscal year for any purpose for which money in the district general fund may be used. This bill would also provide for repayment of the money in a specified manner This bill would also condition the receipt of the allocation, as specified

(3) This bill would take effect immediately as an urgency statute.

Ch 280 (AB 2348) Thurman Petroleum products

Existing law relating to the sale of motor oil provides that specified persons must pay a fee, as specified, of not more than $\frac{1}{10}$ of one cent for each gallon of motor oil sold or purchased, the proceeds of which are deposited in the Department of Agriculture Fund and continuously appropriated for administration of various petroleum product regula-

tion provisions.

This bill would increase the amount of such fee to 2 cents for motor oil sold or purchased on or after July 1, 1980, and would provide that such fee provisions shall not apply to motor oil exported for sale outside this state This bill would provide for conforming changes to be made to Section 13431 of the Business and Professions Code, as added by AB 2779 of the 1979–80 Regular Session, to be operative on January 1, 1981, if this bill and AB 2779 are both chaptered and become effective on or before January 1, 1981.

Existing law relating to petroleum franchises provides, among other things, that a retail gasoline station owned or operated by a franchisee shall not be precluded from purchasing gasoline or diesel fuel from any available source if the franchisor is "unable or refuses to supply the franchisee with such products," as defined

This bill would include gasohol within the foregoing provisions.

This bill would also provide that once written notice to a franchisor is given concerning alternative supplies of gasoline, diesel fuel, or gasohol, and the franchisor has failed to deliver, no further written request shall be required of the franchisee, except as specified

This bill would take effect immediately as an urgency statute

Ch 281 (AB 2715) Mangers State employees

Existing law provides for reemployment lists for those employees who have been legally laid off or demoted in lieu of layoff and that any name, after a period of 5 consecutive years, shall be removed from the list.

This bill would provide that notwithstanding these provisions of law, employees who voluntarily resign from state service, as specified, would be placed upon a departmental reemployment list for a total of 3 offers of employment, as specified, and would credit an employee with the same amount of sick leave accumulated upon leaving state service, as specified

This bill would take effect immediately as an urgency statute

Ch 282 (AB 2716) Mangers Department of Forestry· employees, land in Orange County· transfer to Orange County

Existing law provides that a person separating from state employment before retirement to accept employment with a local governmental entity shall receive no credit for accumulated and unused sick leave upon retirement

This bill would provide for such credit for probationary or permanent employees of the Department of Forestry assigned to the Orange Ranger Unit, who voluntarily resign from state service, as specified, and accept similar employment by Orange County in a fire protection organization.

This bill would, subject to certain conditions, require the Director of General Services to convey real property, facilities, and equipment of the Department of Forestry to Orange County, upon its election to provide specified fire protection to state responsibility land located in Orange County The conveyance would be conditioned upon agreement by the county to accept the accumulated and unused sick leave credits of specified Department of Forestry employees who, because of termination on June 30, 1980, of an agreement whereby the department provides specific fire protection, voluntarily accept employment by the county in a county fire protection organization, between February 1, 1980, and July 1, 1980 The director would be required to lease such real property, facilities, and equipment to the county, pending such conveyance, for $1 per year The Director of Forestry and the county are authorized to enter into an agreement providing for the transfer of fire protection responsibility, as specified

This bill would take effect immediately as an urgency statute

Ch. 283 (AB 2151) Hughes Real Estate Fund appropriation

Under existing law, the Commissioner of Real Estate is required to appoint a Real Estate Advisory Commission comprising 8 members, 5 of whom must be licensed real estate brokers and 3 of whom must be public members

This bill would increase the membership of such commission to 10 members, 6 of whom must be licensed real estate brokers and 4 of whom must be public members

This bill would, in addition, appropriate $284,000 from the separate account in the Real

Estate Fund for purposes of real estate education, research, and recovery to the State Controller in augmentation of Item 154 of the Budget Act of 1979 for recovery act purposes.

It would take effect immediately as an urgency statute.

Ch 284 (AB 414) Bergeson. Appropriation: office building.

The Budget Act of 1977 contained an appropriation from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles for construction of an office building and parking facilities in Oceanside.

This bill would appropriate an additional $342,563 from the Motor Vehicle Account in the State Transportation Fund, subject to the prior approval of the State Public Works Board, to the Department of Motor Vehicles in augmentation of that amount for construction of the Oceanside office building and parking facilities.

The bill would take effect immediately as an urgency statute.

Ch 285 (SB 1422) Presley. Property taxation· mobilehomes.

Chapters 1160 and 1180 of the Statutes of 1979 provided for a system of property taxation to be applied to mobilehomes.

This bill would revise such provisions, and would provide a system of taxing mobilehomes in the same manner as conventional homes under statutes implementing Article XIII A of the California Constitution, with specified exceptions. The bill would also revise the method of taxing certain mobilehomes under the Sales and Use Tax Law.

This bill would affect the continuous appropriation from the Motor Vehicle License Fee Account in the General Fund to the Motor Vehicle Account

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that no appropriation is made by this act pursuant to Section 2230 of the Revenue and Taxation Code for a specified reason

The bill would take effect immediately as an urgency statute

Ch. 286 (SB 1417) Rodda Special funds: appropriation.

(1) Item 437 of the Budget Act of 1979, among other things, provides that no deficiencies shall be authorized by the Director of Finance in any appropriation of money from special funds made by the Budget Act for the 1979–80 fiscal year

This bill would, notwithstanding such provisions, appropriate the following sums of money, or so much thereof as may be necessary, from the unencumbered balances of the following special funds, to meet contingencies and emergencies during the 1979–80 fiscal year

(a) $53,903 from the Accountancy Fund to the State Board of Accountancy

(b) $47,764 from the State Funeral Directors and Embalmers Fund to the State Board of Funeral Directors and Embalmers

(c) $34,265 from the California State Board of Landscape Architects Fund to the California State Board of Landscape Architects

(d) $105,616 from the California State Board of Architectural Examiners Fund to the California State Board of Architectural Examiners

(e) $6,000 from the Tax Preparers Fund to the Tax Preparer Program

(f) $5,000 from the Shorthand Reporters' Fund to the Certified Shorthand Reporters Board.

(g) $70,922 from the Private Investigator and Adjuster Fund to the Bureau of Collection and Investigative Services.

(2) Item 179 of the Budget Act of 1979 appropriated $2,935,761 from the California Environmental Protection Program Fund for the support of the Department of Motor Vehicles

This bill would appropriate $98,633 from the California Environmental License Plate Fund, which supersedes the California Environmental Protection Program Fund, to augment the original appropriation.

(3) This bill would take effect immediately as a statute making an appropriation for the usual current expenses of the state.

Ch. 287 (SB 2066) Rodda. Continuation of state government

The existing law contains no express provision with respect to the effect on the continuity of employment and salary of state officers and employees in the event that a Budget Bill for the 1980–81 fiscal year is not enacted before July 1, 1980.

This bill would expressly provide that on or after June 30, 1980, no state officer or employee shall be deemed to have a break in service or to have terminated his employment for any purpose, solely because of the failure to enact a Budget Bill for the 1980–81 fiscal year prior to the end of the preceding fiscal year.

In addition, this bill would expressly provide that any officer or employee who entered state service between June 30, 1980, and the effective date of the Budget Bill for the 1980–81 fiscal year shall be considered a state officer or employee from the time he entered state service until that date, notwithstanding the failure to enact a Budget Bill for the 1980–81 fiscal year prior to his entry into service.

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1980 may be expended to pay such salary adjustments as are authorized by salary-fixing authorities to provide an increase in the compensation for officers and employees during the month of July 1980 to provide compensation equivalent to that which they would have otherwise received had the Budget Act of 1980 been adopted prior to July 1, 1980.

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1980 may be expended to pay any obligation incurred between the commencement of the 1980–81 fiscal year and the effective date of the act, which would otherwise have been authorized by the act had it been adopted prior to July 1, 1980, subject to the same limitations, conditions, and requirements

This bill would take effect immediately as an urgency statute

Ch 288 (SB 1426) Rodda. State funds· school finance

(1) Chapter 282 of the Statutes of 1979, as amended, provides revised methods of computing revenue limits of, and apportionments to, school districts and county superintendents of schools The revenue limit of a school district may be increased by the amount necessary to pay costs mandated by the courts, the federal government, or by initiative enactment.

This bill would appropriate $50,696,304 to Section A of the State School Fund for making payments for such increases for the 1979–80 fiscal year

This bill would also require the Controller to review revenue limit increases prior to making payment for the increases for the 1980–81 fiscal year and fiscal years thereafter

(2) Under existing law, $5,244,700,000 is appropriated to Section A of the State School Fund for making state apportionments pursuant to specific statutes for the 1979–80 fiscal year.

This bill would require the Superintendent of Public Instruction to recalculate and reapportion funds to school districts for the 1979–80 fiscal year, and would appropriate an additional $74,944,984 to Section A of the State School Fund for that purpose

(3) Existing law establishes the State School Building Lease-Purchase Fund which is used to remodel, reconstruct, or replace existing school buildings that are inadequate or unsafe and to acquire new school sites and buildings

This bill would appropriate $474,358,712 from the General Fund to the State School Building Lease-Purchase Fund

(4) The bill would take effect immediately as an urgency statute.

Ch. 289 (AB 1486) Robinson Elections· campaign disclosure.

(1) Existing law sets forth the purposes of the Political Reform Act of 1974

This bill would delete an obsolete reference within the purposes section to campaign spending limitations which were repealed effective January 1, 1978

(2) Existing law defines the terms "candidate" and "committee" for purposes of the Political Reform Act of 1974.

This bill would clarify and expand these definitions to provide that a candidate retains his or her status as such and that a committee retains its status as such during the postelection period until such time as that status is terminated In addition, the language that conditions qualification of a committee upon its making expenditures or receiving contributions to "influence the action of the voters" would be eliminated.

(3) Existing law defines a "contribution" for purposes of the Political Reform Act of 1974

This bill would exclude from the definition, payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are $500 or less

(4) Existing law makes separate provision for the filing of campaign statements by candidates for county central committee, candidates for reelection to judicial office, and appointees to certain district offices. Existing law also exempts candidates on behalf of whom $200 or less has been received or expended from filing campaign statements.

This bill would repeal all of the above provisions. This bill would also exempt those candidates from filing campaign statements who sign a declaration that not more than $500 in contributions or expenditures will be received or made in behalf of or in support of their candidacy

(5) Existing law allows a candidate or committee to designate a preelection campaign statement or abbreviated statement as a "final statement" if certain conditions are met, including the signing of a specified declaration

This bill would retain the above requirements, and would add a further requirement concerning the intent of the candidate or committee.

(6) Existing law provides that any campaign statement required to be filed after an election, pursuant to specified provisions of law, may be filed prior to the closing date if all liabilities of the filer have been paid and no additional contributions or expenditures are anticipated.

This bill would require, with respect to a committee's filing of independent expenditure reports, as specified, involving independent expenditures totaling $500 or more in a calendar year, that the closing date be the same as those specified for campaign statements and would require the report to contain specified information.

(7) Existing law provides that 2 or more committees which are jointly in support of or in opposition to any candidate or measure may file consolidated campaign statements

This bill would delete the above provision

(8) Existing regulations of the Fair Political Practices Commission govern termination of the campaign statement filing requirements of specified committees

This bill would require committees and candidates to terminate their filing obligations pursuant to such regulations

(9) Existing law provides that the term "cumulative amount," as used in a campaign statement, means the amount contributed or expended since the closing date of the most recent postelection statement required to be filed

This bill would repeal the above definition and would provide instead that cumulative amount means the amount of contributions received or expenditures made in the calendar year, with specified exceptions

(10) Existing law, which defines "period covered" for the purposes of the Political Reform Act, provides that if a person filing a campaign statement has not previously filed a statement of the same type, the period covered begins on the day when the first reportable transaction occurred

This bill would provide, instead, that if a person has not previously filed a campaign statement, the period begins on January 1 This bill also deletes a reference to any abbreviated campaign statement required to be filed pursuant to specified provisions of law

(11) Existing law, dealing with the contents of campaign statements, requires specified information to be disclosed regarding persons to whom an expenditure of $100 or more has been made. Existing law does not, however, specifically require the disclosure of such information as respects persons who have received, indirectly or through an intermediary, payments of $100 or more for circulating petitions to qualify a ballot measure.

This bill would specifically add such an additional disclosure requirement to the provisions dealing with the filing requirements of committees making independent expenditures and committees primarily formed or existing to support or oppose the qualification of a measure and proponents of a state measure

(12) Existing law, dealing with the contents of campaign statements, requires the disclosure of specified information regarding loans received, the lender, and any person who is liable directly, indirectly or contingently on the loan.

This bill would require for a loan which is a contribution, in addition, the disclosure of the interest rate of the loan This bill would, in addition to the information required of a person who is directly, indirectly, or contingently liable on the loan, require the disclosure of the amount of his maximum liability

This bill would also set forth circumstances under which a contribution need not be reported.

(13) Existing law requires, in the case of an expenditure of $100 or more which is a contribution to a committee, the disclosure of the number assigned to the committee by the Secretary of State or, if no number has been assigned, the full name and street address of the treasurer of the committee.

This bill would provide, in addition, that if the expenditure is a contribution, the cumulative amount of contributions made to a candidate, elected office, or committee, the full name of the candidate and the office and district for which the nomination, must be disclosed If the contribution is in support or opposition to a measure, the number or letter of the measure and the jurisdiction in which the measure or candidate is voted upon would be required to be shown.

(14) Existing law provides, in the case of an expenditure of $100 or more, the disclosure of the full name and address of the person providing the consideration for the expenditure if other than the payee

This bill would require, in addition, the disclosure of the amount of the expenditure and a brief description of the consideration for which the expenditure was made

This bill would also require, in the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the disclosure of amounts and sources of any miscellaneous receipts.

(15) Existing law provides that if any loans have been repaid during the period covered by a campaign statement, the amount of such repayment shall be subtracted from the total amount of contributions received and expenditures made and provides that forgiveness of a loan or payment of a loan by a third party shall not be included in such totals

This bill would delete the above provision and would require, instead, that the forms promulgated by the commission shall provide for the reporting of loans and similar transactions in a manner that does not result in substantial overstatement or understatement of total contributions and expenditures

(16) Existing law defines the term "late contribution" as used in that act.

This bill would revise that definition to specifically include a loan The bill would set forth the circumstances under which a "late contribution" need not be reported.

(17) Under existing law, all committees active in an election are required to file campaign comprehensive statements in connection with the election.

This bill would specify the dates that all candidates and campaign committees would be required to file campaign statements if they made or received contributions or made expenditures during the period specified, require all elected officers to file campaign statements by July 31 and January 31, with the exception of those officers whose salaries are less than $100 a month, or judges, as specified, would require the filing of additional campaign statements to be filed on specified dates, if contributions made or received or expenditures exceed $500 or more, would provide exceptions, as specified, and would make various other changes with respect to the filing of campaign statements

This bill would provide that candidates or officeholders receiving no more than $500

in support of their candidacy may file a statement signed under penalty of perjury to that effect in lieu of filing a campaign statement It would require the statement to include the name, street address, and treasurer of any committee receiving contributions or making expenditures on behalf of the candidate.

This bill would also consolidate into one provision the filing dates for campaign statements filed in connection with an election

(17 5) Existing law makes no provision for the filing of campaign statements by a committee that makes contributions of $15,000 or more to support or oppose candidates or state ballot measures voted upon in a special election not consolidated with a regularly scheduled state election

This bill would provide for the filing of campaign statements in such special elections. The bill would further provide for filing and closing dates, where the statements are to be filed, and what information the statements are to include.

(18) Under existing law the closing date for certain preelection campaign statements is 3 days prior to the filing deadline.

This bill would provide, instead, specified dates for the closing deadline for specified preelection campaign statements.

(19) Under existing law, certain committees are required to file abbreviated campaign statements, as specified.

This bill would delete this requirement

This bill would also repeal and add, with minor nonsubstantive changes, the provisions relating to the reporting of late contributions.

(20) Under existing law a committee which makes independent expenditures of $500 or more in a calendar year is required to file campaign statements in connection with any election in which it participates in the same manner as other committees

This bill would revise the reporting and filing requirements of such committees making late independent expenditures, as specified.

(21) Under existing law specified candidates, committees, and persons holding specified elective offices are required to file campaign statements with, among others, the clerk of the largest county by population included in the election district.

This bill would make such filing requirements applicable only where the committee is otherwise required to file statements in connection with an election

This bill would also provide that such committees and certain other committees, candidates, and officeholders must file with the clerk of the county which contains the largest number of registered voters in the jurisdiction

(22) Under existing law, when the Secretary of State receives any campaign statement filed pursuant to the Federal Election Campaign Act, the secretary is required to send a copy of the statement to, among others, the clerk of the largest county by population included within the election district.

This bill would provide that a copy of the statement be sent to the clerk of the county which contains the largest percentage of registered voters in the election district, rather than the clerk of the largest county by population included within the election district

This bill would make other technical and conforming changes

(23) Existing law provides for the audits and investigations of lobbyists, candidates, and committees required to file a report or statement under the campaign disclosure provisions of the Political Reform Act of 1974.

This bill would specifically include, starting January 1, 1982, controlled committees and committees primarily supporting or opposing candidates or measures, would include runoff elections within the dates to be considered with respect to audits; and make other related changes

Ch 290 (AB 1630) Knox Governmental proceedings

Existing law prohibits any person who presides at a judicial or quasi-judicial proceeding from testifying in any subsequent civil proceeding as to any statement or conduct which occurred at the prior proceeding, except as to a statement or conduct that could give rise to civil or criminal contempt or constitute a crime

This bill would add to such exception a statement or conduct that could be the subject of investigation by the State Bar or Commission on Judicial Performance or give rise to proceedings for the disqualifications of a judge because of bias or prejudice

Existing law authorizes the Attorney General, upon request, to employ special counsel

and special investigators to assist the grand jury.

This bill would in addition authorize the presiding judge of the superior court, when so requested by the grand jury, to employ special counsel and special investigators, with the results of their investigation to be presented to the grand jury, as specified.

Ch. 291 (AB 2193) Lehman. County Employees Retirement Law of 1937: membership

Existing provisions of the County Employees Retirement Law of 1937 provide that process servers are eligible for safety membership.

This bill would remove such eligibility.

Ch 292 (AB 2420) Vicencia Guide dogs for the blind state board

Existing law specifies that the membership of the State Board of Guide Dogs for the Blind shall consist of 7 members appointed by the Governor, 1 of whom is required to be the Superintendent of the California School for the Blind

This bill would delete the requirement that the superintendent be appointed as a member of the state board.

This bill would make related, conforming changes in the law.

Ch. 293 (AB 2493) Stirling. Public works contractors' bonds.

Under existing law, every original contractor who has been awarded a contract in excess of $15,000 for any public work project is required to file a payment bond, as specified, as a condition precedent to the performance of the work.

This bill would exempt providers of architectural, engineering, and land surveying services pursuant to a contract with a public entity from such requirement. It would also specify that such providers not be deemed original contractors. The bill would specify that such change does not constitute a change in, but is declaratory of, existing law

The bill would take effect immediately as an urgency statute

Ch. 294 (AB 3224) Ellis. County highways leasing of real property

Existing law authorizes the board of supervisors to sell or exchange any real property acquired by the county for highway purposes when it is no longer necessary for such purposes

This bill would authorize the board of supervisors to delegate to a county official the authority to lease any real property acquired by the county for highway purposes for renewable terms not exceeding 3 years and rental amounts not exceeding $500 per month. The proceeds would be available for highway purposes.

Ch 295 (AB 3360) Alatorre Full contact karate

Existing law limits full-contact karate matches, contests, or exhibitions to 9 two-minute rounds.

This bill would delete this limitation

Ch. 296 (SB 1275) Stiern Transportation service contracts

Under the Mills-Alquist-Deddeh Act, claims for funds for public transportation purposes may be filed with the transportation planning agencies by counties and cities contracting for public transportation services with a privately owned common carrier, an entity operating under a franchise or license, or a nonprofit corporation or certain public operators of transit systems Under other provisions of existing law, a public utility district has the general power to provide transportation services but a county service area, community services district, or recreation and park district does not

This bill would extend to a city or county contracting for public transportation services with a county service area, a community services district, a recreation and park district, or a public utility district the authorization to file claims for funds for public transportation purposes with the transportation planning agency, until July 1, 1983 It would require, if the city or county is being served by an operator, any contract entered into with a county service area, community services district, recreation and park district, or public utility district to specify the level of service to be provided, the plan to implement the service, and how the service is to be coordinated with public transportation service provided by the operator It would also require the transportation planning agency, or the county transportation commission in a county with such a commission, to find, prior

to approving any such claim, that the services proposed to be contracted for will respond to an unmet need and will be integrated with existing services, where appropriate.

The bill would specifically provide that transportation services are among the general powers available to county service areas as a miscellaneous extended service, to community services districts, and to recreation and park districts

Ch. 297 (SB 1530) Sieroty. Sentencing

Existing law requires a court imposing a criminal sentence of imprisonment to determine, among other things, the date of admission of the defendant to custody and the date of release from custody

This bill would instead require the court to determine the date or dates of any admission to and release from custody of the defendant prior to sentencing This bill would specify that it is the duty of any agency to which a person is committed to apply to the term of commitment the credit for all days of custody between sentencing and delivery attributable to proceedings related to the same conduct for which the person was convicted

This bill would take effect immediately as an urgency statute

Ch 298 (SB 1708) Rains. Highways. county

(1) Under existing law, the board of supervisors is required to order certain surveys and prepare specified plans when the estimated expense of work upon a county highway exceeds $3,000

This bill would impose such requirements only when the estimated expense exceeds $20,000

(2) Under existing law, with certain exceptions, the board of supervisors is required to award contracts in excess of $10,000 for maintenance or repair of county roads, or for purchase of materials needed to do the work, or both, on the basis of competitive bidding

This bill would authorize the board of supervisors to waive bidding procedures for all contracts not exceeding $25,000 and makes related changes

Ch 299 (SB 1940) Stiern Recording fees

Existing law does not make any document requiring indexing of more than 10 names by the county recorder to give notice required by law subject to an additional fee for recording it of $1 for each group of 10 names, or fractional portion thereof, after the initial group of 10 names

This bill would make such a document subject to such an additional fee for recording it

Ch 300 (SB 1982) Presley Crimes assaults, attempted crimes

Existing law specifically provides that every person who, with intent to kill, causes the administration to another of a poison or other destructive substance but by which death is not caused, is punishable by imprisonment in the state prison for 2, 4, or 6 years Existing law also provides that every person who assaults another with intent to commit murder is punishable by imprisonment in the state prison for 2, 4, or 6 years An assault with the intent to commit any felony other than murder is punishable by imprisonment in the state prison for 16 months, or 2 or 3 years or, in the alternative, imprisonment in the county jail not exceeding 1 year or a fine not exceeding $1,000, or both

Under existing law any such assault would also constitute an attempted felony which is generally punishable by imprisonment in the state prison for 1/2 the term of imprisonment prescribed for the crime attempted

This bill would repeal the offenses of administration of poison or other destructive substance with intent to kill when death is not caused, assault with intent to commit murder, and assault with intent to commit any felony other than murder

Existing state law makes it a felony to attempt to kill or to commit any assault upon the President or Vice President of the United States, any governor, federal judge or justice, or secretary of any federal executive department The penalty is imprisonment in the state prison for 3, 5, or 7 years

This bill would instead make it a felony, punishable by imprisonment in the state prison for 16 months or 2 or 3 years, to commit any assault upon any of such officials

Ch 301 (SB 2021) Rains Harbor district contracts

Under existing law, harbor district work exceeding in cost the sum of $3,500 is required to be awarded upon competitive bidding

This bill would increase such amount to $5,000 for all work except new construction for which the amount would be $10,000

Ch. 302 (SB 2058) Vuich. Petroleum products

Under existing law, it is unlawful to use, in the buying or selling of any commodity, a weighing or measuring device designed to automatically compute price unless the computed price is a true mathematical computation of the amount times the price per unit.

This bill would provide that, notwithstanding such provision, a person who sells at retail less than 5,000 gallons of gasoline per month or less than 60,000 gallons of gasoline per year is authorized to use, until January 1, 1982, and a person who sells gasoline at retail who has made a good faith effort to modify or replace existing measuring devices, so that they can automatically compute the total price by multiplying the amount delivered by the price per unit, is authorized to use, until October 1, 1980, a measuring device which is presently limited by design to computing one-half the total price by multiplying the amount delivered by one-half the price per unit.

This bill would take effect immediately as an urgency statute.

Ch. 303 (AB 2782) Rosenthal Medi-Cal: provider suspension

Existing law provides that the State Director of Health Services may suspend any Medi-Cal provider of services from further participation in the Medi-Cal program in order to protect the health of Medi-Cal recipients and Medi-Cal funds and when the provider violates any state statute or regulation governing the program.

Existing law also provides that the director may, upon considering surrounding circumstances, suspend a provider for the conviction of any crime involving fraud, abuse of the program or any patient, or otherwise substantially related to the qualifications, functions, or duties of a provider.

This bill would require the director to suspend any physician or individual practitioner from participation in the Medi-Cal assistance program when the director is notified by the Secretary of the Department of Health and Welfare that such individual has been suspended from participation in the Medicare or Medicaid program due to a criminal conviction.

Ch. 304 (AB 2701) M Waters. Developmental disabilities: residential facilities· staff training.

Existing law does not require the State Department of Developmental Services to submit to the Legislature any plan for a statewide program to train staff of residential facilities serving persons with developmental disabilities

This bill would require that the department submit such a plan of prescribed content to the Legislature on or before July 1, 1981.

Ch. 305 (AB 2395) Bergeson Community colleges· community college tuition fund.

Under existing law, any balance remaining in the county community college tuition fund at the close of the third fiscal year following the inclusion of the remaining nondistrict territory of a county into a community college district or districts must be used to reduce the county tax rate in the subsequent fiscal year Existing law also provides that this provision was not operative in the 1978–79 fiscal year

This bill would require that any such balance, in a county in which the third fiscal year was the 1978–79 fiscal year, be placed in the county school service fund and would specify that such funds be used for certain community college purposes

Ch 306 (AB 2314) Knox. Regional park district borrowing

Under existing law, a regional park district is authorized to borrow money by issuance of promissory notes or other evidences of indebtedness for any revenue-producing purpose for which the district is authorized to expend funds, in an amount or of a value not exceeding in the aggregate at any one time the sum of $200,000 or 5% of the assessed valuation of the real and personal property situated in the district, whichever is the

lesser amount The interest on the indebtedness may not exceed 8% per annum.

This bill would instead limit the amount of such borrowing to the greater of 5% of the total of the district's general fund and development fund budgets for the year in which the loan is made or the sum of $500,000, and would increase the permissible interest rate to not more than 10% per annum The bill would prohibit a district from exercising such borrowing authority if the district has not met specified repayment requirements.

The bill would also prohibit a district from expending in any one year any amount of money in excess of what it collects from specified sources and receives from other sources.

Ch. 307 (AB 2429) Nestande Lis pendens withdrawal

Under existing law, in an action concerning real property or affecting the title or the right of possession of real property, a party may record a notice of the pendency of the action, commonly known as a lis pendens Following such recordation, a subsequent purchaser or encumbrancer is deemed to have notice of the action as it relates to the real property Existing law also provides procedures whereby a lis pendens may be expunged, notwithstanding that the underlying action may be pending, although an undertaking may be required as a condition of expungement. Existing law provides no procedure for the withdrawal of a lis pendens

This bill would authorize the recordation of a notice of withdrawal, at any time after a lis pendens is recorded, if executed by the party who recorded the notice of lis pendens and by the party against whom the notice of lis pendens was recorded, and if such bilateral agreement of withdrawal is accompanied by a dismissal of any cause of action in the underlying litigation, as specified The effect of the notice of withdrawal would be to remove the cloud of title caused by the lis pendens

Ch. 308 (AB 2451) Lehman Motor vehicles unattended vehicles private property impounding

Under existing law, an unattended vehicle may be removed from private property, as prescribed, by the owner or person in lawful possession of the property One of the prescribed requirements is that, prior to causing removal of the vehicle, the person give notice of such removal to the city police or county sheriff, whichever is appropriate

This bill would change that requirement by requiring that, prior to causing the removal of the vehicle, the person give the notice by telephone or, if that is impractical, by the most expeditious means available

Ch 309 (AB 2558) Fenton Attachment and execution sureties.

Existing law provides that exception to the sufficiency of sureties to indemnify third parties, taken to prevent release of property subject to attachment or execution, must be taken within 5 days of the notice of the receipt of the undertaking, or any objection to the sufficiency of the sureties thereto is waived.

This bill would, instead, provide that such objection to the sufficiency of the sureties is waived if no exception is made, as specified, and, in addition, no notice of exception is delivered to the levying officer within such 5-day period

Ch. 310 (AB 3355) Bergeson Probation reports

Existing law provides that whenever a person is granted probation and placed under the care and supervision of a probation officer the clerk of the court shall immediately submit a copy of the probation order and any subsequent changes in probationary status to the law enforcement agency which arrested the person or investigated the offense

Existing law also provides that every probation officer shall annually file as a public document with the county clerk a written report to the superior court, to each judge who has released any person on probation, and to the Youth Authority The report is required to contain specified information concerning the persons released on probation to the probation officer

This bill would repeal such provisions as of January 1, 1982

Ch 311 (AB 2291) Chappie Local Agency Investment Fund deposits

Under existing law there exists in the State Treasury a Local Agency Investment Fund Local governmental agencies may remit money not required for immediate needs to the State Treasurer for deposit in such fund Money in the fund is to be invested to achieve

maximum return consistent with safe and prudent treasury management, and interest earned on deposits distributed to depositor local governmental units quarterly. Money deposited in the fund by cities, counties, and school districts is not subject to impoundment or seizure by any state official or agency

This bill would permit money to be deposited into the fund by, and interest thereon paid to, nonprofit corporations whose membership is confined to public agencies or public officials, and qualified quasi-governmental agencies. The bill would direct the Local Investment Advisory Board to determine which quasi-governmental agencies qualify to deposit money in the fund. The bill would exempt money deposited in the fund by a nonprofit corporation or quasi-governmental agency from impoundment or seizure by state officials and agencies

Ch. 312 (AB 2583) Stirling. Stolen property.

Under existing law, the clerk or person having charge of the property section of a police or sheriff's department may, upon satisfactory proof of ownership, deliver property alleged to be stolen or embezzled to the owner in certain circumstances Prior to delivery the person from whom the property was taken must be given a notice of the claim of ownership and a copy of the satisfactory proof of ownership and allow that person an opportunity to be heard

This bill would provide that if the person upon whom a notice of claim and proof of ownership has been served does not respond within 15 days, the property may be disposed of, as specified.

Ch. 313 (AB 3110) Lockyer. Motor vehicles: odometers

(1) Under existing law, it is unlawful for any person to advertise for sale, to sell, to use, or to install on any part of a motor vehicle or on an odometer in a motor vehicle any device which causes the odometer to register any mileage other than the true mileage driven. It is unlawful for any person with the intent to defraud to operate a motor vehicle on any street or highway knowing that the odometer of the vehicle is disconnected or nonfunctional. It is unlawful for any person to disconnect, turn back, advance, or reset the odometer on a motor vehicle with the intent to alter the number of miles indicated on the odometer gauge. It is also unlawful for any person to advertise for sale, to sell, or to use any device designed primarily for the purpose of turning back or resetting the odometer of a motor vehicle to reduce the number of miles indicated on the odometer gauge.

Under existing law, a violation of any of these provisions is an infraction, punishable upon a first conviction by a fine not exceeding $50, upon a second conviction within a one-year period by a fine not exceeding $100, and upon a third or any subsequent conviction within a one-year period by a fine not exceeding $250.

This bill would make a violation of any of these provisions a misdemeanor, punishable upon conviction by a fine not exceeding $500 or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 314 (AB 2203) Ryan Municipal elections appointment or election

Existing statutes provide for the appointment of the sole nominee for a seat on the governing board of a school district or a community college district, for a district elective office subject to the Uniform District Election Law, and for the office of superior court judge, to such office

This bill would authorize the governing body of a city when there is a vacancy in an elective office to appoint the sole nominee for an elective municipal office to such office, or, in the event no one is nominated, to appoint any eligible elector to fill the vacancy

or to hold the election

The bill would, however, provide that a city which has enacted a prescribed ordinance may allow for appointment without requiring the conduct of a special election

Ch 315 (AB 677) Ellis Mobilehomes moving permits

Existing law allows the Department of Transportation or local authorities, with respect to highways under their respective jurisdictions, to issue permits for the movement of a trailer coach which exceeds the maximum width but not exceeding 10 feet in width

This bill would also allow a mobilehome or section thereof not exceeding 14 feet in width to be moved over the highways pursuant to such a permit The bill would require the applicant for such a permit to secure approval on an individual trip basis from affected cities and counties whenever a proposed move would involve a street or highway subject to such jurisdiction

Ch 316 (AB 3185) Wyman Public employees' retirement system generally

(1) The Public Employees' Retirement Law presently provides that, when a contracting agency is transferred to or absorbed by another contracting agency, the successor's contract shall govern the transferred employee's benefits.

This bill would provide that such employee's retirement allowances be computed separately for service under the former agency and the latter agency

(2) The law presently provides survivor's benefits for members who are not covered by the federal Social Security Act

This bill would provide that such benefits be called the "1959 Survivor Allowance," would combine various provisions relating to such benefits, and make other related changes

(3) The law presently provides that, if a county superintendent of schools is fiscally independent, it shall be considered a separate public agency for social security coverage purposes

This bill would permit county superintendent of schools to give notice of a division in anticipation of a finding that the office is a separate public agency

(4) The bill would take effect immediately as an urgency statute

Ch 317 (AB 3354) Bergeson Disposition of evidence notice

Existing law provides for the return of documentary exhibits to a party in a criminal case entitled thereto, and specifies a procedure for the disposition of the documentary exhibits if the party is unknown or fails to apply for the return of the exhibits It specifies that no exhibit shall be destroyed or otherwise disposed of until 60 days after the court clerk has posted a public notice in three public places in the county, as specified

This bill would delete the requirement that no destruction or disposition of the documentary evidence shall occur until the clerk has posted a notice for 60 days in three public places in the county

Ch 318 (AB 2425) Fenton Coordination of actions

Existing law provides that where civil actions sharing a common question of fact or law are pending in different courts, they may be ordered to be coordinated in certain circumstances

This bill would provide that when an action pending in a superior court is sought to be coordinated with an action pending in a municipal or justice court in the same county, the municipal or justice court action may be ordered transferred to the superior court and consolidated with the superior court action as an alternative to coordination

Ch 319 (AB 2482) Hannigan State Personnel Board

Existing law does not authorize the State Personnel Board to review employees' claims for additional compensation for the performance of duties outside the scope of their present classifications

This bill would authorize such a review by the board and would require specific review and documentation of such an employee's claim It would require the board to designate a fund from which allowed claims are to be paid, would require the state agency concerned to pay the claim, and, if no moneys are appropriated for that purpose, would require the board to seek appropriate funding from the Legislature

Existing law provides that an appointing power may make emergency appointments,

as specified, to prevent the stoppage of public business when an actual emergency arises, or because the work will be completed within 30 working days

This bill would change the completion of work requirement within 30 days to work of limited duration of not more than 60 days, and would require the board by rule to restrict the circumstances appropriate for such appointments.

Ch. 320 (AB 2079) McAlister. Insurance: return of policy

Existing law provides that every policy of individual life insurance with a face value of less than $10,000 shall have printed thereon or attached thereto a notice stating, in substance, among other things, that at any time within 10 days after receipt of the policy by the owner the policy may be returned for cancellation

This bill would instead require such notice to clearly state that the policy may be returned during a period of time set forth by the insurer of not less than 10 days nor more than 30 days. It would permit the insured to return the policy to the insurer at any time during the period specified in the notice.

Existing law requires every individual accident and health policy or contract, except as specified, to have printed thereon or attached thereto a notice stating in substance that the person to whom the policy or contract is issued shall be permitted to return the policy or contract within 10 days of its delivery to the purchaser and to have the premium paid refunded if, after examination of the policy or contract, the purchaser is not satisfied with it for any reason

This bill would permit the purchaser to return the policy or contract after its delivery, with such period of time set forth by the insurer for the return of the policy or contract to be clearly stated on the notice and such period to be not less than 10 days nor more than 30 days. It would permit the policyholder or purchaser to return the policy or contract to the insurer, plan or corporation at any time during the period specified in the notice

The bill would apply to all policies or contracts issued, amended, delivered or renewed on or after January 1, 1981. All such policies in effect on January 1, 1981, would be construed to be in compliance with such provisions, and any provision in any such policy or contract in conflict with those provisions would be of no force or effect

Ch. 321 (AB 1881) Lancaster. Credit unions.

Existing law provides for the organization and regulation of credit unions Chapter 112 of the Statutes of 1979, effective January 1, 1980, substantially reorganizes such law Under existing law credit unions organized and duly qualified in other states are permitted to conduct business in California under specified circumstances.

This bill would revise the law relating to credit unions to do the following

(1) Provide that every credit union has the general powers conferred upon corporations by the Nonprofit Mutual Benefit Corporations Law rather than the General Corporation Law.

(2) Specify that the articles of incorporation of every credit union contain a statement to the effect that the purpose of the credit union is to engage in the business of a credit union and any other lawful activity not prohibited to a credit union by applicable laws and regulations, and rather than stating that the authorized number of members or memberships is unlimited unless the credit union is formed with authorized shares of stock, specify the names and addresses of five or more persons appointed to act as initial directors

(3) Incorporate certain specified provisions of the Corporations Code which are currently applicable to credit unions within the Credit Union Law, providing for the validity of the articles of incorporation of a credit union now in existence to be governed by the law applicable as of December 31, 1980, or until an amendment of articles

(4) Provide that the bylaws which prescribe the manner in which the business of the credit union is to be conducted reference the authorized number of directors

(5) Make provision for a statutory definition of an inactive member

(6) Specify that unless otherwise provided in the bylaws, a quorum for a meeting of credit union members shall be 10% of the members or 50 members, whichever is less

(7) Provide that the board of directors may establish various terms for shares which may provide for different rates, maturities, and minimum share account balances

(8) Provide that shares issued by a credit union to a shareholder shall be evidenced

in monetary amounts rather than by number of shares

(9) Exempt from specified provisions of the corporate securities law, any credit union lawfully doing business in this state

(10) Provide that dividends may not be paid on a share account having less than the minimum balance prescribed in the bylaws

(11) Provide for the filing of periodic statements, as specified

(12) Make other related changes

Ch 322 (AB 1374) Felando Juvenile court law

Under existing law, members of the public are not admitted to a juvenile court hearing except upon request of the minor or his parent, or in the discretion of the court

This bill would provide that members of the public shall be admitted to hearings concerning minors who are accused of specified criminal conduct on the same basis as they may be admitted to a trial in a court of criminal jurisdiction

It also would state that nothing in the bill shall be construed to require any local agency to incur additional costs

Ch 323 (AB 2149) Alatorre Public assistance recipients

Existing law provides that wards who are disabled minors under 18 years of age who reside in nonmedical out-of-home facilities with nonrelative guardians will receive a reduction in public assistance payments commencing July 1, 1980.

This bill would prevent such wards from receiving a reduction of payments

This bill would take effect immediately, as an urgency statute

Ch 324 (SB 1553) Craven Practice of psychology

Existing law exempts from the provisions of the psychology licensing law specified members of other professional groups, including psychiatric nurses who are defined as registered nurses who work under the supervision of a licensed physician and surgeon or a licensed psychologist

This bill deletes the exemption for such psychiatric nurses and instead exempts, without qualification, all registered nurses

Ch 325 (SB 1983) Beverly Banks

Under existing law, a loan made by a bank to a corporation of which an executive officer of the bank is a director, officer, employee or owns or controls more than 10% of the voting securities must be authorized in advance by a majority of the directors of the bank and the affirmative vote of two-thirds of the directors of the bank present at the meeting authorizing the loan

This bill would permit such loans to be confirmed by the same procedure within 40 days after the loan is made

Ch 326 (AB 2098) Mangers School employees reorganization

Current law provides that any division, uniting, unionization, unification, or consolidation of any school district or districts, or any change in school district boundaries or organization, shall not affect the classification or status with respect to such classification of certificated employees already employed by any school district affected

This bill, in cases where a district becomes unified on July 1, 1980, would allow certificated employees, previously employed during the 1979–80 school year by a union school district located in the territory that is encompassed by the newly formed unified school district, employed for the 1980–81 school year by such new unified school district, to be placed on the salary schedule of the unified school district and to receive credit for all service as an employee of the union high school district This bill would also provide that such a unified school district may, but is not required to, employ, as specified, employees of the union high school district that were not employed in the 1979–80 school year in schools being acquired by the unified school district

This bill would take effect immediately as an urgency statute

Ch 327 (AB 3359) Alatorre Teacher preparation and licensing

Existing law requires that a written copy of a decision after a meeting or hearing by the Committee of Credentials concerning the application or credential of a certified employee be delivered to the employee personally or sent to him or her by registered

mail within 30 days after the meeting or hearing together with specific information relative to any administrative hearing to which the employee is entitled

This bill would provide that when the required notice of the committee decision has been given to the employee, a recommendation by the committee to deny, suspend, or revoke a credential may be adopted by the Commission for Teacher Preparation and Licensing without further proceedings if the employee fails to give notice of intent to request an administrative hearing or gives notice of intent not to request such a hearing.

Ch. 328 (SB 1719) Mills San Diego Metropolitan Transit Development Board.

Under the Mills-Alquist-Deddeh Act, up to 10% of the money in the local transportation fund for the area under the jurisdiction of the San Diego Metropolitan Transit Development Board, after allocation for administrative cost and bicycle and pedestrian facilities, is allocated to the board to carry out its powers, duties, and functions.

This bill would limit such allocation to its administrative and planning powers, duties, and functions

Ch. 329 (AB 3370) Egeland. Community property

Under existing law, except upon the written agreement of the parties or on oral stipulation of the parties in open court, the court is required to divide the community and the quasi-community property of the parties to a dissolution proceeding or a proceeding for legal separation.

This bill would require an attorney who represents a client in an action for dissolution or legal separation to give written notice to his or her client that although an obligation based on a contract is assigned to one party as part of the division of the community, in the event that the party to whom the obligation was assigned defaults on the contract, the creditor may have a cause of action against the other party.

Ch. 330 (SB 1854) Johnson Drivers' licenses classes

Existing law establishes 4 classifications of drivers' licenses, depending on the size and weight of the vehicle to be driven, and requires a driver's license applicant to submit to an examination appropriate to the type of motor vehicle or combination of vehicles he or she desires a license to drive. A class 3 license authorizes the licensee to drive, among other things, a 2-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

This bill would authorize the holder of a class 3 license to operate such a 2-axle vehicle when towing a trailer or semitrailer not exceeding 9,000 pounds gross designed and used exclusively for hauling livestock when such hauling of livestock is not for compensation.

Ch. 331 (AB 3100) Knox. Local government. residential rehabilitation: refunding bonds.

(1) The Marks-Foran Residential Rehabilitation Act of 1973 specifically authorizes the proceeds of refunding bonds issued thereunder to be placed in escrow for redemption of the bonds (to be refunded) at any subsequent redemption date or at maturity General provisions of law pertaining to refunding of local revenue bonds require the proceeds of refunding bonds to be applied to redeem the prior issuance upon the first date when bonds of such prior issuance may legally be called. There is, thus, an apparent conflict between the refunding authorization in the Marks-Foran Residential Rehabilitation Act of 1973 and provisions of existing law pertaining to local refunding bonds generally

This bill would expressly make the above-described provisions of the Marks-Foran Residential Rehabilitation Act of 1973 applicable to refunding bonds issued thereunder, notwithstanding other conflicting provisions of law.

(2) Existing law requires at least 90% of any loan for historical rehabilitation be used for historical rehabilitation as defined

This bill would require at least 90% of any loan for such purposes be used for financing of historical rehabilitation

(3) Existing law prescribes authorized investments for bond proceeds and revenues of specified local financing programs conducted under the Marks-Foran Residential Rehabilitation Act of 1973, the so-called SB 99 authorization in the Community Redevelopment Law, the Housing Authority Law, and the provisions authorizing local housing

finance agencies.

This bill would revise these authorizations to permit investment of such bond proceeds and revenues in any security or obligation permitted by the bond resolution, indenture, or other trust agreement, as specified, except as to local housing finance agencies for which such authorization already exists. The bill would expressly authorize such bond proceeds and revenues to be invested in mortgage obligations on single-family dwellings under a defined repurchase agreement with a bank or savings and loan association, provided the mortgage or repurchase agreement is insured, as specified

This bill would take effect immediately as an urgency statute.

Ch. 332 (AB 2834) Chappie Grand juries: compensation

Existing law specifies the compensation and mileage for trial jurors and members of the grand jury, but authorizes higher rates to be set by the board of supervisors in specified instances

This bill would authorize the board of supervisors of each county to prescribe the compensation and mileage for trial jurors and members of the grand jury in that county, above specified limits

Ch 333 (AB 3351) McVittie. School employees violence. reports

(1) Existing law requires specified school employees to report incidents in which an employee has been attacked, assaulted, or menaced by a pupil to the appropriate law enforcement authorities.

This bill would specify that compliance with school district governing board procedures relating to the reporting of such incidents by a person required to make such reports does not exempt such person from making the reports

(2) Existing law makes it a misdemeanor and imposes a fine for influencing or urging persons required to make such reports not to do so

This bill would, instead, make it a misdemeanor to inhibit or impede the making of the specified reports

In addition, this bill would prohibit school district governing boards, county superintendents of schools, and the employees of both from imposing any sanctions against persons who make the specified reports.

Ch 334 (AB 2416) Vicencia Financial institutions personal property brokers and small loan companies

No provision of existing law specifically permits a licensed personal property broker to conduct its business through a subsidiary corporation.

This bill would do so

Existing law sets forth the matters required to be confirmed in an application to act as a personal property broker

This bill would instead provide that such application shall be in the form and contain the information the Commissioner of Corporations by rule requires

This bill would also yield to AB 2757 with respect to amendments made to Sections 22202, 22208 and 22208 5 if both bills are chaptered and this bill is chaptered last

Ch. 335 (AB 3348) Moorhead Regional park districts and recreation and park districts issuance of citations

Existing law provides that the violation of a regulation or ordinance of a regional park district or a recreation and park district relating to property, improvements, or facilities under its management or belonging to the district is a misdemeanor, punishable as specified

This bill would authorize the board of directors of a regional park district or of a recreation and park district, in order to protect park property and preserve the peace, to confer on designated uniformed park employees the authority to issue citations, as specified, for misdemeanor and infraction violations of state law, city or county ordinances, or district regulations or ordinances, when the violation is committed within the park and in the presence of the employee issuing the citation

Ch 336 (AB 3358) Alatorre Arrest warrant misdemeanor traffic offense

Existing law provides that if, between sunset and sunrise, a peace officer serves upon a person in his home, apartment, or other temporary abode an arrest warrant for a

misdemeanor offense for a violation of a traffic statute or ordinance, the peace officer may, under specified circumstances, prepare a notice to appear and release the person on such promise

This bill would revise such provision by deleting the reference to (1) service of such an arrest warrant between sunset and sunrise, and (2) service of the arrest warrant at the home, apartment, or temporary abode of the person

Ch 337 (SB 1296) Dills Redevelopment powers

Section 16 of Article XVI of the State Constitution empowers the Legislature to authorize a redevelopment plan to provide for a division of property tax revenues within a redevelopment project area, with a prescribed portion of such tax revenues to be allocated to the redevelopment agency to repay indebtedness incurred by the redevelopment agency to finance or refinance such redevelopment project This method of financing redevelopment is commonly known as "tax-increment financing" and is presently authorized by the Community Redevelopment Law

Present law contains a special authorization, applicable only to the redevelopment agency of the City of Paramount, authorizing that redevelopment agency to use tax-increment revenues to finance specified public improvements, either inside or outside a redevelopment project area, that the agency determines will enhance the environment of a residential neighborhood containing low- and moderate-income housing and will be of benefit to the redevelopment project area from which the tax-increment revenues are derived. This special authorization will be repealed January 1, 1981, unless extended by the Legislature, but any prior pledge of revenues pursuant thereto would not be affected by such repeal

This bill would extend until January 1, 1986, the above-described special authorization applicable to the redevelopment agency of the City of Paramount.

As a condition to financing public improvements under the bill on or after January 1, 1983, the bill would require at least 20% of the portion of tax-increment revenues derived from affected redevelopment projects, on and after January 1, 1983, which is not required to repay bonds or other indebtedness issued or incurred prior to such date, to be used to rehabilitate housing for persons and families of low or moderate income, as specified, but this requirement would not be applicable to the extent it would impair the redevelopment agency's ability to repay its bonds or other indebtedness issued or incurred prior to January 1, 1983 The bill would also require the redevelopment agency to submit a prescribed report to the Legislature by January 1, 1985, if the agency utilizes the authority provided by the bill

Ch 338 (AB 1993) Hallett Disposition of state property

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to convey to the City of El Paso De Robles a specified parcel of land containing a sewage treatment facility It would, in addition, require the reservation of various specified mineral rights to such land

This bill would require reimbursement by the city of any administrative expense incurred by the Department of General Services in the disposition of the parcel

This bill would take effect immediately as an urgency statute

Ch 339 (AB 3452) Lehman County sanitation districts

Existing law provides for the annexation of territory in another county contiguous to the territory of a county sanitation district If such territory in another county is annexed, the board of supervisors of such other county is required to appoint 1 of its members to the board of directors of the district

For the Selma-Kingsburg-Fowler County Sanitation District, whenever it annexes less than 50 acres in another county and if the county in which the territory to be annexed is situated consents, this bill would exempt such annexation from requiring the county in which the territory to be annexed is situated to appoint a member of its board of supervisors to sit on the county sanitation district board of directors

The bill would declare the necessity for a special act for this district

Ch 340 (AB 723) Tucker Transportation transportation improvement programs

(1) Under existing law, the Department of Transportation is authorized to assist transportation planning agencies with the preparation of regional transportation plans and improvement programs by providing technical services and other assistance

This bill would require the department to annually publish a list of major new facility projects, exclusive public mass transit guideway projects, and operational improvement projects that are beyond the 5-year state transportation fund expenditure schedule in the state transportation improvement program, and to make this list available to the California Transportation Commission and each transportation planning agency and county transportation commission not later than January 10th of each year It would authorize every transportation planning agency to comment on the projects contained in the list not later than April 1st of each year It would require the California Transportation Commission to review the list and to adopt the list with any change made by the commission, after considering the comments submitted by transportation planning agencies and the list submitted by the department

(2) Under existing law, the department is required to report quarterly to the commission and the Legislature the project development and advertising schedules for all projects of $1,000,000 or more

This bill would require that the reports also be sent to each transportation planning agency and county transportation commission

(3) Under existing law, the California Transportation Commission is required to adopt and submit to the Legislature, not later than July 1, 1979, and each July 1 thereafter, a 5-year state transportation improvement program The transportation planning agencies and the county transportation commissions representing urban areas of 50,000 or more in population are required to prepare regional transportation improvement programs which are incorporated into the state transportation improvement program, as specified Both the state and the regional programs are updated annually Existing law requires the regional transportation improvement programs and the state transportation improvement program to be consistent with the commission's annual and 5-year estimate of all state and federal funds expected to be available to each region for transportation purposes

This bill would permit transportation improvement programs submitted by the transportation planning agencies and county transportation commissions to exceed the commission's estimate of available funds for local assistance projects by a maximum of 25% for such projects

(4) Existing law requires the Department of Transportation, not later than January 10, 1980, and each January 10th thereafter, to submit to the California Transportation Commission a list of new facilities projects scheduled for construction during the 5-year period subsequent to the period covered by the latest proposed state transportation improvement program The commission is required to review and adopt the list by each July 1st The commission is authorized to revise the list

This bill would repeal such existing law

Ch 341 (AB 3273) Ellis Counties and cities and counties property· joint occupancy.

Existing law authorizes counties and cities and counties to sell and lease real property under various specified conditions and, in certain instances, to lease property pursuant to an agreement requiring the lessee to construct a building thereon, title to which would vest in the county at the expiration of the lease. There is no express authority for a county and a private entity to jointly occupy county or city and county property

This bill would enact provisions authorizing a county or a city and county and a private person, firm, or corporation to enter into a lease or agreement under which county or city and county property would be leased to such private entity which, in turn, would construct a building or buildings thereon, to be jointly occupied by the county or city and county and the private entity

The bill would take effect immediately as an urgency statute

Ch 342 (AB 1987) Hayes Motorcycles special license plates

Under existing law, special license plates may be issued for a vehicle of historic value, for the vehicle of a person holding an amateur radio station license, and for the vehicle of a person regularly employed as a press photographer. However, those special plates

may not be issued for motorcycles, motor-driven cycles, or trailers

This bill would remove the prohibition of issuing such special license plates for motorcycles and motor-driven cycles

Ch 343 (AB 2078) Naylor Probation county transfer

Existing law provides for the transfer of the entire jurisdiction over persons placed on probation to another county in which the probationer resides or where he has moved unless the receiving court refuses the case on the basis of nonresidence

This bill would make such provisions applicable only where there is permanent residence in the new county The bill would also authorize transfer of jurisdiction in such cases on a courtesy basis

Ch 344 (AB 3120) Moorhead Superior courts Sacramento County

Existing law specifies the salaries of superior court reporters in Sacramento County

This bill would raise the salaries of superior court reporters in Sacramento County

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 345 (AB 1975) Deddeh Public Employees' Retirement System benefits

Existing Public Employees' Retirement Law provides for reductions in various benefits if members are also covered under the federal Social Security Act

This bill would permit contracting agencies to elect to provide that such reduction shall not be applicable to members employed by such agencies on and after the effective date of a contract amendment

Ch 346 (AB 2832) Chappie Horseracing licenses

Existing Horse Racing Law requires every person who participates in or has anything to do with the racing of horses to be licensed by the California Horse Racing Board The law prohibits a license from being issued to a person eligible to vote who has not registered as a voter

This bill would repeal the requirement that licensees be registered voters

Ch 347 (AB 3363) Moorhead Superior courts Sacramento County

Existing law imposes a special fee for court reporters in civil cases in superior court in Sacramento County which last more than 5 judicial days

This bill would impose such fee in civil cases lasting more than 1 judicial day

Ch 348 (AB 90) Imbrecht Local government ordinances and resolutions publication and posting

(1) Current law requires that, within 15 days after the passage of a county or city ordinance, such ordinance be published as specified When publication of the text of a county ordinance is utilized to satisfy the publication requirement, it must include the names of the members of the county board of supervisors voting for and against the ordinance

This bill would require the inclusion of the names of members of the city council voting for or against the ordinance with publication of the text of the ordinance when that alternative is utilized to satisfy the publication requirement

This bill would also require the inclusion of the names of members of the city council, or the board of supervisors, as the case may be, voting for or against the ordinance with publication of either a summary of the ordinance when that alternative is utilized to satisfy the publication requirement or a display advertisement when that alternative is utilized to satisfy the publication requirement

(2) Existing law requires the notice of hearing on a resolution of intention to levy an assessment for an assessment district under the Landscaping and Lighting Act of 1972

to be published and posted

This bill would delete the requirement that such notice be posted

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 349 (AB 2005) Tanner Motor vehicles pilot indicators

Under existing law, standards are prescribed for side and fender lighting on vehicles A motor vehicle may be equipped with two amber turn signal indicators and with exterior pilot indicators of any color for monitoring exterior lighting devices, as specified

The bill would permit vehicles to be equipped with steady burning pilot indicator lights, visible from the front of the vehicle and of any color except red, to monitor the functioning or condition of parts essential to the operation of the vehicle or of equipment attached to the vehicle which is necessary for the protection of cargo or load The bill would prescribe the size and light output of permissible pilot indicators

Ch 350 (AB 2108) Hannigan Vehicles equipment fog taillamps

Under existing law, fog taillamps are permitted to be installed and used in a prescribed manner on any vehicle 80 inches or more in overall width and on any schoolbus

This bill would permit the installation and use of fog taillamps on any vehicle

Ch 351 (AB 2249) Tanner Architects

Existing law does not specifically require an applicant for a certificate to practice architecture or an applicant for renewal of such a certificate to demonstrate his or her knowledge and understanding of exterior and interior barrier free design

This bill would require an applicant for a certificate to practice architecture, as part of the examination for certification, to satisfactorily demonstrate his or her knowledge and understanding of and proficiency in exterior and interior barrier free design and would require an applicant for the renewal of a certificate to practice architecture, as a condition precedent to renewal, to acknowledge receipt of various specified materials relating to interior and exterior barrier free design This bill would require these materials to be prepared by the Department of Rehabilitation, after review by and approval of the Office of the State Architect and the Commission on Housing and Community Development and in cooperation with the Department of Consumer Affairs, and to be distributed, as specified

This bill would also require the California State Board of Architectural Examiners to include questions regarding exterior and interior barrier free design as part of the examination for certification and, in addition, would require such questions to be reviewed by the board and an advisory committee of disabled persons to ensure that the examination reflects current regulations and the latest developments in barrier free design

Ch 352 (AB 2402) Elder. Handicapped persons insurance

Existing law does not require contracts of individual or group insurance providing hospital, medical, or surgical benefits, health care service plans, or nonprofit hospital service plans to offer and provide coverage for handicapped persons on the same basis as nonhandicapped persons

This bill would prohibit, with specified exception, any insurer, plan or other entity issuing, providing, or administering such contracts and plans from refusing to issue or refuse to continue coverage to handicapped persons, as defined, under conditions less favorable than to nonhandicapped persons. It would also prohibit the imposition of a different rate for handicapped persons unless justified by actuarial evidence or sound underwriting practices

Ch 353 (AB 2790) Knox Public social services confidentiality

Existing law sets forth specified circumstances under which employees of a county welfare department would be permitted to divulge confidential information regarding applicants or recipients of public social services programs to persons or agencies outside the department

This bill would, in addition, allow an employee of a county welfare department to divulge such information to a state or local law enforcement agency investigating a criminal act committed in a welfare department office or against any county or state welfare worker while involved in the administration of public social services Such disclosure may include only the name, address, and physical description of the applicant or recipient

Ch 354 (AB 2867) Frazee Court records preservation

Existing law regulates the retention of various court records

This bill would revise the law relative to the retention of such court records.

Ch 355 (AB 3028) Mello Nutrition site inspections

Existing law does not provide for the inspection of nutrition project sites by senior citizens to determine whether such sites comply with applicable state and local fire and sanitation standards

This bill would provide that retired firemen and retired licensed sanitarians may undertake such inspections by contracting with local area agencies on aging or nutrition projects as independent contractors

The bill would further provide that specified federal funds allocated to local area agencies would be used to pay such firemen and sanitarians

The bill would further provide that sanitarians and fire safety inspectors conducting such inspections shall report their findings to the appropriate area agency on aging, or nutrition project, and, after followup inspections, supply or mail reports of uncorrected deficiencies to the appropriate local fire protection agency or local health agency

Ch 356 (AB 2945) Harris San Francisco Bay Area Rapid Transit District

Under the San Francisco Bay Area Rapid Transit District Act, the Legislative Analyst is required to submit quarterly reports to the Legislature on the expenditures of the San Francisco Bay Area Rapid Transit District

This bill would delete such requirement

Ch 357 (AB 3040) Knox Acupuncture licensing

Under existing law the practice of acupuncture, as defined, is licensed and regulated by the Division of Allied Health Professions of the Board of Medical Quality Assurance with the advice of the Acupuncture Advisory Committee

This bill would revise what acts a person licensed as an acupuncturist may perform including permitting any acupuncturist to perform the techniques of electro-acupuncture, cupping, and moxibustion. The bill would also replace the Division of Allied Health Professions of the Board of Medical Quality Assurance and the Acupuncture Advisory Committee with the Acupuncture Examining Committee The bill would provide that the Acupuncture Examining Committee is within the jurisdiction of the Division of Allied Health Professions, would subject regulations of the committee to the review and approval of the division, and would authorize the committee to appoint an executive officer who is to be exempt from civil service

The bill would provide that specified provisions of the act are to be operative on July 1, 1982

The bill would further provide that if both this bill and SB 1558 are chaptered, the provisions of this bill shall not become operative

Ch 358 (AB 3167) Chappie Vehicles motorcycles noise limits

Under existing law a motorcycle, other than a motor-driven cycle, if manufactured after 1974 and before 1981, has a noise limit of 83dbA and, if manufactured after 1980 and before 1986, a noise limit of 80dbA

This bill would extend for 1 year, until the end of 1981, the noise limit of 83dbA

Ch 359 (AB 3319) Bates. Mental health. community residential treatment system

Under existing law, the counties are authorized to implement a community residential treatment system, as specified, pursuant to specified eligibility criteria and system program elements, including socialization centers

This bill would include within the socialization centers element adult education support programs The bill would also require the system program elements to include an in-home treatment program, as defined, and a volunteer-based companion program, as defined

Ch. 360 (AB 3184) Vicencia. Insurance agents

Existing law provides that: (a) an insurer may authorize specified licensed agents to transact disability insurance by filing a notice of appointment for that purpose, and (b) every applicant for a license to act as a life agent, an insurance agent, a travel insurance agent, or an insurance solicitor shall have filed on his behalf a notice of appointment executed by an insurer or insurance agent or broker, as the case may be, appointing the applicant, upon licensing, its agent or solicitor within this state

This bill would provide that the authority to transact insurance given to an agent or to an applicant upon licensing by an insurer or insurance agent or broker, as the case may be, by appointment, shall be effective as of the date the notice of appointment is signed, with such authority to apply to transactions occurring after that date and for the purpose of determining the insurer's or insurance agent's or broker's liability for acts of appointed agents or licensees

Existing law provides that notices of appointment or notices of termination of appointment of agents or licensees to transact insurance must be filed in triplicate with the Insurance Commissioner

This bill would require such notices to be filed within 10 days of appointment or termination

Ch 361 (AB 3187) Hayes Roads

Under existing law, "highway" and "street" are defined, for purposes of the Vehicle Code, as a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel

This bill would define "road" as an existing vehicle route established before January 1, 1979, with significant evidence of prior regular travel by vehicles subject to registration under the Vehicle Code, but would specifically exclude from the definition routes traversed exclusively by bicycles, motorcycles, motor-driven cycles, or off-highway vehicles, as those terms are defined The bill would provide that nothing therein would pertain to any property in an incorporated area or held in private ownership nor would it affect, alter, create, or destroy any right, title, or interest in real property The bill would only apply in a county where the board of supervisors adopted a resolution or ordinance providing for such application

Ch 362 (AB 3299) Knox Regional park or open-space districts.

(1) Existing law authorizes the formation of regional park or open-space districts and provides generally for the governance thereof It authorizes the general manager of such district to exercise supervision and control over departments and offices of the district; requires that the administrative secretary of the board of directors of such district give his full time during office hours to the affairs of the district, requires the board of directors to authorize signatories for warrants drawn in payment of obligations of the district, and requires that such authorized signatories be selected as specified

This bill would specifically authorize the general manager to appoint subordinates, clerks, and other employees who would hold employment at his pleasure, delete the provision relating to the administrative secretary, expand the categories from which authorized signatories may be selected, and make technical and conforming changes to existing law

(2) Under existing law, the general manager may, with approval of the board, bind the district, as specified, in amounts not exceeding $3,500

This bill would authorize the general manager to bind the district in amounts not exceeding $5,000

Ch. 363 (AB 3461) M Waters. Medical information

The ~~confidentiality~~ [Confidentiality]* of ~~the~~* Medical Information Act was added by Chapter 773 of the Statutes of 1979 and went into effect on January 1, 1980 Such provisions in general prohibit the unauthorized acquisition and disclosure of medical information by certain persons, specify the necessary form for an authorization, and contain related provisions.

This bill would suspend the operation of such provisions [which affect any private person, partnership, corporation, or other private entity]* until July 1, 1981 The bill would express legislative intent to maintain the confidentiality of medical information, and would specify that remedies arising under laws other than the confidentiality of the Medical Information Act would still be available, as specified. This bill would take effect immediately as an urgency statute

Ch. 364 (SB 261) Nejedly Litter. solid waste.

(1) This bill would change the name of the Litter Control, Recycling, and Resource Recovery Act of 1977 to the Solid Waste Management Act of 1980 Existing law also provides for a State Solid Waste Management Board of specified membership, including a chairman appointed by the Governor, as specified. Four members of the board constitute a quorum for the transaction of business of the board

This bill would require 5 members to constitute a quorum of the board and would delete an existing, superseded requirement for election of a chairman by the members

(2) Existing law requires the State Solid Waste Management Board, until July 1, 1983, to identify the market factors involving recovered materials and report actions to the Governor and the Legislature on December 1, biennially, commencing December 1, 1979

This bill would delete such termination date

Existing law also requires the Legislative Analyst to submit a specified report relating to solid waste management annually by January 1

This bill would codify such requirement and require the report annually by December 1

(3) Existing law provides for assessments on certain manufacturers, and wholesalers, and, until July 1, 1983, for surcharges on disposal of solid wastes, which assessments, after allocation of specified expenses of administration of the assessment to the State Board of Equalization, and surcharges, are deposited in the State Litter Control, Recycling, and Resource Recovery Fund Such fund is continuously appropriated for the 1978–79 to 1982–83, inclusive, fiscal years to the State Solid Waste Management Board for expenditure in amounts provided, including cleanup of recreational lands and public thoroughfares.

This bill would redesignate such fund as the State Solid Waste Management Fund and delete the continuous appropriation of the fund The bill would make expenditures from the fund contingent upon appropriation by the Legislature

The bill would change the authorized expenditure of 30% of the appropriations from the fund by the State Solid Waste Management Board for cleanup of recreational lands and public thoroughfares to those expenditures only by cities and counties Such allocation would remain in effect only until June 30, 1980 Commencing July 1, 1980, 32½% of the appropriations from the fund would be available for grants to cities, counties, and designated public agencies and private entities for specified purposes relating to litter used for the purpose of promoting sound solid waste management, as specified in the bill

The amount of 20% of the appropriations from the fund to be used for grants and loans for research and development of resource recovery would be increased to 27½% and would be authorized to be expended for implementation of the state resource recovery program, as specified and limited in the bill

The amount of the appropriations from the fund to be used for recycling centers would be increased from 25% to 30% and be available for loans as well as grants, or combinations thereof

The bill would specify the requirements for grant and loan applications and for priorities and administration of grants and loans for resource recovery and recycling centers and require a specified report to the Governor and the Legislature on the allocation and use of such funds before January 1 of each year

The bill would also provide for revoking of a grant or loan for resource recovery or recycling centers after notice and hearing for failure to comply with specified condi-

tions, and it would also provide for recovery of funds advanced, as specified, if revoked

The separate amount of 7½% of the appropriations from the fund to be used for litter law awareness and compliance would be increased to 10% of the fund, and the purpose expanded, as specified, on June 30, 1980.

The standards for grants for litter law enforcement for which 5% of the appropriations from the fund is to be used would be changed, as specified in the bill, and deleted on June 30, 1980

The amount of 2½% of the appropriations from the fund to be expended for litter receptacles would be deleted

The amount of 5% of the appropriations from the fund to be expended for recoverable material utilization would be deleted

The amount of 5% of the appropriations from the fund to be expended for research and administrative support of the grant and loan program, maintenance of specified solid waste management plans, and surveys of composition and rate of deposit of litter and solid waste would be deleted

Certain amounts from the fund were appropriated by the Legislature for 1979–80 fiscal year. This bill would change the specified allocations of such amounts and, therefore, would make an appropriation

(4) Existing law requires, until July 1, 1983, placing in every public place in this state of litter receptacles, and authorizes the State Solid Waste Management Board to define, by regulation, gasoline service stations, shopping centers, grocery stores, and boat launching and takeout areas, and to clarify and exemplify the definitions of drive-in restaurants, fast food outlets, grocery stores, and shopping centers provided by statute.

This bill would delete such authorization for regulation and, instead, until July 1, 1983, authorize the board to specify in regulations particular types of places where such receptacles shall be placed

(5) Existing law requires, until July 1, 1983, litter receptacles placed at public places to meet minimum standards established by the State Solid Waste Management Board for marking. The board is also required to set standards for size, design, location, frequency of emptying, maintenance, and replacement of receptacles

This bill would require that the marking standards apply only to new receptacles placed by state or local public agencies

The bill would also delete the authority of the board to set standards for size, location, frequency of emptying, and replacement of receptacles, and require specified grant recipients to comply with specified requirements

(6) The provisions of the existing law relating to placing of litter receptacles in public places are located in the codes separate and apart from the Litter Control, Recycling, and Resource Recovery Act of 1977.

This bill would repeal and reenact such provisions, as amended by the bill, into the Solid Waste Management Act of 1980 The bill would also authorize, instead of require, the board to purchase and distribute litter bags.

(7) Violations of the litter act are misdemeanors with specified punishment

This bill would make a violation of such provisions an infraction with increased fines

(8) The provisions of existing general law repeal the Litter Control, Recycling, and Resource Recovery Act of 1977, the provisions of law relating to litter assessments, and those relating to placing of receptacles affected by this bill on July 1, 1983

This bill would codify and make technical, nonsubstantive, changes to such repealer provisions.

(9) The bill would take effect immediately as an urgency statute

Ch. 365 (SB 1623) Sieroty Health. genetically handicapped.

(1) Under existing law, there is established a Genetically Handicapped Person's Program administered by the State Department of Health Services Existing law among other things, requires the department to establish with the guidance of the Advisory Committee on Genetically Handicapped Person's Program uniform standards of financial eligibility for the services under the Genetically Handicapped Person's Program funded pursuant to Item 266 of the Budget Act of 1979

The bill would, instead, require the department to establish, with the guidance of the advisory committee, uniform standards of financial eligibility for the services established pursuant to the Genetically Handicapped Person's Program It would require that the

eligibility standards not prohibit service to an otherwise eligible person whose adjusted gross family income does not exceed $100,000 per year It would require a repayment schedule to be established, based on the family's repayment obligation determined by the lesser of either a percentage of income tax liability, less funds expended for health insurance premiums for the genetically handicapped person or the cost of services. It would require the department to report on the cost effectiveness of the repayment schedule, as specified. It would require all repayments to be used in support of the program

(2) Under existing law, the State Director of Health Services is authorized to make grants for Huntington's disease research and is required to establish such rules, regulations, and standards for these grants as the director deems necessary. Existing law also requires the Scientific Advisory Review Committee to review and recommend approval of such grant applications and monitor programs receiving these grants, pursuant to the regulations of the director.

This bill would delete the requirement for promulgation of regulations and delete the requirement that the committee review, recommend, and monitor pursuant to the regulations.

(3) This bill would take effect immediately as an urgency statute.

Ch. 366 (SB 487) Johnson Fairs joint powers agreement.

(1) Under existing law, public agencies, as defined, may enter into joint powers agreements for various purposes in order to exercise common powers or other powers statutorily provided

This bill would authorize public agencies conducting fairs or exhibitions to enter into a joint powers agreement to form an insurance pooling arrangement for the payment of workers' compensation, unemployment compensation, tort liability, or public liability losses incurred by such agencies The bill would authorize the Department of Food and Agriculture to enter into such a joint powers agreement for the California Exposition and State Fair, district agricultural associations, and citrus fruit fairs and to contract with the California Exposition and State Fair, district agricultural associations, or citrus fruit fairs with respect to such a joint powers agreement entered into on their behalf. The bill would authorize a county contracting with a nonprofit corporation for conducting a fair to enter into such a joint powers agreement for a fair conducted by the nonprofit corporation and to contract with the nonprofit corporation with respect to a joint powers agreement entered into on behalf of the fair of the nonprofit corporation The county would be required to assume all workers' compensation and liability obligations accrued prior to the dissolution or nonrenewal of a nonprofit corporation's contract

This bill would require any public entity entering into a joint powers agreement under the bill to establish or maintain a reserve fund to pay losses and would require that sufficient moneys be in the fund to maintain it on an actuarially sound basis

(2) The bill would take effect immediately as an urgency statute.

Ch 367 (SB 1698) Wilson Civil actions. marriage dissolution.

Under existing law no decree of dissolution can be granted upon default of one of the parties or upon any statement or finding of fact made by a referee, the court must, in addition to any statement or finding of a referee, require proof of the grounds alleged, and such proof, if not taken before the court, is required to be by affidavit. Existing law also excepts cases involving dissolution or annulment of marriage, separate maintenance, or the custody of children from a general provision authorizing courts to permit the use of affidavits in lieu of personal testimony where a defendant has not responded to service

This bill would revise the above provisions to (1) specify the circumstances under which, if the proof in an action for dissolution is by affidavit, the personal appearance of the affiant may be required, (2) require that such an affidavit contain a stipulation by the affiant that he or she understands that proof will be by affidavit and that he or she will not appear before the court unless so ordered, and (3) delete the above-mentioned exception

It would also make technical changes

Ch. 368 (SB 1684) Vuich Forest resources: wildland fire prevention and vegetation management

Existing law does not require the Department of Forestry to make its wildland fire prevention and vegetation management expertise available to local governments

This bill would require the department, in accordance with policies established by the State Board of Forestry, to make such expertise available to local governments to the extent possible within the department's budgetary limitations The bill would make legislative findings and declarations with regard to such provisions

Ch 369 (SB 1603) Presley Indigent appeals

Under existing law, to be repealed by a sunset provision as of January 1, 1981, it is the duty of trial counsel in criminal, juvenile, and civil commitment cases to counsel prospective indigent appellants relative to arguably meritorious grounds for appeal except as to an issue regarding the competency of such counsel, and the State Public Defender is required upon request to assist such prospective indigent appellant or his counsel as to whether arguably meritorious grounds for appeal exist

This bill would repeal the existing sunset provision, thereby providing for the continuation of the requirements of, and rights under, such existing law

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 370 (SB 1456) Presley Labor investigations of employees

Existing law requires any employer who disciplines or discharges an employee on the basis of any investigation of the employee's conduct, performance, or honesty performed by a person licensed under the Private Investigator and Adjuster Act, to provide the employee with a copy of the investigation report, with a specified exception

This bill would instead require any employer who disciplines or discharges an employee on the basis of a report from a shopping investigator, as defined, licensed under the Private Investigator and Adjuster Act, to provide the employee with a copy of the report.

Ch 371 (SB 1319) Craven. Disabled veterans' exemptions

Existing law provides for the levy of license fees in lieu of property taxes for certain mobilehomes and trailer coaches.

This bill would exempt the first $20,000 of the market value of the mobilehome or trailer coach from the license fee if the mobilehome or trailer coach is owned by a disabled veteran, as defined, or his surviving spouse and is the principal place of residence of such a person, or, in the case of a disabled veteran or his surviving spouse whose principal place of residence is such a vehicle and whose household income does not exceed specified limits, the first $30,000 of the market value of the mobilehome or trailer coach would be exempt from the license fee, as specified

This bill would take effect immediately as a tax levy

Ch 372 (AB 1061) Moore Parks and recreation appropriations Baldwin Hills, Lake Elsinore

(1) Under existing law, the Department of Parks and Recreation has control of the state park system Revenues, money, and remittances received by the State Lands Commission from oil, gas, and mineral leases are deposited in the State Treasury and are distributed for prescribed purposes

This bill would require the State Lands Commission to deposit, subject to provisos, $7,500,000 of specified revenues, moneys, and remittances received from oil, gas, and mineral leases into the State Parks and Recreation Fund or, in the alternative, conditioned upon the prior enactment of SB 1426 or AB 2973, require that $7,500,000 be transferred from the Energy and Resources Fund to the State Parks and Recreation Fund The bill would appropriate that amount, or as much as may be necessary, from the State Parks and Recreation Fund to the Department of Parks and Recreation for

expenditure, without regard to fiscal year, for the Baldwin Hills acquisition, planning, working drawings, and construction as part of the state park system

The bill would also provide that, if Proposition 1 on the June 3, 1980, statewide election ballot is adopted, the funds provided therein are in addition to, and not in lieu of, the appropriated funds

(2) Existing law appropriates $520,000 from the Park and Recreation Revolving Account in the General Fund, together with $40,000 from the Harbors and Watercraft Revolving Fund, for a study regarding the availability and feasibility of a well water source of supply for Lake Elsinore Existing law also appropriates $500,000 from the Park and Recreation Revolving Account for the preparation of an environmental impact report and certain construction activities at Lake Elsinore State Recreation Area

This bill would reappropriate the unencumbered balance of such moneys to the department for the purpose of debris removal, prevention of contamination, reduction of visitor safety hazards, and protection of visitor health at and on waters adjacent to Lake Elsinore State Recreation Area

(3) The Budget Act of 1979 does not contain an appropriation from the State, Urban, and Coastal Park Fund for land and facilities at Lake Elsinore State Recreation Area.

This bill would amend and supplement the Budget Act of 1979 to appropriate $6,000,000 from that fund to the department for the acquisition of land, leases, and other interests in land, and the acquisition and development of recreation facilities at Lake Elsinore State Recreation Area, subject to proviso The bill would provide that so much of the moneys appropriated for the purposes specified in (2) above as are not necessary for such purposes are reappropriated for the purposes specified in this paragraph.

(4) The bill would also provide that, if Proposition 9 on the ballot for the statewide election on June 3, 1980, is adopted, this bill shall be inoperative and repealed on June 4, 1980.

(5) The bill would take effect immediately as an urgency statute

Ch 373 (AB 1403) Hayes Private energy producers· charges

Existing law permits a private energy producer to generate electricity to or for any electrical or heat corporation but not to or for the public, without becoming a public utility subject to the general jurisdiction of the Public Utilities Commission Existing law also provides that the operation of such a generating facility does not make the private energy producer a public utility

This bill would direct the commission to review the charges paid by electrical corporations to private energy producers for electricity generated by other than conventional power sources, to review standby charges charged by electrical corporations for providing standby generation, transmission, and distribution facilities, and to review charges by electrical corporations for providing transmission service to private energy producers, and would direct the commission to fix the amount of such charges

The bill would also renumber certain other provisions of law for technical reasons without substantive change

Ch 374 (AB 2173) Rosenthal Research Advisory Panel

Under existing law, there is a Research Advisory Panel, consisting of various members, which among other things, encourages and coordinates research into the nature and effects of marijuana and hallucinogenic drugs Existing law requires one of the members on the panel, appointed by the Governor, to hold a doctorate degree in health science Existing law prescribes that members of the panel serve without compensation, but are reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties

This bill would delete the appointment of the member holding a doctorate degree in health sciences and, instead, add a member to the panel, appointed by and serving at the pleasure of the Governor, who is either a registered nurse or other health professional and has specified research experience

This bill would take effect immediately as an urgency statute

Ch 375 (AB 1625) Knox State Board of Landscape Architects abolishment

Existing law provides for a California State Board of Landscape Architects

This bill would abolish such board on a specified date unless the Legislature, prior to

such a date, enacts a bill continuing its existence.

This bill would require such board to submit a statement to the Legislature on its purpose, organization, and performance and would require the Legislature to conduct a review on whether such board should be repealed or continued in existence and to consider reorganization alternatives

Ch 376 (SB 2067) Garamendi Lake Tahoe acquisitions bonds

Chapter 253 of the Statutes of 1980 requires the Secretary of State to submit to the people at the November 4, 1980, General Election the Lake Tahoe Acquisitions Bond Act, which would authorize the Lake Tahoe Acquisitions Finance Committee to create a debt or debts, liability or liabilities of the state in the aggregate amount of $100,000,000. However, Chapter 253 specifies that ballot contain language indicating that the amount provided by the act is $85,000,000

This bill would conform the amount in the act to $85,000,000, and would require that Section 66956 of the Government Code be submitted to the voters in the form as set forth in this act

This act would take effect immediately as an urgency statute

Ch 377 (AB 3236) Bosco Mendocino County leases.

Existing law requires a county, when leasing its property, to comply with certain procedural requirements, including competitive bidding

This bill would authorize the Board of Supervisors of Mendocino County to lease to employees of the county, without competitive bidding, county dwellings in locations which the board deems to be remote, if the board determines it is necessary to assign the employees to such remote location

This bill would make legislative findings of unique and special circumstances for which a general statute cannot be made applicable, as specified

Ch 378 (AB 3179) Leonard Improvement bonds 1911 act

Under the Improvement Act of 1911, the failure to make timely payment of principal or interest subjects the obligor on the bond to a 1% per month penalty

This bill would raise the penalty to 2% per month

Ch 379 (AB 2484) Stirling Industrial Welfare Commission. organized camps

Existing law permits the Industrial Welfare Commission to promulgate orders to fix the minimum wage, maximum hours, and standard conditions of labor for employees engaged in any occupation, trade, or industry in this state. Also, existing law provides that no student employee of an organized camp, as defined, shall be subject to a minimum wage or maximum hour order of the commission if such employee receives a weekly salary of at least 85% of the minimum wage for a 40-hour week, regardless of the number of hours per week the employee might work at the organized camp. If such employee works less than 40 hours per week, the employee shall be paid at least 85% of the minimum hourly wage for each hour worked An organized camp is permitted to deduct the value of meals and lodging from the salary of such student employees pursuant to appropriate orders of the commission

This bill would, in addition, provide that the above provisions applicable to student employees of an organized camp shall also apply to a camp counselor and a program counselor of an organized camp

This bill would take effect immediately as an urgency statute.

Ch 380 (AB 2229) Tanner Electronic repair dealers

Existing law provides that no person required to have a valid registration under the Electronic and Appliance Repair Dealer Registration Law shall have the benefit of any lien for labor or materials unless he or she has such a valid registration

This bill would provide, in addition, that no such person shall have the right to sue on a contract for repairs done by such individual unless he or she has such a valid registration

Ch 381 (AB 2121) McAlister Property valuation evidence

Existing provisions of the Evidence Code relating to valuation of property apply only to eminent domain and inverse condemnation proceedings Existing case law governs

the valuation of property in other proceedings, except for minor exceptions

This bill would extend the existing rules for property valuation applicable to eminent domain and inverse condemnation cases to include all cases other than ad valorem property tax assessment and equalization As to property for which there is no relevant market, the value may be determined by any method of valuation that is just and equitable

Under existing provisions of the Evidence Code, the value of property may be shown only by the evidence of certain specified persons, including the owner of the property.

This bill would permit such opinion evidence to be given also by the spouse of the owner

Ch 382 (AB 1995) Chappie. Motor vehicle exhaust system modifications

Existing law prohibits a person from modifying the exhaust system of a motor vehicle to increase the noise emitted above that emitted by the original muffler on the vehicle, and requires that the original muffler comply with specified provisions relating to motor vehicle equipment

This bill would restate these provisions to instead prohibit modification of an exhaust system so that the vehicle is not in compliance with provisions requiring an adequate muffler or exceeds specified noise limits

Ch 383 (AB 420) Chappie Validations

This bill would enact the Second Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities

This bill would take effect immediately as an urgency statute.

Ch 384 (SB 1967) Petris Medical information

Existing law prohibits the unauthorized disclosure of medical information to persons who request such information with regard to employment or insurance-related purposes

This bill would specify that such provisions do not prohibit the acquisition or disclosure of medical information which is sought, acquired, or disclosed as part of an investigation of an on-the-job accident under specified provisions relating to safety in employment

The bill would specify that such information is confidential and would be maintained only until the case under investigation is closed

Ch 385 (SB 1949) Nejedly Counties. compensation of commissions, boards, or committees

Existing law authorizes the board of supervisors of a county to pay special allowances such as per diem stipends for members of commissions or committees of citizens established pursuant to provisions authorizing a board of supervisors to appoint commissions or committees of citizens to study problems of general or special interest to the board of supervisors and to make reports and recommendations to it

This bill would, instead, authorize a board of supervisors, unless otherwise provided by law, to provide for the payment of reasonable and necessary expenses of, and of special allowances such as per meeting stipends to, members of commissions, boards, or committees appointed by it, other than to such members who are also members of the board of supervisors

Ch 386 (SB 1865) Schmitz. Tear gas and tear gas weapons

Existing law permits the purchase, possession, or use of tear gas or tear gas weapons for self-defense if the person is not a minor, not addicted to narcotic drugs, has not been convicted of specified offenses, has completed a course of training in the use of tear gas and tear gas weapons and has been issued an identification card that he or she has completed such course, and has been issued a permit by a licensed vendor Licensed vendors are required to keep complete records of sales of tear gas and tear gas weapons which shall be open to inspection by any peace officer or other person designated by the Attorney General

This bill would delete the issuance of permits and would require a purchaser to present an identification card to the vendor The vendor could deny the sale of tear gas or tear gas weapons if a written reason for the denial is given Vendors would be required

to keep a permanent sales register, rather than a record of all sales of tear gas and tear gas weapons, containing specified information including the purchaser's response to questions pertaining to eligibility to purchase tear gas or tear gas weapons. The sales register would be open to inspection by peace officers and persons designated by the Attorney General A duplicate copy would be sent to the chief of police or sheriff having jurisdiction over the purchaser's place of residence.

The bill would require the Department of General Services to prepare and furnish to vendors sales register forms as prescribed by the Department of Justice at a price determined by the Department of General Services The Department of General Services would be required to forward to the Department of Justice the name and address of the vendor to whom a register is issued with the series and sheet numbers of the register.

Ch 387 (SB 1427) Stiern. Actions against the state

Existing law provides that the proper court for trial of actions against the state for the taking or damaging of private property for public use is the court of competent jurisdiction in the county in which the property is situated, but allows the Attorney General to move the action to Sacramento

This bill would allow the action to be tried in the city, county, or city and county where the city, county, or city and county or local agency is situated, in cases where the plaintiff is a city, county, city and county, or local agency and the proceeding is against the state It would also allow the Attorney General, in such cases, to move to change the place of trial to Sacramento County pursuant to certain provisions in the Code of Civil Procedure.

Ch 388 (AB 3248) Bates. Counties: health maintenance organizations.

An existing provision of law, which is operative only until July 1, 1984, unless extended, authorizes counties to contract to participate as a health maintenance organization in accordance with specified provisions of federal law and to provide its enrollees services in addition to those described in specified provisions of such federal law, including the authorization of the expenditure by the county of whatever funds that may be required therefor.

This bill would revise such authorization (1) to authorize counties to take all actions necessary for such participation, (2) to specifically authorize a participating county to establish, collect, and expend prepayments of enrollees, and (3) to authorize a participating county to use county funds to pay up to 100% of such prepayments for persons or families determined by the county to be unable to make the full prepayment

Ch. 389 (AB 3378) Johnson County board of supervisors: records and documents

Under existing law, a county board of supervisors may, by resolution authorize the use of a facsimile signature of the chairman of the board on various specified documents

This bill would extend the use of the facsimile signature to all papers, documents, or instruments requiring the signature of the chairman, including notices, deeds, and leases

The bill would also provide that a paper, document, or instrument which, for recordation, requires the acknowledgement or verification of the person by whom it was executed, is recordable when the ~~county~~ ~~clerk~~ [clerk of the board of supervisors]* acknowledges his or her signature upon the certificate which indicates that a copy of the paper, document, or instrument has been delivered to the chairman of the board of supervisors

Ch 390 (AB 472) Imbrecht Bank and corporation taxes. allocation of income

Existing provisions of the Bank and Corporation Tax Law provide for the allocation of income of organizations with income derived from sources both within and outside of California, for purposes of determining the amount of income subject to California taxes

This bill would provide that certain taxpayers whose income is derived solely from sources within this state may determine their business income by filing separate returns or a combined report

This bill would take effect immediately as a tax levy, but its operative effect would

depend upon its effective date

Ch. 391 (SB 1786) Speraw Vehicles: parking restrictions.

(1) Existing law generally authorizes local authorities to restrict vehicle parking or standing on streets and highways, subject to certain requirements regarding the posting of signs or notices.

This bill would, with specified exceptions as to commercial vehicles in a residential district, authorize local authorities to prohibit vehicle parking or standing on streets or highways, or portions thereof, for street sweeping purposes between 8:00 a.m. and 4:00 p.m. not more than 1 day per week, provided signs or notices are posted, as specified.

(2) Existing law exempts the driver or owner of a service vehicle of a public or private utility from certain parking restrictions when the vehicle is parked or standing at the site of work or utility property or facilities.

This bill would exempt such persons under those circumstances from the restrictions for street sweeping authorized by this bill.

Ch. 392 (SB 1779) Rains Courts: Santa Barbara County.

Existing law specifies compensation of court reporters in Santa Barbara County.

This bill would revise compensation of court reporters in Santa Barbara County.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 393 (AB 2857) Bosco Gill nets; salmon.

(1) Existing law provides that gill nets may be used in specified areas subject to specified restrictions.

This bill would prohibit the use of gill nets to take salmon, steelhead, or striped bass, would prohibit the sale or possession for sale of any salmon, steelhead, or striped bass taken in California by means of a gill net; would prescribe the maximum penalty for the violation of such provisions as a fine of $5,000, or imprisonment in the state prison or the county jail, as specified, or both such fine and imprisonment; and would make a technical change in existing law.

(2) Under existing law, salmon may be taken under the authority of a commercial fishing license in specified districts during specified times of the year subject to specified restrictions.

Existing law also authorizes the Director of Fish and Game to conform state law or regulations of the Fish and Game Commission to the fishery management plan of the Pacific Fishery Management Council, as specified.

This bill would require the director to conduct a survey of the salmon resource north of Cape Vizcaino and to determine by June 30, 1980, whether commercial fishing for salmon would irreparably harm the resource. If the director finds that the resource would not be irreparably harmed, the bill would supersede regulations promulgated in conformity with the Pacific Fishery Management Council plan, and authorize the taking of salmon for commercial purposes beginning July 1, 1980, north of Cape Vizcaino pursuant to specified provisions of law. This provision would be repealed as of January 1, 1981.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by

this act for a specified reason.

(4) The bill would take effect immediately as an urgency statute.

Ch 394 (AB 2263) Hayes. Warranty: consumer goods. repair.

Existing law requires a manufacturer, distributor, or retailer making express warranties of consumer goods to set forth such warranties in readily understood language, and provides that the warranty period of an express or implied warranty of consumer goods selling for $50 or more shall be tolled automatically for the period of repairs or service, as specified

This bill would provide that notwithstanding the conditions or date set for expiration of such warranty period, the warranty period shall not be deemed expired under specified circumstances

This bill would also require that every work order or repair invoice for warranty repairs shall clearly and conspicuously incorporate a statement informing the buyer of certain rights as specified.

This bill would incorporate additional changes in Section 1793.1 of the Civil Code proposed by AB 3324, to become operative only if this bill and AB 3324 are both chaptered and this bill is chaptered last.

Ch. 395 (AB 2095) Mountjoy. Lighting districts.

Existing law requires posting of notices headed "Notice of Improvement" at intervals of 300 feet along all streets within a proposed assessment district, district or territory proposed to be annexed or consolidated with an existing lighting district prior to hearings on formation, consolidation with, or annexation to a district, unless notices have been mailed to each property owner

This bill would change the heading of the notice to read "Public Notice".

Ch 396 (AB 2122) Alatorre. Court interpreters.

Existing law provides for both written and oral examinations for court interpreters conducted by the State Personnel Board.

This bill would provide for an examination of language skills proficiency, both written and oral, of court interpreters, as set by the State Personnel Board.

Ch. 397 (AB 2170) Rogers Water districts.

(1) Under existing law, districts organized pursuant to the California Water District Law are not generally authorized to provide for the generation of hydroelectric power, but the South Sutter Water District is authorized by special provisions to construct, maintain, and operate plants for the generation of hydroelectric power in a manner consistent with the district's storage, transmission, and distribution of irrigation water, and to lease such plants, or sell the power generated, to a public utility or public agency engaged in the distribution and sale of electricity at retail.

This bill would include the Berrenda Mesa, Cawelo, Lost Hills, and Olcese Water Districts within such provisions, and would authorize the districts to lease such plants, or sell the power generated, to a public utility or public agency engaged in the distribution, use, or sale of electricity. The bill would also make legislative findings and declarations in such connection.

(2) Under existing law, assessments levied by an irrigation district for any improvement district formed within the district are required to include an amount equal to interest on any deferred payments at a rate not exceeding 8% each year.

This bill would increase such maximum interest rate to 10% each year.

Ch 398 (AB 2297) Lancaster Local agencies: mutual service agreements.

Under existing law, cities, counties, and public districts are authorized to contract with one another for the rendition of municipal services and functions, so long as the statutory force account limit applicable to the lead agency performing the work is not exceeded

This bill would, instead, require that the statutory force account limit of the local agency contracting to receive the work not be exceeded The bill would except from its provisions agreements made before January 1, 1981, or the current term of any self-renewing or renewable agreement entered into before January 1, 1981

Ch 399 (AB 2237) Vicencia. Vehicle equipment.

(1) Existing law prescribes lighted and reflectorized equipment that are required and permitted on motor vehicles and bicycles and prescribes the display and use of flashing amber warning lights.

This bill would make various changes regarding such equipment and lights.

(2) Existing law requires every manufacturer, who sells or offers for sale devices for use upon or as part of the equipment of a vehicle which is subject to requirements established by the Department of the California Highway Patrol, to have laboratory test data showing compliance with such requirements.

This bill would add the requirement for such laboratory test data to manufacturers who manufacture devices for use upon a vehicle.

(3) Existing law permits the investigating officer making an arrest, accident investigation, or taking other law enforcement action pursuant to the Vehicle Code and determining that a violation has occurred involving a vehicle registration, license, or mechanical requirement under the code, to issue to the violator a notice to correct the defect and present proof of correction to the issuing agency, unless the violation involves a motortruck of 3 or more axles, a truck tractor, a bus, a schoolbus, a trailer, semitrailer, or dolly used in conjunction with any such vehicle, a truck or truck in combination with another vehicle transporting hazardous materials, or a trailer coach required to be moved under a permit.

This bill would delete the exception for the vehicles listed, thereby permitting the issuance of a notice to correct a defect involving any of these vehicles.

(4) The bill would take effect immediately as an urgency statute.

Ch 400 (AB 717) McAlister Franchises.

Under existing provisions of the Franchise Investment Law, certain franchisors are required to make disclosures related to the sale of a franchise However, certain petroleum corporations or distributors which are wholesale distributors or marketers of petroleum products are exempt from such disclosure requirements Existing definitions of "petroleum corporation" and "petroleum distributor" include among other things any corporation or person which owns, manages, or controls the exploration, production, processing, transportation, or sale of any petroleum product, and any corporation or person, other than a refiner or processor, which sells any petroleum product. With respect to such definitions, existing law does not limit the term "petroleum product" to any specific petroleum products.

This bill would limit the term "petroleum product" used in such definitions to specified products including motor fuels, kerosene, thinner, solvent, liquefied natural gas, pressure appliance fuel, white gasoline, and various lubricating oils.

Ch 401 (AB 763) Hart. Schools and community colleges: counseling disclosure of information.

Existing law provides that the governing board of a school district or community college district may provide a counseling program at each school within the district

This bill would provide that any information disclosed by a student 12 years of age or older while receiving counseling from a school counselor is confidential and shall not be revealed, except under certain conditions.

This bill would also make a person who is required by the bill to keep information confidential immune from civil or criminal liability as a result of keeping that information confidential.

Ch. 402 (AB 831) Robinson. Workers' compensation referees.

Existing law permits the Administrative Director of the Division of Industrial Accidents to employ, among others, necessary referees taken from an eligible list of attorneys.

This bill would require all referees employed by the administrative director to subscribe to the California Code of Judicial Conduct adopted by the Conference of California Judges, and not otherwise engage in conduct contrary to such code

Ch. 403 (AB 978) Knox. Subdivisions merger of parcels

(1) Under the doctrine of merger, when two separate contiguous parcels of land come into single ownership, a merger occurs, so as to create one undivided parcel

A provision of the Subdivision Map Act, applicable after July 7, 1977, provides that no such merger shall occur by virtue of two contiguous parcels being held by the same

owner, and that no further proceedings under the Subdivision Map Act or any ordinance enacted pursuant thereto are required in order to sell, lease, or finance such contiguous parcels. An exception exists, permitting a city or county to adopt an ordinance retaining the doctrine of merger if either of the contiguous parcels does not conform to local standards prescribing minimum lot sizes

The Subdivision Map Act also authorizes a city or county to adopt an ordinance pursuant to which all parcels of land which had merged prior to July 7, 1977, are deemed unmerged and separate parcels

This bill would delete authority for the latter type of ordinance and would, instead, provide that any parcels which had merged by operation of law prior to the adoption of a local ordinance retaining the doctrine of merger are deemed to be unmerged.

(2) Under existing law, local agencies are required to deny a permit for the development of any real property which was divided, or which resulted from a division, in violation of provisions of the Subdivision Map Act if such development is contrary to the public health or safety.

This bill would create a conclusive presumption that a parcel had been lawfully created if such parcel resulted from a division of land into fewer than 5 parcels prior to March 4, 1972, and if at such time there was no local ordinance in effect which regulated divisions of land creating fewer than 5 parcels

(3) Existing law provides that a final subdivision map conforming to an approved or conditionally approved tentative map, may be filed with the appropriate city or county legislative body for approval, and requires the legislative body to either approve or disapprove the final map within 10 days after it has been filed for approval or at its next regular meeting after the meeting at which it receives the map, whichever is later.

The law presently provides that a final or parcel map, having been approved by the legislative body, is to be transmitted to the county recorder for filing and permits the county recorder to either accept or reject the map for filing and prescribes the procedure for filing such map if it is accepted.

This bill would (a) provide that a final map which is filed with the legislative body for approval is deemed to be so filed on the date of the meeting at which the legislative body receives the map; (b) require the legislative body to either approve or disapprove the map at the meeting at which it receives the map or at its next meeting; and (c) prescribe a procedure to be followed when the county recorder rejects an approved map for filing

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 404 (AB 1788) Ingalls Local elections

Existing law authorizes the board of supervisors of a general law county with a population above 220,000 to submit to the electors, at a general or special election, the question of whether the elective office of county auditor should be replaced by the appointive office of county director of finance

This bill would authorize counties with a population of 170,046 to do the same

Existing law provides that if the office is created by a majority of the voters, the board may appoint a person to the office on the basis of merit and fitness according to civil service rules and regulations adopted prior to the submission of the question to the electors

This bill would allow for such an appointment without the limitation to the rules and regulations adopted prior to the submission of the question

Existing law provides that the county director of finance shall have all the powers and duties of the county auditor and controller

This bill would allow the board of supervisors to prescribe additional duties
This bill would take effect immediately as an urgency statute

Ch 405 (AB 1984) Felando Motor vehicles license plates mounting
Existing law requires, with certain exceptions, that the rear license plate on a vehicle be mounted not less than 12 nor more than 60 inches from the ground
This bill would authorize another exception by permitting the rear license plate of a vehicle designed and used to collect, transport, and dispose of garbage, rubbish, or refuse to be mounted not less than 12 inches nor more than 90 inches from the ground
This bill would also incorporate changes to Section 5201 of the Vehicle Code enacted by Chapter 22 of the Statutes of 1980.

Ch. 406 (AB 2002) Moorhead Nursing: duties for psychologists
Existing law provides that the practice of nursing means those functions helping people cope with difficulties in daily living associated with health problems or the treatment thereof and that the practice of nursing includes, among other things, (1) direct and indirect patient care necessary to implement a treatment, disease prevention, or rehabilitative regimen prescribed by a physician, dentist, or podiatrist, and (2) the performance, according to standardized procedures, of basic health care, testing, and prevention procedures, including, but not limited to, skin tests, immunization techniques, and the withdrawal of human blood from veins and arteries
This bill would provide instead that the practice of nursing means those functions, including basic health care, which help people cope with difficulties in daily living associated with health problems or the treatment thereof and that the practice of nursing includes, among other things, (1) direct and indirect patient care services necessary to implement a treatment regimen ordered by and within the scope of licensure of a physician, dentist, podiatrist, or clinical psychologist, as defined, and (2) the performance of skin tests, immunization techniques, and the withdrawal of human blood from veins and arteries.

Ch 407 (AB 2083) Hayes. Workers' compensation· safety employees
Existing law in the Government Code provides that under specified conditions an off-duty peace officer or fireman who dies or is disabled from performing his duties anywhere in the state shall receive workers' compensation benefits.
This bill would place such provisions in the Labor Code in addition to the Government Code

Ch. 408 (AB 1966) McAlister. Liability.
Existing law limits the duty that an owner of any estate in real property owes to keep the premises safe for entry or use by others for recreational purposes It provides that the owner of any estate in real property who permits entry or use for recreational purposes does not extend assurances of safety, or assume responsibility for injury, and that such permission does not constitute the person who uses the property an invitee or licensee
Case law has determined that these limitations respecting liability apply only to an owner of an estate in real property, and not to an owner of an interest in real property which is not possessory, such as an easement
This bill would provide that such limitations on liability apply to an owner of any estate or other interest in real property, whether possessory or nonpossessory

Ch 409 (AB 3420) Hart Sex crimes.
Under existing law, the crime of penetration of a genital or anal opening by a foreign object is punishable by 3, 4, or 5 years in a state prison
This bill would increase such terms to 3, 6, or 8 years

Ch 410 (AB 1342) Elder Public Employees' Retirement System investments
Existing Public Employees' Retirement Law provides that the retirement board has the exclusive control of the administration and investment of the Public Employees' Retirement Fund and that the fund is a trust fund created and administered solely for the benefit of the members and retired members of the system and their survivors and beneficiaries

This bill would permit the Board of Administration of the Public Employees' Retirement System to establish a program utilizing the retirement fund to assist currently employed members and annuitants, through financing, to obtain homes in this state.

Ch 411 (AB 2479) Hannigan Property taxation

(1) Existing statutory law provides for an exemption for business inventories and for an exemption from property taxation for property manufactured or produced outside of this state and brought into this state for transshipment out of the United States and for property manufactured or produced outside the United States and brought into the state for transshipment out of the state for sale in the ordinary course of trade or business. The transshipment exemption was declared to be unconstitutional in Zee Toys, Inc. v. County of Los Angeles, 85 Cal. App. 3d 763, and the United States Supreme Court has granted a writ of certiorari in the case (48 U S L W. 3217).

This bill would repeal the statutory provision authorizing the transshipment exemption

(2) Existing property tax law provides for penal assessments in specified circumstances and that interest at the rate of ½ of 1% shall be added to the property tax from the date such tax becomes delinquent

This bill would increase the interest on those delinquencies, and on property tax refunds, under specified conditions, from ½ of 1% to ¾ of 1%

(3) Existing law imposes a tax on livestock for each head-day such livestock is in the state This tax is in lieu of any property tax on livestock However, existing law also provides that the livestock head-day tax shall be reduced by the same percentage as the business inventories exemption Chapter 1150 of the Statutes of 1979 exempted 100% of the value of business inventory and the livestock head-day tax is thus inoperative

This bill would expressly repeal the livestock head-day tax commencing July 1, 1980.

(4) Existing law permits the initial seller or purchaser of an individual unit in a condominium project to request a separate assessment and tax bill for property tax purposes

This bill would provide that such a request is not authorized where adequate security has been posted for the payment of property taxes pursuant to the Subdivision Map Act

(5) Existing law specifies the procedures for a county to enforce its tax liens on real property when taxes due are unpaid

This bill would make various changes in the assessment, tax sale, redemption, imposition of penalties, and reporting procedures which govern the enforcement of tax liens.

(6) This bill makes other technical nonsubstantive changes relating to property tax.

(7) This bill would take effect immediately as an urgency measure but the provisions relating to the livestock head-day tax would become operative on July 1, 1980, while the other provisions in this act would become operative on January 1, 1981.

Ch 412 (AB 2439) Wray Motor vehicles: former law enforcement vehicles.

Existing law prohibits persons from owning or operating motor vehicles painted to resemble law enforcement vehicles, but exempts those law enforcement vehicles which are painted one solid color or those which are owned or used by certain specified owners and agencies

This bill would also exempt vehicles first registered on or before January 1, 1979, and vehicles used exclusively for funeral escort purposes

Ch 413 (AB 2340) Lancaster Credit unions.

Under existing law, credit unions may be incorporated in the same manner as corporations under the General Corporation Law

This bill would provide for the incorporation of credit unions under the Nonprofit Mutual Benefit Corporation Law

Existing provisions of the Credit Union Law permit the bylaws of a credit union to provide that any action which may be taken at a meeting of the members may be taken without a meeting by submitting the matter to the members for their written vote

This bill would provide that, except for certain actions, a proposed action on which a written vote is authorized shall be considered approved by the members when approved by a majority of the written votes cast upon the question, unless otherwise specified in the bylaws, and provided the number of written votes cast represents 10%

of the membership

Ch. 414 (AB 2339) Young. Referees' compensation.

The California Constitution provides that a judge of a court of record may not receive the salary for the judicial office held by the judge while any cause before the judge remains pending and undetermined for 90 days after it has been submitted for decision

This bill would provide that a referee of the Division of Industrial Accidents also may not receive his or her salary under such circumstances.

Ch 415 (AB 2330) Thurman. Conservatorship and guardianship proceedings.

(1) Under existing law the court in a mental health conservatorship proceeding may appoint the county counsel to represent an indigent private conservator in such proceedings.

This bill would authorize the appointment of the county counsel only if the board of supervisors have, by ordinance or resolution, authorized the county counsel to accept them.

(2) Under existing law the county counsel, at the request of the county welfare department, or the district attorney, if a county counsel does not exist, is required, under certain circumstances, to initiate guardianship or conservatorship proceedings or other form of legal protection

This bill would authorize, rather than require such action and only if the county counsel or district attorney is authorized to take such action by the board of supervisors.

Ch. 416 (AB 2308) Knox. Postsecondary education.

(1) Existing law provides that the maximum interest rate that can be paid on bonds issued by local governmental agencies is, with certain specified exceptions, 10 percent per annum

This bill would amend two sections of the Education Code concerning community college revenue bonds to conform to existing law

(2) Existing law authorizes the Trustees of the California State University and Colleges to issue specified revenue bond anticipation notes, bonds, and notes at an interest rate not to exceed 8 percent per annum

This bill would authorize such bonds and notes to be issued at an interest rate not to exceed 10 percent per annum

(3) Existing law authorizes the Regents of the University of California to issue specified bonds at an interest rate not to exceed 8 percent per annum.

This bill would authorize such bonds to be issued at an interest rate not to exceed 10 percent per annum.

Ch. 417 (AB 2303) McAlister Workers' compensation· liens

Existing law requires the Workers' Compensation Appeals Board to provide in its award, or approval of any compromise of claim, for reimbursement of lien claims for unemployment compensation benefits, unemployment compensation disability benefits, and for benefits paid or services provided under a health care service plan, a group disability policy, including a loss of income policy, a self-insured employee welfare benefit plan, or a hospital service contract.

This bill would provide that where such a lien claimant is reimbursed for such benefits paid or services provided, the appeals board may award an attorney's fee to the applicant's attorney out of the lien claimant's recovery, if the appeals board determines that specified conditions are met The bill would also specify the basis for determining the amount of such attorney's fee

Ch. 418 (AB 2761) M Waters. Industrial loan companies

Under existing law, a holding company may not be used by an industrial loan company for the purpose of evading any of the provisions of the Industrial Loan Law

This bill would prohibit any person from using a holding company or any other device for the purpose of evading such law. It would also define "holding company" for the purposes of the law.

Under existing law, no person may acquire 10% or more of an industrial loan company's capital stock without the written consent of the Commissioner of Corporations

This bill would provide that no person may acquire 10% or more of the capital stock

of an industrial loan company holding company without the prior written consent of the commissioner, but would exempt from that provision stock which is exempt from the qualification requirements of the Corporate Securities Law of 1968 pursuant to certain specific provisions.

Under existing law, the commissioner may investigate the affairs and examine the books, accounts, records and files of an industrial loan company.

This bill would extend such authority to an industrial loan company's holding company or affiliates

Under existing law an industrial loan company may not loan money to its directors or officers.

This bill would extend the prohibition to loaning money to the officers and directors of its holding company or of its affiliates.

Under existing law, directors, officers and employees of an industrial loan company are prohibited from.

(1) Receiving consideration for procuring any loan for any person from the company;

(2) Possessing the property of the company other than in payment of a just demand, and

(3) Making a false entry in its books. The violation of any of these provisions is a felony.

This bill would extend these prohibitions to directors, officers and employees of the holding company and the industrial loan company's affiliates.

Under existing law, if a loan is made in violation of certain provisions of the Industrial Loan Law, the officers, directors and shareholders of the industrial loan company participating therein are liable for any loss suffered by the company

This bill would extend such liability to the officers, directors and shareholders of the holding company or the industrial loan company's affiliates.

Existing law prohibits an industrial loan company from making a loan of money on the security of the capital stock of the company.

This bill would prohibit a company from making a loan upon the security of the capital stock of its holding company or its affiliates

Existing law prohibits directors, officers and employees of the industrial loan company from purchasing the company's assets at less than the current market value thereof, and makes the purchaser liable to the company for twice the market value of the assets .

This bill would similarly prohibit a stockholder of an industrial loan company, or a director, officer, stockholder or employee of an industrial loan company's holding company or its affiliates from purchasing the company's assets at less than market value. The bill would also provide that title and possession of assets shall not be transferred to the purchaser until full consideration in cash has been received by the company.

Existing law makes it a misdemeanor for a director, officer or employee of an industrial loan company to make a deposit of the company's funds with any other person on the condition that the other person make a loan to any director, officer or employee.

This bill would extend the prohibition to directors, officers and employees of the industrial loan company's holding company or its affiliates

It is a misdemeanor for officers or employees of an industrial loan company to sell thrift certificates knowing the company is insolvent

This bill would make that provision apply to the officers or employees of a holding company or its affiliates.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 419 (AB 2640) N Waters. Transportation allocation of funds

Under the Mills-Alquist-Deddeh Act, any city within the County of Sacramento but outside of the Sacramento Regional Transit District may use its apportionment of local

transportation funds for local streets and roads and other purposes if its transit needs can be met with less than its total apportionment, except that such a city is required to allocate not less than 50% of its apportionment for transit purposes.

This bill would reduce the apportionment that such a city would be required to allocate for such transit purposes from 50% to 25%.

Ch. 420 (AB 2625) Alatorre. Podiatrists.

Existing law provides that clinical laboratories owned and operated by specified entities, including physicians and surgeons, as specified, and certain entities which contract with or employ physicians and surgeons, as specified, shall not be subject to provisions of law regulating clinical laboratories.

This bill would include within the group of clinical laboratories exempt from such provisions those which are owned and operated by podiatrists, as specified, plus those which are owned and operated by specified entities which contract with or employ podiatrists, as specified.

Existing law requires specified laboratories which are exempt from the provisions of law concerning clinical laboratory technology to demonstrate satisfactory performance in a proficiency testing program approved by the State Department of Health Services in laboratory procedures which the laboratory performs. Existing law further requires physicians and surgeons who are tested as to such proficiency to certify to the department, under penalty of perjury, that the proficiency test was performed in their own laboratory

This bill would provide that such a certification must be made by, in addition, podiatrists who are tested as to such proficiency.

Ch 421 (AB 2563) Kapiloff. Yacht and Ship Brokers Act.

(1) Existing law provides for the regulation of the sale of yachts and ships, as defined, by brokers and salesmen

This bill would make various changes in the Yacht and Ship Brokers Act to exclude from the definition of broker or salesman under the act any transaction involving the sale of a new yacht or ship, add as a ground for the denial, suspension, or revocation of such a license the use of money or other property of a principal for any purpose other than that for which it was entrusted or the disbursement or use of entrusted money for purposes other than those specifically authorized by written instructions from the person entrusting the money, require return of a license when a broker or branch office ceases to be licensed or changes a name or address, and delete provisions for a fee to change the name of a broker on the records of the Department of Boating and Waterways.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 422 (AB 2507) Costa Credit cards

Under existing law, cities, counties, cities and counties, and the subdivisions, departments, and agencies thereof, are required to accept personal checks in payment for fees, fines, or other obligations owed to the public agencies. Also, a court, city, or other public agency may authorize the acceptance of a credit card for payment for the deposit of bail or for any fine for any offense not declared to be a felony or for payment of towage or storage costs for a vehicle, as specified

This bill would additionally permit, until January 1, 1983, the acceptance of a credit card for payment for services rendered by any county or city and county, as specified, and would make changes in the conditions under which credit cards could be accepted by courts, cities, counties, cities and counties, and public agencies

Ch 423 (AB 2475) Fenton. Real property. foreclosures.

Existing law contains separate provisions in the Business and Professions Code regarding residential real property in foreclosure and in the Civil Code regarding home equity sales contracts and mortgage foreclosure consultants.

This bill would repeal, relocate, and consolidate such provisions.

The bill also would repeal the statutory right of a seller of a residence in foreclosure to be informed orally of his right to cancel the contract of sale of the residence in foreclosure; and would repeal the existing provision that grants to the seller the right to cancel the contract until the purchaser complies with statutory provisions (a) regulating the format and contents of a contract for the sale of a residence in foreclosure and (b) requiring notice of the right to cancel to be included in writing in the contract

Existing law provides for a 3-year period of limitation within which an action upon a liability created by statute or an action for relief based upon fraud or mistake must be brought In the latter case, the cause of action does not accrue until the aggrieved party discovers the facts constituting the fraud or mistake. Existing law also provides for a 4-year period of limitation for an action upon a written contract and for an action based upon rescission of a written contract.

This bill would provide that any action brought for the recovery of damages or other equitable relief against a purchaser of a residential home in foreclosure for a violation of specified statutory provisions shall be commenced within 4 years after the date of the alleged violation

Existing law confers upon any seller of residential property in foreclosure a right to rescind a transaction involving real property if the person initiating, entering into, negotiating or consummating any transaction involving residential real property in foreclosure takes unconscionable advantage of the equity seller.

This bill would limit such right to rescind to the record title owner of the property at the time the notice of default was recorded and would require an election to rescind to be made within 2 rather than 3 years It also specifies the manner in which the right of rescission may be exercised

Existing law requires that a contract for the services of a mortgage foreclosure consultant meet specified regulatory provisions designed to protect the rights of homeowners whose homes are in foreclosure It excludes from the definition of "foreclosure consultant" numerous occupational groups, including a real estate licensee acting within the scope of his or her license, except as specified.

This bill would revise the scope of actions by a real estate licensee that would be excluded from the definition of a foreclosure consultant, including the making of a direct loan, as defined

This bill also expressly excludes from the existing definition of a foreclosure consultant, and, therefore, from the provisions regulating mortgage foreclosure consultants, any business of this state or the United States which is licensed as one of a number of specified financial institutions, other businesses relating to the title or escrow business, specified mortgagees, and any subsidiary, affiliate, agent, or employee of such entities or business

Existing law requires the sale of property under a power of sale contained in a deed of trust or mortgage to be conducted by a person having no interest in the property or in the outcome of the sale, other than legal title under a deed of trust

This bill would repeal that limitation and would specify the Legislature's intention to restore the law in that regard to its status prior to the enactment of Section 4 of Chapter 1015 of the Statutes of 1979 without affecting other laws or case law relating to any duty owed to any trustor, beneficiary, mortgagor or mortgagee by any person conducting the sale.

The bill would make other corresponding and related changes

The bill would take effect immediately as an urgency statute

The bill would incorporate further changes to Section 2945 1 of the Civil Code proposed by AB 3141, contingent upon the enactment and prior chaptering of AB 3141

Ch 424 (AB 2870) Berman Loans

Existing law provides that no more than 40% of an industrial loan company's outstanding loans and obligations may be in secured or unsecured loans which exceed $10,000 in principal amount, except that upon approval of the Commissioner of Corporations, such a company may increase its loan obligations, whether secured or unsecured, which exceed $10,000 to a percentage in excess of 40% as specified by the commissioner up

to a maximum of 50% in the aggregate of the company's net outstanding loans and obligations, as defined

This bill would, upon approval of the commissioner, allow a company to increase its loan obligations up to a maximum of 70% in the aggregate of the company's net outstanding loans and obligations, as defined

Ch. 425 (AB 3160) Torres Recording of instruments in foreign language

Existing law prohibits a county recorder from accepting an instrument for record when the instrument is executed or certified in whole or in part in any language other than English. It, however, permits for a prescribed fee, a translation in English of such an instrument to be presented to the judge of a court of record and, upon verification that the translation is a true translation, require that the judge duly make certification of the fact under seal of the court, attach the certification to the translation, and attach the certified translation to the original instrument Under existing law, the attached original instrument and certified translation may be presented to the county recorder and, upon the payment of the usual fees, the county recorder is required to accept and permanently file the instrument and record the certified translation.

This bill would except from such prohibition, and necessity for such a translation, any instrument offered for record which contains provisions in English and a translation of such provision in any language other than English, if the English provision and its translation are specifically set forth in state or federal law

This bill would become effective immediately as an urgency statute

Ch 426 (AB 2990) Mello Taxation.

Under current Bank and Corporation Tax Law, a suspended corporation seeking to revive must first pay the full amount of tax, penalty and interest due

This bill would allow a corporation to be revived without full payment of the amount due if it is determined that such action would enhance the prospects for full payment

Under current Senior Citizens Property Tax Assistance Law homeowner and renter assistance claims are to be filed during the period May 16 through August 31. If reasonable cause exists extensions may be granted to the succeeding March 1.

This bill provides that claims are to be filed during the period May 16 through August 31, and may be accepted thereafter through the following June 30th

Existing federal law authorizes the United States Tax Court to award damages up to $500 to the United States whenever it appears that proceedings before the court have been instituted by the taxpayer merely for delay.

This bill would provide the same authority to the State Board of Equalization with respect to state personal income tax proceedings

Existing law provides that the chairman of the Franchise Tax Board and the chairman of the State Board of Equalization shall alternate annually in serving as the state's representative on the Multistate Tax Commission

This bill would provide that the executive officer of the Franchise Tax Board and the executive secretary of the State Board of Equalization shall so alternate

Existing state law requires every person who makes payments of unemployment compensation of $10 or more to any individual during any calendar year to report such payments in a return as prescribed by the Franchise Tax Board, and to furnish a written statement to the individual showing the amount of such payments However, unemployment compensation benefits are not includable in gross income for state personal income tax purposes

This bill would repeal this reporting requirement

The bill would also make various technical changes to the state tax laws

The bill would also make additional changes in Section 18215 of the Revenue and Taxation Code proposed by SB 1682, to be operative only if SB 1682 and this bill are both chaptered, and this bill is chaptered after SB 1682

Ch 427 (AB 2965) Young Fidelity bonds

Under existing provisions of the Check Sellers and Cashers Law the Commissioner of Corporations may require a licensee engaging in the business of selling checks or receiving money for the purpose of paying bills, invoices, or accounts of an obligor, or one who accepts money for the purpose of forwarding it to others in payment of utility bills to

obtain fidelity bonds for officers, employees, and agents.

This bill would permit the commissioner to require any licensee to obtain fidelity bonds for officers, employees, agents or any person having access to the licensee's funds.

Under existing provisions of the Check Sellers and Cashers Law, in lieu of the fidelity bond, a licensee may deposit security in an amount not less than $10,000 nor more than $50,000

This bill would delete the dollar limitations on such security and would enact similar provisions applicable to escrow agents and industrial loan companies It would also provide that such security shall not be deemed an asset of the licensee. It would permit the commissioner at any time to require a check seller or casher to obtain an additional fidelity bond or deposit additional security when, in his opinion, such bond or security is insufficient for any reason

Ch 428 (AB 2869) Bergeson Industrial loan companies

Under existing law any applicant may obtain from the Secretary of State a certificate of reservation of a corporate name, and upon issuance, the name is reserved for 60 days.

This bill would permit a corporation organizing as an industrial loan company to reserve a name for a period of up to one year, and permit the Secretary of State, with the approval of the Commissioner of Corporations, to extend the reservation of the name for an additional six months

Ch 429 (AB 2833) Chappie. Local agency formation commissions

Existing law provides for local agency formation commissions with specified powers and duties relating to local governmental organizations For the purposes of such existing law, "independent special district" is defined to include a special district, as defined, whose members are elected, and to exclude those which have one or more members of the legislative body who are ex officio officers of a county or another local agency or who are appointees of such officers

This bill would include in the definition of independent special districts those special districts whose legislative body members are appointed for a fixed term

The bill would change the exclusion from such definition of special districts to those having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of such officer other than those who are appointed to fixed terms

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 430 (AB 2831) Deddeh County Employees Retirement Law of 1937 benefits

(1) Existing provisions of the County Employees Retirement Law of 1937 authorize annual surpluses in retirement fund earnings in excess of 1% of the total assets of the retirement system to be transferred to pay the costs of benefits

This bill would allow accumulated surpluses in excess of that 1% to be utilized only for new benefits on a year-to-year basis The bill would also specify that the benefits provided under such provisions are not subject to amendment or repeal by the board of supervisors pursuant to a specified provision, and would contain a declaration of legislative findings thereon

(2) Existing law provides that all officers and employees of a district become members of the retirement association on the first day of the calendar month after the inclusion of the district

This bill would provide that an agreement executed prior to January 1, 1976, for the purchase of prior service may be amended to provide that membership commence on the first day of the calendar month following entrance into district service

(3) The bill would take effect immediately as an urgency statute.

Ch. 431 (AB 2764) M. Waters Securities: business and industrial development corporations. industrial loan company.

Existing law authorizes specified financial institutions and public utilities to acquire and hold securities issued by a business and industrial development corporation licensed by the Superintendent of Banks

This bill would also authorize an industrial loan company organized under the laws of this state, with the prior approval of the Commissioner of Corporations, to acquire and hold such securities, as specified.

Ch. 432 (AB 2721) Hayden. Municipal courts. Santa Clara County

(1) Existing law establishes various municipal court districts in Santa Clara County.

This bill would abolish such districts and create a countywide Santa Clara County Judicial District.

(2) Existing law specifies the number, classification, and compensation of municipal court personnel in Santa Clara County

This bill would revise the number, classification, and compensation of municipal court personnel in Santa Clara County

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 433 (AB 3192) Bosco School buildings: Field Act

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called "Field Act".

This bill would permit specified school buildings and facilities in the Mendocino Unified School District, the Ferndale Elementary School District, the Potter Valley Community Unified School District, the Camptonville Union Elementary School District, and the Southern Humboldt Unified School District to be used until June 30, 1982, and would exempt such buildings from the provisions of the so-called "Field Act" during the period of such use

This bill would take effect immediately as an urgency statute

Ch. 434 (AB 3345) Knox. Courts. Contra Costa County.

Existing law sets forth the compensation for various personnel of the superior and municipal courts in Contra Costa County

This bill would revise the compensation for various personnel of the superior and municipal courts for Contra Costa County.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report

on this act pursuant to Section 2246 of the Revenue and Taxation Code

Ch 435 (AB 3210) Calvo Joint exercise of powers by public entities

Under existing law, public entities may enter into joint powers agreements for the joint exercise of any power common to the contracting powers and for the creation of an agency or entity to administer or execute the agreement Any agency, commission, or board provided for by joint powers agreements may issue revenue bonds to pay the cost of acquiring or constructing a project, if such entity has the power to construct, maintain, or operate such projects specified in provisions of existing law A "project" is defined to mean buildings, structures, improvements and all facilities appurtenant thereto or provided therefor together with land and offstreet parking facilities necessary therefor to be financed by revenue bonds issued pursuant to these provisions of existing law Each affected local agency is required to authorize a joint powers entity to issue revenue bonds pursuant to an ordinance of the local agency, which must include, among other things, a maximum amount of bond issuance.

Existing law requires a separate authorization for each bond issue

This bill would revise such provisions as follows

(1) Empower any agency, commission, or board established pursuant to a joint powers agreement to issue revenue bonds to pay the cost and expenses of constructing, maintaining, and operating facilities for the disposal, treatment, or conversion to energy and reusable materials of solid waste

(2) In the case of a project for the disposal, treatment, or conversion to energy and reusable materials of solid waste, authorize the sale of revenue bonds at less than par if the entity's governing body determines that such a sale will result in more favorable terms for the bonds

(3) Authorize a negotiated sale of revenue bonds in the case of a project for the disposal, treatment, or conversion to energy and reusable materials of solid waste, as an alternative to inviting bids

Ch 436 (AB 3277) Wray Zoning consistency with general plans· hearings.

Existing law prohibits the holding of any hearing for the purpose of bringing zoning into a prescribed consistency with the general plans of a county or city within 2 weeks of the date on which a general plan, or any element thereof, has been recommended for adoption or amendment, or adopted or amended, by the planning commission or legislative body, as the case may be, pursuant to specified provisions, when such recommendation, adoption, or amendment is the action from which the inconsistency arises

This bill would delete this prohibition

This bill would not become operative if AB 2320 of the 1979–80 Regular Session of the Legislature repeals or repeals and adds the section affected by this bill

Ch 437 (AB 3265) Young Retail sales

Under existing law the Unruh Act which governs retail installment sales applies to sales of tangible chattels bought primarily for personal family or household purposes

This bill would exclude from the Unruh Act the sale of any aircraft required to be registered under the Federal Aviation Act or the sale of any vessel, as defined, if the cash price exceeds $25,000

Ch 438 (AB 3266) Young Retail installment sales

At the first half of the 1979–80 Regular Legislative Session, a statute was enacted providing that the Unruh Act, governing retail installment sales, shall not apply to transactions in the form of loans made to buyers of goods or services for the purchase of such goods or services where the loan is made by a supervised financial organization, as defined, unless among other things, the supervised financial organization and the seller share in the profits of either or both the sale and the loan The statute adding that provision also contained a section declaring legislative intent in doing so

This bill would change the definition of "sharing in the profits" for the purpose of the foregoing

This bill would also codify the declaration of legislative intent

Ch. 439 (AB 3335) W. Brown Referral services.

Existing law provides that there is no liability for damages against a professional society or its members, or any nonprofit corporation authorized by such society to operate a referral service, or their agents on account of a referral made at no charge by the society as part of a public service referral system, as specified, with respect to professional societies having as members at least a majority of the eligible licensees in the area served by the society

This bill would require that the referral be made at no charge in addition to the initial referral fee. It would also specify that the immunity applies [to referrals]* to members of the referral service, and would provide such immunity for organizations with referral services authorized by the State Bar and operated in accordance with specified standards, and for organizations which have been established to provide free assistance or representation to needy patients or clients.

This bill would further provide that income derived from the operation of a lawyer referral service, as specified, shall be excluded from the determination of unrelated business taxable income of an organization which is generally exempted from bank and corporation taxes

Ch. 440 (AB 3361) Lockyer. Labor· payment of wages laid-off oil drilling employees.

Existing statutes provide that upon employee discharge, the earned but unpaid wages are due and payable immediately, and that for group layoffs in certain productions of motion pictures, such payment made within a reasonable time but not exceeding 24 hours, excluding Saturdays, Sundays and holidays, as specified, shall be deemed immediate payment

This bill would provide that such payment, for a laid-off employee or group of employees engaged in the business of oil drilling and under certain conditions, made within such time and as specified shall also be deemed immediate payment

Ch 441 (AB 3397) Levine. Search warrants. liability

Existing law prohibits issuance of search warrants for documents controlled by a lawyer, physician, psychotherapist or clergyman in the absence of probable cause to suspect the subject thereof of criminal activity, unless there is compliance with specified procedures for searches by special masters and hearings relative to nondisclosure. A special master is defined to be an attorney selected from a list maintained by the State Bar. Existing law does not expressly address the issue of liability of a special master.

This bill would specify that a special master is subject to the same liability and exemptions therefrom, as a public employee and that the public entity which causes the search warrant to be issued shall be considered the employer of the public employee and the applicable public entity for purposes of governmental tort liability and exemptions therefrom, as specified.

Ch. 442 (AB 3416) Naylor. County Employees Retirement Law of 1937· optional provisions employee election

Existing County Employees Retirement Law of 1937 authorizes the governing body of San Diego County, or a district therein, to terminate the applicability of optional provisions as to current nonsafety employees of the county or district who elect by written notice to have such provisions terminated as to them

This bill would authorize the governing body of San Mateo County, or a district within the membership of the county retirement association, to also make similar provisions applicable to all of its employees and to also elect to provide an alternative retirement allowance formula for its employees

[The bill would also permit the board of supervisors in any county to adopt increased allowances and benefits for specified retired members and beneficiaries]*

Ch 443 (AB 3440) McVittie Employment agencies

Existing law provides that an employment agency, for purposes of the Employment Agency Act, means, among others, any person who acts as a labor contractor, as defined The law provides that a person employing individuals to render part-time or temporary personal services to a third person is not a labor contractor if the employing person pays wages, social security taxes and unemployment insurance, carries workers' compensation insurance and sustains responsibility for the acts of such employees The law prohibits such person employing such part-time or temporary individuals from sending such

employees to any place where a strike, lockout or labor dispute exists.

This bill would delete the part-time or temporary requirements in the latter provisions above and thus a person providing any individuals to render personal service to a third person under such conditions would not be a labor contractor for purposes of the Employment Agency Act and this act would prohibit the sending of such individuals to any place where a labor dispute exists, as specified, without reference to part-time or temporary services

Ch 444 (AB 3441) Bosco Counties sheriff constable

Existing law provides for the election of the constable of a justice court by the electors of the justice court district

This bill would authorize the county boards of supervisors of Lake and Mendocino Counties, by ordinance, to abolish the office of constable and instead require that the duties of constable be performed by the sheriff

Ch. 445 (AB 1960) Vicencia Alcoholic beverages.

Existing law requires the Department of Alcoholic Beverage Control, prior to issuance or transfer of an alcoholic beverage license, to, among other things, investigate all matters which may affect the public welfare and morals.

This bill would specify that such matters be directly related to the issuance or transfer of such license It would, with respect to retail package off-sale beer and wine licenses, specifically prohibit the department from investigating any matters connected with the operation of a premises, as defined

Existing law specifies instances where the department may reject protests against the issuance or transfer of an alcoholic beverage license.

This bill would require the department to reject any protest against an off-sale retail license based on evidence, information or conditions resulting from operation of the premises, as defined, not resulting solely from the sale of alcoholic beverages

Ch 446 (AB 2373) Young Real property loans

Existing law permits a real estate licensee to provide credit life insurance and credit disability insurance to the borrower of a real property loan, and provides that only one premium may be collected by the licensee in connection with any loan contract irrespective of the number of borrowers, and that only one borrower may be insured

This bill would provide that where more than one borrower is a party to a loan contract, and each is a wage earner whose earnings are reasonably relied upon by the lender for the repayment of the loan, each borrower may be insured.

Existing law requires a real estate licensee who negotiates a loan secured directly or collaterally by a lien on real property to disclose to the borrower the estimated maximum costs and expenses to be paid by the borrower including, among other things, title charges and recording fees, and limits the maximum costs to 5% of the loan principal or $195, but not to exceed $325 or the actual costs and expenses

This bill would exclude actual title charges and recording fees from the limitation for maximum costs and would increase such limitation to $350

Existing law, Article XV of the California Constitution, as amended by Proposition 2 of the November 6, 1979, Special Statewide Election, generally limits the interest rates that may be charged for a loan It expressly exempts a loan made or arranged by a licensed real estate broker and secured in whole or in part by a lien on real property from such interest limitations

This bill would repeal a superseded statutory provision which provides that no loan secured directly or collaterally by a lien on real property shall require an interest payment in excess of 10%

Ch 447 (SB 241) Carpenter County boards of education temporary borrowing

Under existing law, subsequent to approval of the final budget and levy of taxes, if funds are needed for the immediate requirements of a local agency in any fiscal year to pay obligations lawfully incurred in the fiscal year and before the receipt of income for the fiscal year sufficient to meet the payments, money may be borrowed by, among other public agencies, a school district or community college district, pursuant to certain procedures In addition, and also pursuant to specified procedures, a school district or

community college district is authorized to borrow money at any time between July 15th and August 30th of any fiscal year in an amount not to exceed 25 percent of the estimated income and revenue to be received during the current fiscal year by the district from apportionments of the state, high school, or community college fund and of the State General Fund, based on the average daily attendance of pupils in the schools or colleges of the district for the preceding school year. The notes are required to be repaid not later than December 31st in the fiscal year exclusively from the state apportionments.

This bill would include county boards of education within the coverage of these provisions.

Ch. 448 (SB 1117) Cusanovich. County Employees Retirement Law of 1937: administration.

Existing provisions of the County Employees Retirement Law of 1937 provide for the establishment in certain counties of a board of investment and provide that, except as otherwise delegated to the board of investment, the management of the retirement system is vested in the retirement board.

This bill would provide that the statutory duties of the county treasurer are also an exception.

Ch. 449 (SB 1391) Nejedly. Groundwater: Sierra Valley and Long Valley Basins.

(1) Under existing law, there are no specific provisions providing for the management of the Sierra Valley Groundwater Basin.

This bill would enact the Sierra Valley Groundwater Basin ~~Law~~ [Act]* which would authorize the Boards of Supervisors of Plumas and Sierra Counties to create by a joint exercise of powers agreement a district within described boundaries for the purposes of groundwater management within the Sierra Valley Groundwater Basin The bill would specify the powers and duties of such district, and would provide for the financing of the district, including the authority to levy, as prescribed, groundwater extraction charges and management charges.

(2) Under existing law, there are no specific provisions pertaining to groundwater management within the Long Valley Groundwater Basin.

This bill would authorize the Boards of Supervisors of Sierra and Lassen Counties to jointly enter into an agreement with the State of Nevada or Washoe County, or both, for the purposes of groundwater management within the Long Valley Groundwater Basin, as described. The bill would also authorize the Boards of Supervisors of Sierra and Lassen Counties by joint powers agreement to exercise within such basin any of the powers which would be vested in the Sierra Valley Groundwater Management District under the bill.

(3) The bill would take effect immediately as an urgency statute.

Ch. 450 (SB 872) Schmitz Local agencies taxation

(1) Under existing law, when unincorporated county territory becomes incorporated, the county is required to continue to furnish all county services to the newly incorporated area, without charge, for the remainder of the fiscal year during which the incorporation becomes effective, or until the city requires discontinuance of the services, whichever occurs first.

This bill would authorize the county board of supervisors, at the request of the city's legislative body, to provide for the continuation of such services without charge for an additional period of time, as determined by the board of supervisors

(2) Under existing law, local governmental agencies which are created or have had boundary changes are required to file a statement and map or plat of the new boundaries with the assessor and the State Board of Equalization by January 1st in order for such changes to be effective for assessment and taxation purposes for the ensuing fiscal year

The bill would permit any improvement district which is formed within a California water district to provide water, sewer, or reclaimed water service, the formation of which is completed by March 1, 1980, to be effective for assessment and taxation purposes for the 1980–81 fiscal year if the required statement and map or plat is filed on or before March 1, 1980

The bill would also permit any annexation to a city which became effective on March 18, 1980, with the approval by the city legislative body of a specified agreement, to be

effective for assessment and taxation purposes for the 1980–81 fiscal year if the required statement and map or plat is filed with the State Board of Equalization on or before March 30, 1980.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(4) The bill would go into immediate effect as an urgency statute

Ch 451 (SB 936) Russell Workers' compensation· benefits

Existing provisions of law provide that members of the California Highway Patrol, state safety classes of the Department of Justice, and San Francisco harbor policemen are entitled to leaves of absence without loss of salary in lieu of workers' compensation disability payments whenever they are disabled by injury arising out of and in the course of their duties

This bill would provide that such leave shall not apply to periods of disability which occur subsequent to termination of employment by resignation, retirement or dismissal

Ch. 452 (SB 1318) Cusanovich Credit unions

Existing law prohibits a credit union from charging more than 15% per annum simple interest on the unpaid balance for any loan, including all charges incident to the making of the loan.

This bill would instead prohibit a credit union from charging more than the higher of 15% per annum simple interest or 6% per annum simple interest plus the rate established by the Federal Reserve Bank of San Francisco on advances to member banks, as specified, prevailing on the 15th day of the second month of the calendar quarter immediately preceding the calendar quarter during which the loan is made, on the unpaid balance of any loan, including all charges incident to the making of the loan

It would additionally specify that such interest rate remain in effect until the loan is repaid or a further advance is made pursuant to an open end loan agreement

The bill would take effect immediately as an urgency statute.

Ch 453 (SB 1397) Dills Payment of wages

Existing law provides the Labor Commissioner with the authority to investigate employee complaints, to provide for a hearing in any action to recover wages, penalties, and other demands for compensation, and to determine all matters arising under his or her jurisdiction Within 15 days after the hearing is concluded, the Labor Commissioner is required to file the order, decision, or award, and serve notice on the parties Within 10 days after service of notice of an order, decision, or award, the parties may seek review by filing an appeal to the municipal or superior court

This bill would, in addition, permit such appeal to the justice court, and would provide that if the party seeking review by filing an appeal to the justice, municipal, or superior court is unsuccessful in such appeal, the court shall determine the costs and reasonable attorneys' fees incurred by the other parties to the appeal, and assess such amount as a cost upon the party filing the appeal

Ch 454 (SB 1418) Alquist Physical therapy and physical therapists

(1) Existing law generally requires licensure of clinics and defines the classes of clinics eligible for licensure Certain types of facilities under present law are exempted from licensure

This bill would exempt, as specified, from clinic licensure any place or establishment owned or leased and operated as a clinic or office by one or more licensed health care practitioners, as specified

(2) Under existing law, registered health care service plans and specialized health care service plans are required to establish procedures, in accordance with regulations of the Department of Corporations, for review of the quality of care, performance of medical personnel, utilization of services and facilities, and costs Existing law requires the peer review committees established pursuant to these provisions to be composed chiefly of physicians and surgeons or dentists, or both

This bill would permit a plan to utilize subcommittees composed of licensed nonphysician health care providers to carry out responsibilities of the peer review committees, as specified

(3) Existing law prescribes, among other things, that there shall be no monetary liability on the part of, and no cause of action for damages shall arise against, any member of a duly appointed committee of a state or local professional society, as defined, for any act or proceeding undertaken or performed within the scope of the functions of any such committee which is formed to maintain the professional standards of the society established by its bylaws

This bill would include within the definition of professional society for purposes of the above described provisions physical therapist organizations

(4) Existing law requires licensure of various types of clinics, including clinics which meet the criteria specified by the statutes for multispecialty clinics

This bill would exempt such multispecialty clinics from licensure

(5) This bill would incorporate changes in Section 1206 of the Health and Safety Code, proposed by AB 2252, to be effective only if AB 2252 and this bill are both chaptered and this bill is chaptered last

Ch 455 (SB 1506) Campbell Deputy county officers oath

Existing law provides for the appointment by county officers of deputies An appointed deputy is required to take an oath of office

Existing law also generally prohibits the destruction of county records, papers, or documents unless a reproduction thereof is made and kept by the county

This bill would permit a written oath subscribed to by a deputy county officer to be destroyed without the necessity of reproducing and preserving such written oath after 5 years following revocation of the deputy's appointment

Ch 456 (SB 1523) Craven Borrego Water District elections

(1) Under existing law, districts organized pursuant to the California Water District Law are landowner voting districts, but the voting procedure may be changed to that of a resident voting district upon petition by registered voters when at least 50% of the assessable area within the district is developed for residential, industrial, or commercial use

This bill would require all elections held after January 1, 1981, within Borrego Water District to be conducted as resident voter elections The bill would require all directors so elected to be district residents and registered voters, would provide for current directors to serve the remainder of their unexpired terms, and would specify related matters The bill would declare that enactment of the bill as a local and special statute is necessary for specified reasons

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would provide that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 457 (SB 1551) Dills Alcoholic beverages

Existing law relating to alcoholic beverages provides that upon the filing of an accusation against any on-sale or off-sale licensee the Department of Alcoholic Beverage Control must provide for a public hearing, as specified Under certain circumstances, an immediate hearing of the accusation may be required which must be held within 20 days

after the filing of the accusation with the department

This bill would instead provide that such immediate hearing must be held within 60 days after the filing of the accusation with the department

Ch 458 (SB 1936) A Garcia County recorder statistical report.

Existing law requires the county recorder to prepare a monthly statistical report showing the number of various specified documents recorded and filed, and of the number of births, deaths, and marriages in the county.

This bill would require such report to be prepared yearly, rather than monthly, would delete many of the types of documents to be reported on, and would delete the requirement that such report include data on births, deaths, and marriages

Ch. 459 (SB 1945) Dills Loans personal property brokers.

Under existing law, a personal property broker may combine the permissible interest rate percentages that are applicable to different portions of unpaid principal balances, and allocate periodic installments between charges and unpaid principal based on the resulting single interest rate percentage

This bill would permit personal property brokers to receive charges on the unpaid principal balance at a single annual percentage rate applied on the basis of the number of days actually elapsed, which annual rate would produce a finance charge at the maturity of the contract not in excess of the finance charge resulting from the application of the graduated rates when the loan is paid according to its terms and charges are computed on the basis that a month is any period of 30 consecutive days

This bill would also provide that it is declaratory of existing law

Ch 460 (SB 1963) Craven Cemeteries

Existing law provides a system for the regulation of cemeteries and includes a requirement that an endowment care cemetery have specified monetary amounts deposited in its endowment care fund for each kind of plot sold.

This bill would increase such amounts

Ch 461 (SB 1969) Petris Regional park district boards compensation

Under existing law, the board of directors of a regional park district may provide that each of its members receive $50 per day for attendance on each day of public board meetings, and $25 per day for attendance at committee meetings, executive sessions, or field trips of the board, or for attendance at district public hearings, except that the maximum compensation on any given day may not exceed $50 and no board member may receive more than $200 in any 1 calendar month.

This bill would, instead of the foregoing, permit the board to provide that each member may receive an amount not to exceed $100 per day for each attendance at public meetings of the board, subject to the monthly maximum of $200

Ch 462 (SB 2008) Foran Insurance investments

Existing law, the so-called "Leeway Law", generally specifies those investments which may be made by a domestic incorporated insurer including reciprocal or interinsurance exchanges

This bill would, with respect to such investments which subsequently meet investment requirements contained in certain specified provisions of law, permit an insurer to elect to have such investments held pursuant to such specified provisions of law

Ch 463 (SB 2009) Foran Insurers

Under existing law, an insurer may invest in notes or bonds secured by mortgages or other first liens on unincumbered real property if, among other things, the principal so loaned or the entire note or bond issue so secured, plus the amount of the liens of any public bond, assessment, or tax assessed upon the security property does not exceed 75% of the market value of the real property

This bill would permit the insurer to make such investments where the loan does not exceed 80% of the market value of the real property However, if the loan is secured by a first lien on specified residential real property and meets other requirements specified in the bill the insurer would be permitted to make such investments where the loan does not exceed 90% of the market value of the real property

Ch 464 (SB 2052) Holmdahl State bridges and highways· revenue bonds

Under existing law, the maximum allowable interest rate on revenue bonds issued to finance toll bridge construction is 8% Such revenue bonds may be sold below par value but the yield may not exceed 8%

This bill would raise the maximum interest rate on such revenue bonds to 10% The bill would delete provisions limiting the yield of such bonds when sold below par value, to 8% and would authorize the sale of such bonds at discounts not exceeding 6% of the par value

This bill would take effect immediately as an urgency statute.

Ch 465 (AB 3242) Young Veterinarians

Existing law does not give immunity from damages to veterinarians who treat animals in emergency situations

This bill would provide that a veterinarian who, under specified situations, renders emergency treatment to a sick or injured animal at the scene of an accident shall not be liable in damages to the owner of such animal in the absence of gross negligence

Ch. 466 (AB 3151) Hughes Local housing finance

(1) Present law authorizes counties, cities, 2 or more cities in the same county, or a county and one or more cities in the county to issue revenue bonds to provide mortgage financing for purchase, construction, or improvement of homes for persons and families of low or moderate income Sixty percent of the dollar amount of such financing is required to be allocated for new construction or substantial rehabilitation, as defined

This bill would revise such priority to specify that 60% of the dollar amount of such financing be for purchase of newly constructed homes or substantial rehabilitation This bill would also authorize 2 or more counties to conduct the above-described revenue bond program

(2) Eligible borrowers under such programs are limited by existing state law to a maximum of median household income, as defined, unless the loan is for improving a home or for purchase of a home where the purchaser is the first occupant, in which case the borrower is limited to 120% of median household income

This bill would raise the limitation on borrower income for loans for home improvement and for purchase of a home by the initial occupant to 150% of area median household income within specified federally designated special impact areas eligible for federal Urban Development Action Grant Funds

(3) Loans made under such provisions are, under present law, assignable only to subsequent purchasers meeting requirements for original borrowers

This bill would allow cities to impose even more stringent requirements with respect to assignees.

(4) Existing law, with specified exceptions, declares the above provisions to be exclusive authority for issuance of revenue bonds to provide long-term financing for construction or acquisition of housing, excluding multifamily rental housing

This bill would similarly exclude multifamily cooperative housing

Ch 467 (AB 718) McAlister Common carriers free or reduced rate transportation

Under existing law a common carrier may give free or reduced rate transportation between points within the state to specified persons

This bill (1) would allow such transportation to be given when approved by the Public Utilities Commission only to officers, agents, and employees of such carrier, and members of their families, to indigent, destitute, and homeless persons, and to such persons when transported by charitable societies or hospitals, together with necessary attendants; and to persons injured in accidents or wrecks and their attending physicians and nurses and (2) would delete all other categories of persons who may receive such free or reduced transportation

Ch 468 (AB 1935) McVittie Hearings prior convictions

Under existing law, sentences for conviction of driving under the influence of liquor or drugs or driving with a revoked or suspended license are enhanced if the defendant is charged with a prior conviction of the same offense Prior to the trial of a criminal action in which such a criminal conviction is charged, the court is required to hold a hearing, as specified, in order to determine the constitutionality of the prior conviction

This bill would specify that a prior conviction may be challenged only once and that

a determination in a proceeding, as prescribed, that a prior conviction is constitutional precludes the same issue from being raised in a subsequent prosecution in which the same prior conviction is charged

It would also specify that a determination of unconstitutionality precludes any judicial or administrative use of the prior conviction, and would require the Department of Motor Vehicles to strike such prior conviction from its records The bill would provide that, if a subsequent statute or appellate court decision having retroactive effect affords a basis to challenge the constitutionality of a prior conviction, these provisions shall not preclude such a challenge.

Ch. 469 (AB 2038) Papan Insurance benefits for services rendered by nongovernmental charitable hospitals

Existing law prohibits an insurer issuing, delivering, or amending either group or individual expense-incurred hospital, medical or surgical insurance policies from reducing benefits for services rendered by a nongovernmental charitable research hospital because such institution does not charge for its services in the absence of insurance

This bill would, in addition to insurers, make such provision applicable to union trust funds which administer health, medical, or surgical insurance and employers who have an insurer administering their health services program

Ch. 470 (AB 2124) Thurman Produce markets fees

Existing law establishes the method by which the scale of charges for unloading produce in the Counties of Alameda, San Francisco, and San Mateo may be established, and authorizes the Director of Industrial Relations to assess a fee not exceeding 25 cents per unloading against produce dealers, to use as specified

This bill would require the scale of charges in effect on December 31, 1978, to remain in effect until new charges are established, and would authorize the director to assess a fee not exceeding $400 per year against produce dealers

Ch. 471 (AB 2240) Nestande Professional services veterinary medicine

Existing law provides for the registration, after examination, of animal health technicians who, generally speaking, perform animal health care services under the supervision of licensed veterinarians

Existing law also authorizes the Board of Examiners in Veterinary Medicine to adopt regulations establishing animal health care tasks which may be performed by unregistered assistants and the degree of supervision to be accorded such unregistered assistants by either a registered animal health technician or a licensed veterinarian

This bill would permit the board to take action against a veterinarian who permits an unregistered assistant to perform animal health care services, other than those authorized by law; would specifically permit an unregistered assistant to perform animal health care services, which he or she is authorized by law to perform, under the supervision of a licensed veterinarian, would specify the animal health care services which may not be performed by an unregistered assistant, and would specifically permit, under specified conditions, an unregistered assistant to be employed by a licensed veterinarian or governmental agency which employs veterinarians

Existing law defines the practice of veterinary medicine as including the administration of medicine to cure animals of injury or disease, except where such medicine is administered at the direction and under the direct supervision of a licensed veterinarian.

This bill would revise such exception to specify administration by an animal health technician or an unregistered assistant

Existing law provides that an animal health technician cannot be allowed to operate radiographic equipment unless he or she has passed an examination in radiation safety conducted by the board and is working under the direct order of a licensed veterinarian

This bill would instead provide that a person who is not licensed as a veterinarian cannot be allowed to operate radiographic equipment unless such person has passed an examination in radiation safety and technique conducted by the board or the equivalent thereof, as determined by the board, and is working under the direct order of a licensed veterinarian, pursuant to specified regulations

Existing law requires the premises of a veterinarian's establishment to be kept clean

and sanitary at all times

This bill would delete such provision

Existing law specifies, as a grounds for denial, revocation, or suspension of a veterinary license, the failure to keep one's premises and equipment clean and sanitary With respect to a sanitary violation, the board is permitted to withhold, suspend, or revoke the registration of veterinary premises or to set a fine of not less than $50 nor more than $500 per day until such violation has been rectified, or by both such suspension and fine

This bill would additionally provide that the total amount of any such fine shall not exceed $5000

Ch 472 (AB 2294) Roos Peace officers witness fees

(1) Existing law requires a party to a civil action who subpoenas a peace officer or other specified public employees to deposit the sum of $75 with the court or tribunal for each day of appearance to be applied against his employer's expenses

This bill would revise the provision as to applicable peace officers, and add certain employees of the Department of Forestry and Department of Justice to the public employees specified, and would raise such deposit to $125

(2) Existing law authorizes a court, upon good cause shown, to relieve a party of specified deposits and payments for witness fees

This bill would revise such provision, stating that such revision is declaratory of existing law and should not be construed to limit the power of a court to waive fees as authorized by rules adopted by the Judicial Council

Ch 473 (AB 2295) Roos Hair implantation

Existing law does not regulate the implantation of foreign materials within the scalp of a person

This bill would make it a misdemeanor for any person to implant foreign materials, as defined, within the scalp of any other person for the purpose of preventing or alleviating baldness Procedures for the transplantation of a person's own hair or for the fixation of hairpieces, toupees, or wigs would not be subject to the bill's provisions

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 474 (AB 2412) Knox Securities

Under existing law every individual who solicits or receives compensation in violation of the Security Owners Protection Law is civilly liable for the return of the full amount of such compensation Under applicable statutes of limitations, such actions would have to be commenced within three years of the violation

This bill would require such actions to be commenced before the expiration of two years after the violation or one year after the discovery of facts constituting the violation This bill would also permit a person who has violated the Security Owners Protection Law to abrogate civil liability by making a written offer, prior to the commencement of suit, to return any compensation This bill would specify the matters to be contained in such an offer, require the approval of the form of the offer by the Commissioner of Corporations, and permit the commissioner to impose further specified conditions on the approval of an offer

Ch 475 (AB 2485) McAlister Financial institutions

Under existing law the Superintendent of Banks is required to examine the court trust business of a trust company at least once every year

This bill would require that such examinations be made every 2 calendar years

Under existing law, for the purposes of those provisions relating to bank holding companies, a "bank holding company" is defined as, among other things, any person or

company which holds specified amounts of the outstanding guaranteed stock of a bank This bill would remove the specification that such stock be guaranteed stock

Ch 476 (AB 2575) Bannai Escrow agents

Under existing law the fee for filing an application for an escrow agent's license, and the 2-year renewal fee for such license, is $450 for the first office and $325 for each additional office Existing law also provides for payment of percentages of the specified fees if applications are filed after certain dates

This bill would lower the application fee for a first office to $200 and for each additional office to $100. It would repeal the provisions relating to the payment of percentages of these fees if applications are filed after certain dates This bill would also provide for an annual assessment against licenses of each licensee's pro rata share of the costs of the Commissioner of Corporations in administering the Escrow Law.

Ch. 477 (AB 2804) Costa. Local government planning and zoning. residential development: discrimination

Existing law applicable to any city or county, including a charter city, prescribes that in the exercise of such entity's planning and zoning powers any action which denies to any individual or group the enjoyment of residence, land ownership, or tenancy or any other land use is null or void Existing law also prohibits such local entities in the exercise of their planning and zoning powers from discriminating against any residential development because of the method of financing or the race, sex, color, religion, national origin, ancestry, or age of the intended occupant Existing law further prohibits such local entities from treating federally authorized or assisted housing in any manner differently from conventional housing, except pursuant to an affirmative plan to encourage such housing approved by the Director of the Department of Housing and Community Development

This bill would prohibit such local entities in the exercise of their planning and zoning powers from prohibiting or discriminating against a residential development because it is intended for occupancy of persons and families of low and moderate income, as defined, or persons and families of middle income, as defined by the bill

It would prohibit such local entities from imposing different requirements on a residential development subsidized, financed, insured, or otherwise assisted, as specified, than those imposed on nonassisted developments

It would, however, permit certain preferential treatment of such assisted developments, as specified

It would make other conforming changes and certain findings and declarations

It would delete the requirement that an affirmative plan be approved by the Director of Housing and Community Development

Ch 478 (AB 3024) M Waters Industrial loan companies.

Under existing law, an industrial loan company is required to file a copy of any advertisement with the Commissioner of Corporations 10 days before it may be used

This bill would eliminate such a filing requirement This bill would also eliminate the distinctions in certain provisions of law between industrial loan companies formed before and after specified dates and authorize the commissioner to limit the amount of outstanding investment certificates of an industrial loan company

Ch. 479 (AB 3035) Wyman Real property subdivisions and liens for health officers' fees.

(1) The Subdivision Map Act generally prohibits sale or lease of any parcel created by a subdivision of real property until a final map or parcel map for the subdivision has been filed for record with the county recorder This prohibition is not applicable to subdivisions sold or leased in compliance with, or exempt from, the laws regulating subdivision design and improvement in effect at the time the subdivision was established

This bill would provide that a subdivision shall be deemed established for purposes of the Subdivision Map Act upon recording of the final or parcel map or, with respect to subdivisions for which application was made for a map or an exemption from map requirements, prior to March 4, 1972, upon the making of such application, (provided

the map or exemption was subsequently approved by the city or county)

(2) Present law authorizes collection of specified county fees charged to businesses for services of the local health officer to be collected by a specified real property lien procedure affecting the real property where the business is located.

This bill would revise these provisions to, instead, authorize such collection procedure in instances where the fees cannot be collected on the tax bill, which would include all instances in which the operator of the business is not also the owner of the real property where the business is located and instances in which the fee is not charged with respect to a business

Ch. 480 (AB 3113) Felando Gasoline service stations· disabled persons

(1) Existing law requires passenger vehicle service stations to provide access to the physically handicapped. Existing law does not require service stations to provide services to disabled persons.

This bill would require any operator of a gasoline service station or facility, except as specified, to provide, upon request, refueling services to a severely disabled driver of a vehicle with a special license plate or placard, as specified. The bill would prohibit a higher gasoline price for such service

Pursuant to existing provisions of law, a violation of such provisions would be a misdemeanor and may be enjoined

(2) The bill would declare legislative findings of intent

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 481 (AB 3126) Moorhead Public Employees' Retirement System generally

(1) Existing Public Employees' Retirement Law contains provisions which because of the passage of time and other revisions in law are outdated or inoperative.

This bill would delete, combine, and revise some of those provisions

(2) Existing law provides that member records are confidential

This bill would provide that any information requested for retirement purposes by any public agency shall be treated as confidential by such agency

(3) Existing law validates all acts and proceedings taken relative to participation in the system

This bill validates all such acts and proceedings taken on or before January 1, 1981.

(4) The Public Employees' Medical and Hospital Care Act presently defines the term "annuitant" as any person who has retired while an employee and who receives any retirement allowance

This bill would instead provide that an "annuitant" be defined as any person who has retired within 120 days of separation from service and who receives any retirement allowance

Ch 482 (AB 3158) Kapiloff Air pollution emissions exceptions

Under existing law, any emission meeting specified opacity standards from any source is prohibited for more than 3 minutes in any hour unless excepted

This bill would add to the list of exceptions from such existing law, until five years after construction, an exception for emissions from not more than one methanol fuel manufacturing plant which is located in an "attainment area" designated pursuant to the Clean Air Act within each air basin and which manufactures not more than 2,000,000 gallons of methanol fuel per day from wood, agricultural waste, natural gas, or coke other than petroleum coke, if it meets standards prescribed by the air pollution control district board

Ch 483 (AB 3177) Filante County Employees Retirement Law of 1937: employment after retirement

The County Employees Retirement Law of 1937 permits any person in any county, other than the County of Los Angeles, who has retired to be employed, for a period not to exceed 90 days, in a position requiring special skills or knowledge, as determined by the county or district

This bill would, with respect to court employees in Marin County, extend such period to 180 days

The provisions would be repealed on December 31, 1983, unless a later enacted statute deletes or extends that date

Ch. 484 (AB 3253) Mello Tide and submerged lands: City of Pacific Grove

Under existing law, the State of California granted certain tide and submerged lands to the City of Pacific Grove and specified the purposes for which such lands may be used Existing law also provides that a described portion of the real property granted to the city may be leased for a term not exceeding 25 years

This bill would authorize the lease of specified granted lands for a nonprofit aquarium

Ch. 485 (SB 1403) Mills San Diego Metropolitan Transit Development Board.

(1) Under the Mills-Deddeh Transit Development Act, the San Diego Metropolitan Transit Development Board is given specified powers but is not authorized to maintain a police department

This bill would authorize the board to contract with licensed private patrol operators or the county sheriff and existing municipal police departments within the area of jurisdiction of the board for security, police, and related services

The bill would authorize the board to adopt ordinances and make rules and regulations proper or necessary to regulate the use, operation, and maintenance of its property and facilities Under the bill, violation of any ordinance, rule, or regulation of the board relating to evasion of the payment of a fare in any transit facility owned or controlled by the board would be an infraction punishable by a fine not exceeding $50, except that a violation, after the second conviction, would be a misdemeanor punishable by a fine not exceeding $500 or 6 months imprisonment, or both

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 486 (SB 1425) Alquist Transportation· passenger rail service

Under existing law, funds are appropriated from the Transportation Planning and Development Account in the State Transportation Fund to the Department of Transportation for transportation planning services.

This bill would specifically authorize the department, after approval by the boards of supervisors of Santa Clara and Santa Cruz Counties, to conduct, with not more than $30,000 of such appropriated funds, a feasibility study and an alternative analysis for the environmental impact report with respect to establishing passenger rail service between San Jose and Santa Cruz Such funds could not be used for such purposes unless federal funds are obtained for such purposes

Ch 487 (SB 1516) Foran Traffic control devices public hearings

Under existing law, the Department of Transportation is required to adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices after consultation with local agencies

This bill would require the department to hold public hearings in addition to such consultation before adopting such rules and regulations

Ch 488 (SB 1519) Stiern School employees credentials

Existing law authorizes the Commission for Teacher Preparation and Licensing to issue and renew credentials when certain conditions are met

This bill would provide that all credentials are valid until revoked, suspended, or expired This bill would also provide that a credential is void from the date it was issued if it would not have been issued but for deception, fraud, mistake of law, or mistake of fact Notice of a decision that a credential is void would be given to the holder of the credential in a specified manner An appeal of a decision that a credential is void would be permitted under specified conditions

Ch 489 (SB 1524) Ayala Special taxes Chino Unified School District

(1) Existing law authorizes the board of supervisors of a county to levy a specified property tax for the financial support of the school districts within the county. Article XIII A of the California Constitution and statutory provisions limit the rate of property tax which actually may be levied. No existing law authorizes school districts to levy or collect a special tax

This bill would prescribe a procedure for the collection of a special tax that is levied by the Chino Unified School District governing board against applicants for final building permits which authorize new construction within the school district

This bill would impose specified responsibilities relating to the levy and collection of a specified special tax on the Chino Unified School District governing board.

This bill would require the State Allocation Board to approve, as specified, new school facilities construction that is financed by the proceeds of specified special taxes levied by the Chino Unified School District

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) This bill would take effect immediately as an urgency statute

Ch 490 (SB 1590) Watson. Certificated employees· credentials.

Existing law provides that authorization for teaching credentials be of four kinds, one of which is the credential for "multiple subject," referring to the practice of assigning teachers and students for multiple subject matter in elementary and early childhood education

This bill would authorize the holder of a multiple subject instruction credential to become eligible to teach a specific subject in grades 6, 7, 8, and 9 after completion of 20 semester hours of coursework or 10 semester hours of upper division coursework in that subject, except where the Commission for Teacher Preparation and Licensing requires additional requirements in specialized areas

Ch 491 (SB 1646) Sieroty Subdivisions conversions of apartment buildings to condominium, community apartment, or stock cooperative projects

Existing law, pursuant to the Subdivision Map Act, prohibits the legislative body of a city or county from approving a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project unless it finds both that each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given a specified 120 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion, and each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenants Such exclusive right to contract is required to run for a period of not less than 60 days from the date of issuance of the subdivision public report by the Real Estate Commissioner pursuant to existing law

This bill would extend the exclusive right to contract under these provisions from 60 to 90 days

~~Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.~~

~~This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.*~~

Ch 492 (SB 1673) Wilson Privileged communications

Under existing law, there is no monetary liability on the part of, and no cause of action for damages shall arise against, a member of a duly appointed committee of a state or local professional society, for any act or proceeding within the scope of any such committee which is formed to maintain the professional standards of the society, if such committee member acts without malice, has made a reasonable effort to obtain the relevant facts, and acts in reasonable belief that the action is warranted, as specified. The term professional society includes certain enumerated types of societies which have a majority of eligible licensees as members

This bill would enact a similar provision for members of a committee of a professional society which comprises a substantial percentage of persons licensed under the Real Estate Law situated in the geographic area served by the society.

It would also provide that there would be no monetary liability on the part of, and no cause of action for damages against, any person on account of a communication to such a committee of a real estate professional society which is intended to aid in the evaluation of the qualifications, fitness, or character of a member or applicant for membership in such a society, and which does not represent as true any matter not reasonably believed to be true

Such immunities would not confer immunity on the professional society

Ch. 493 (SB 1667) Sieroty Art in public buildings

An existing statute requires that financing for works of art, as defined, in state buildings shall be subject to an annual appropriation in the Budget Act, and that the Governor include a budget item for art in state buildings in the annual budget submitted to the Legislature.

This bill would require such budget item to be in the budget of the Arts Council.

Existing statutes confer various duties upon the State Architect in the administration of the statutes relating to art in public buildings

This bill would require such duties to be performed jointly by the State Architect and the Arts Council

This bill would also provide that the statutes providing for art in public buildings shall be known and may be cited as the Art in Public Buildings Program

Ch 494 (SB 1953) Wilson Endangered species

Existing law makes it a misdemeanor to import, possess with intent to sell, or sell the dead body or any part or product of any of several endangered species

This bill would specify that the prohibitions against importation, possession, or sale are severable

Ch. 495 (AB 1034) Torres Pharmacies

No provision of existing law restricts the consideration for a lease or rental arrangement between a pharmacy and a hospital or between a pharmacy and persons licensed to practice pursuant to the State Medical Practice Act

This bill would prohibit payment for any such rental, lease, or service arrangement which is determined as a percentage of the charges made to patient or any measure of hospital or pharmacy revenue or cost, as specified It would also require any lease or

rental arrangement existing on its effective date to comply with its provisions by January 1, 1986.

This bill would provide that the California State Board of Pharmacy shall enforce its provisions

Ch 496 (AB 2143) Knox. Cooperative corporations

Existing law provides that until December 31, 1980, the General Nonprofit Corporation Law which was in effect on December 31, 1979 applies to cooperative corporations, and on and after January 1, 1981, the new Nonprofit Mutual Benefit Corporation Law will apply to such corporations

This bill would delay the application of the new Nonprofit Mutual Benefit Corporation Law to cooperative corporations until January 1, 1982, and would provide that the former General Nonprofit Corporation Law shall apply until December 31, 1981.

Ch. 497 (AB 2757) Knox Regulated entities

Under existing law, securities broker-dealers, check sellers and cashers, personal property brokers, and small loan companies pay specified sums for the renewal of their licenses Existing law also provides for payment of percentages of the specified fees if applications are filed after certain dates

This bill would eliminate these fees and would instead provide for an annual assessment against licensees of each licensee's pro rata share of the costs of the Commissioner of Corporations in administering the laws applicable to the particular licensee. It would repeal the provisions relating to the payment of percentages of these fees if applications are filed after certain dates This bill would also provide for a penalty of 1% per month if the assessment is not paid, and permit the commissioner to summarily suspend or revoke the license for nonpayment.

With respect to check sellers and cashers, personal property brokers and small loan companies, the bill would provide for an application fee of $200 not provided for under existing law.

Ch 498 (AB 2771) Hart. Cal-Vet home construction

Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 generally prohibit the Department of Veterans Affairs from acquiring a home for purposes of sale to a veteran when the veteran already has an interest of record. An exception is provided in the case of the construction of a home for a veteran upon unimproved real property owned by the veteran

This bill would permit the granting of Cal-Vet home construction benefits for a partly completed home on property owned by the veteran so long as completion has not reached the point of issuance of a certificate of occupancy.

Ch. 499 (AB 2967) Young Secondhand personal property dealers; pawnbrokers

Existing law requires a secondhand dealer, as defined, to report acquisition of certain identifiable secondhand tangible personal property to the chief of police or sheriff and provides for a copy of the report to be sent to the Department of Justice

Existing law also provides that the secondhand dealer retain the property in his possession for 10 days after the making of the report or, in lieu thereof, to obtain the name, address and description of buyer and retain such information for three years and also authorizes the chief of police or sheriff for good cause to waive the 10-day requirement

Under existing law, certain requirements provided by statute may be superseded by local ordinance

This bill would revise the definition of a secondhand dealer, and would provide a uniform statewide reporting procedure which preempts local ordinances Each secondhand dealer would be required to obtain a renewable license from the licensing authority, as specified, and the license would be subject to forfeiture for the breach of specified conditions Each secondhand dealer would be required to retain property in his or her possession for 30 days after the making of the report, unless the chief of police or sheriff authorizes an earlier disposition for good cause, as specified by the Department of Justice

Existing law requires pawnbrokers to file daily reports, or on the first working day

after receipt, of all property received in pledge or purchased as secondhand merchandise, except under specified situations It further authorizes a city or county, by ordinance, to prescribe additional requirements concerning the form of and the periods of time within which reports are to be filed

This bill would require pawnbrokers to report the receipt in pledge or purchase of all tangible personal property, as defined, and would delete the authorization of a city or county to prescribe additional reporting and form requirements

This bill would provide for misdemeanor penalties, as specified, for a violation of the provisions of this bill.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for specified reasons.

Ch. 500 (AB 3174) Greene Demurrers

Existing law prohibits the filing of a complaint in an action for damages against an architect, professional engineer, or land surveyor unless the attorney files a certificate relating to consultation with professionals regarding the merit of the complaint Failure to file that certificate is grounds for demurrer to the complaint

This bill would specify in a separate provision, that a party may object to a complaint by demurrer or answer on the ground that such certificate was not filed.

This bill would also incorporate a change made by AB 1967 (Ch 163, Stats. 1980) in Section 430 10 of the Code of Civil Procedure to permit an objection, as specified, in an action founded upon a contract if it cannot be determined from the pleading whether the contract is implied by conduct

Ch. 501 (AB 3301) Knox Corporations.

Under existing law, a corporation may, under specified conditions, lend money to, or guarantee any obligation of, or otherwise assist, any officer or employee of the corporation if the board of directors determines that the loan or guarantee may reasonably be expected to benefit the corporation

This bill would delete the permission to "otherwise assist" the officer or employee

Under existing law, payment to dissenting shareholders is required to be made within 30 days after the amount thereof has been agreed upon

This bill would, as an alternative, permit such payment to be made within 30 days after any necessary regulatory approvals are granted

The bill would also make changes in the General Corporation Law and the Uniform Partnership Act to reflect changes in the federal bankruptcy law

Ch 502 (AB 3408) Costa. Mobilehome parks, recreational vehicle parks

Existing law regulates the landlord and tenant relationship between a tenant of a mobilehome park and the management thereof under provisions entitled the Mobilehome Residency Law.

This bill would revise, renumber, and add to, various definitions applicable to such provisions

Existing law regulates the landlord and tenant relationship between an owner or operator of a recreational vehicle who is an occupant of a recreational vehicle park and the owner or management thereof, and provides, among other things, for the registration agreement between the parties and the removal of recreational vehicles of defaulting occupants, under provisions entitled the Recreational Vehicle Park Occupancy Law

This bill would revise, renumber, and add to, various definitions applicable to such provisions It would revise provisions relating to the registration agreement between the parties and the removal of a recreational vehicle of a defaulting occupant It would require specified notice procedures for removal of a recreational vehicle, and would provide for remedies for actions arising under the provisions of this bill

Existing law regulates the landlord and tenant relationship between the owners of specified recreational vehicles or trailers located in a mobilehome park and the management thereof under provisions entitled the Recreational Vehicle and Trailer Law It prohibits the termination of a tenancy except for specified reasons and requires a specified written notice

This bill would repeal such provisions

Ch 503 (AB 3437) M Waters Records· confidentiality

Existing law makes confidential a petition and reports of the probation officer or his equivalent filed in superior court in a proceeding to have a person under the age of 18 years declared free from the custody and control of his or her parent or parents

This bill would provide for the confidentiality of the superior court record and briefs filed by the parties in any proceeding before the court of appeal or the Supreme Court to review a judgment or order issued by the superior court in a proceeding to have a person under the age of 18 years declared free of parental custody and control.

Ch 504 (AB 2454) McVittie. Solid waste handling local agencies.

Existing law authorizes local public agencies to provide for the collection, disposal, or destruction of garbage and other refuse.

This bill would require that local public agencies which provide such service to select one or a combination of specified means for providing such services.

Ch. 505 (SB 1660) Presley Minors drugs, paraphernalia

Existing law prohibits the possession of instruments or paraphernalia used for unlawful injecting or smoking of various controlled substances or narcotic drugs, prohibits visiting any room or place where various controlled substances or narcotic drugs are being unlawfully smoked or used with the knowledge that such activity is occurring, and prohibits the opening or maintenance of any place for the purpose of unlawfully selling, giving away, or using various controlled substances or narcotic drugs.

This bill would prohibit any person from maintaining or operating a place of business where drug paraphernalia, as defined, is kept, displayed, offered, sold, furnished, transferred or given away unless maintained in a separate room or enclosure from which persons under the age of 18 years unaccompanied by a parent or legal guardian are excluded Persons in charge of any such room or enclosure would be prohibited from allowing persons under the age of 18 years from visiting or remaining in such a room or enclosure unless accompanied by a parent or legal guardian Persons under the age of 18 years would also be prohibited from being in, remaining in, entering, or visiting any room in any place used for the sale or display of such drug paraphernalia unless accompanied by a parent or legal guardian Such provisions would not apply to pharmacists, physicians, dentists, licensed drug paraphernalia manufacturers and others as specified Violation of any of these prohibitions would not be a criminal offense, but would be grounds for revocation, nonrenewal, or denial of a county or city license, permit, or other entitlement to conduct a business, as specified

This bill would provide that city, county, or city and county ordinances regulating the sale or display of drug paraphernalia to persons under the age of 18 would not be invalidated or prohibited by this bill or any other provision of law.

Ch 506 (AB 3112) Filante State Contract Act bids—exclusion of sales taxes paid

The State Contract Act does not prohibit inclusion in a bid of sales taxes paid by the bidder

This bill would enact such a prohibition and would require, in the awarding of such contracts, such sales taxes to be disregarded.

Ch 507 (AB 2689) Greene Grand juries Sacramento County

Under existing law, members of the grand jury in Sacramento County receive mileage at the rate of 15 cents per mile

This bill would revise such rate to equal the same rate allowed specified county employees

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes dis-

claiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 508 (AB 2506) Costa Courts Fresno County

Existing law provides for the number and salaries of certain municipal court employees in Fresno County

This bill would revise the salaries of such employees, and authorize the appointment of a court commissioner, as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected. Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 2246 of the Revenue and Taxation Code

Ch 509 (SB 1864) Rodda. Municipal Courts. Sacramento County

Existing law specifies the number, compensation, and qualifications of municipal court personnel in Sacramento County

This bill would revise the number, compensation, and qualifications of municipal court personnel in Sacramento County

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 510 (AB 2020) Vasconcellos Budget

Makes appropriations for support of state government for the 1980–81 fiscal year

To take effect immediately, urgency statute

Ch 511 (AB 2982) Young. Fiscal affairs

Existing law provides for annual cost-of-living adjustments to grants provided pursuant to the Aid to Families with Dependent Children Program (AFDC) and to the basic State Supplementary Program (SSP) for the aged, blind, and disabled

This bill would provide for grants of specified amounts pursuant to these programs, adjusted annually pursuant to computations made by the Commisision on State Finance, as specified The bill would also require the Commission on State Finance to make a study, as specified, and report thereon to the Legislature and Governor, on or before December 1, 1981

Ch 512 (AB 3300) Knox Local agencies default, redevelopment merger stock cooperative conversions

(1) Present law authorizes redevelopment plans adopted under the Community Redevelopment Law to provide for allocation to the redevelopment agency of a prescribed

portion of the tax revenues derived from property in the redevelopment project area in order to finance redevelopment. Such allocation scheme is commonly known as the "tax-increment" method of financing redevelopment. Present law authorizes merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the redevelopment agencies of the Cities of Sacramento, San Bernardino, Chula Vista, San Jose, and Santa Fe Springs

This bill would similarly authorize merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the City of Richmond or the City of Pittsburg This bill would be limited to redevelopment projects in Richmond for which the final plan was adopted on or before July 1, 1975, and amendments thereto adopted on or before June 1, 1980, and to redevelopment projects in Pittsburg for which the final plan was adopted on or before June 1, 1980, and amendments thereto adopted on or before June 1, 1980

Subject to the terms of prior indebtedness, the bill would require at least 20% of the tax-increment revenues produced by redevelopment projects merged under the bill to be placed in the redevelopment agency Low and Moderate Income Housing Fund, to be used to assist housing, as specified, and which would be subject to transfer to the housing authority which operates within the jurisdiction of the agency if not used for 6 years

However, the bill's requirement for using tax-increment revenues for housing would be inapplicable if the redevelopment agency finds that not less than 4% of the housing within its jurisdiction is subsidized, as specified.

(2) Under existing law, there is in the State Treasury the Local Agency Indebtedness Fund which is available for loans made by the Pooled Money Investment Board to local agencies for the purpose of making payments due on certain nonvoter approved bonds during the 1978–79 and 1979–80 fiscal years Under present law, the maximum repayment period on those loans is 3 years from the date of approval

This bill would permit the Pooled Money Investment Board to make such loans during the 1980–81 fiscal year It would also extend the maximum repayment period to 20 years

The bill would also allocate $75,000 from the Local Agency Indebtedness Fund for administrative costs of the Pooled Money Investment Board.

(3) Chapter 1192 of the Statutes of 1979 made the provisions of the Subdivision Map Act applicable to stock cooperative conversions in a specified manner. Among other things, Chapter 1192 of the Statutes of 1979 required a stock cooperative conversion for which an application for a subdivision public report was not made to the Department of Real Estate, including payment of an appropriate fee, prior to July 1, 1979, subject to its provisions However, Chapter 1192 of the Statutes of 1979 also prescribed that certain conversions regulated by local legislative action prior to January 1, 1980, would be subject to the local regulation rather than the provisions added to state law by Chapter 1192 of the Statutes of 1979

This bill would provide that if the application for a subdivision public report for a stock cooperative conversion in a general law city was made prior to September 30, 1979, and the general law city did not by legislative action regulate the conversion, as specified, prior to the application, that the provisions of Chapter 1192 of the Statutes of 1979, would not affect the conversion and that the Real Estate Commissioner would be required to issue the public report if certain conditions are satisfied, as specified

(4) This bill would become effective immediately as an urgency statute

Ch. 513 (SB 1332) Nimmo. Milk and dairy products· marketing· unfair practices

(1) Existing law regulates the marketing of market milk Market milk is divided into 4 classes for such purposes.

This bill would exclude from class 1 any market milk, market skim milk, or market cream which is used in the manufacture of yogurts sold for use in states other than this state

(2) Under existing law, a distributor of milk and dairy products is not allowed to give any payment of specified items or loan anything of value to a wholesale customer for advertising or display in connection with the sale of dairy products classified as class 1, except yogurts, and class 2, as specified Existing law also provides that, when any such payment or loan is permissible, it shall apply only to products sold under a distributor's own registered brand

This bill would delete dairy products classified as class 2 from such provisions, and would require that the cost of any such allowance be borne by the handler or distributor.

(3) The bill would require the Director of Food and Agriculture to report to the Assembly Committee on Agriculture and the Senate Committee on Agriculture and Water Resources on or before January 2, 1982, and on or before January 2, 1983, on whether significant market disruptions have occurred since January 1, 1981.

Ch 514 (SB 1337) Maddy. School employees: sex offenses.

Under existing law, if an employee of a school district or community college district is charged with any one of a number of enumerated sex offenses, the employee may be suspended, and if convicted, dismissed from employment pursuant to specified procedures.

This bill would specifically add the crime of unlawful sexual intercourse with a minor to the list of crimes applicable to such suspension and dismissal procedures.

Ch. 515 (SB 1364) Marks. State agencies: open meetings

Existing statutes require meetings of state agencies, as defined, to be open to the public.

This bill would include with the definition of state agencies, every commission created by executive order.

Ch 516 (SB 1389) Craven. Expenditure limitations: proceeds of taxes.

Proposition 4 on the ballot for the Special Election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of state and local government

This bill would make clear that certain revenues are not "proceeds of taxes" as that term is used in Article XIII B.

The bill would take effect immediately as an urgency statute.

Ch. 517 (SB 1481) Johnson County health officers

Existing law requires, except in a certain instance, that a county health officer be an elector of the county in which the duties of the office are to be exercised.

This bill would authorize the board of supervisors of any county to waive this requirement if it finds the waiver in the best interest of the county.

The bill would also incorporate changes made to Section 24001 of the Government Code by SB 1449 to be operative only if this bill and SB 1449 are chaptered, and this bill is chaptered last

Ch. 518 (SB 488) Johnson. Fairs. appropriation: State Personnel Board services.

(1) Existing law requires the California Horse Racing Board to annually deposit into the Fair and Exposition Fund, from revenues received, $265,000 plus 63/100 of 1% of the gross amount handled in the parimutuel pool.

This bill would require the Director of Food and Agriculture to prepare and submit an estimate of revenue to be deposited and of allocations to fairs. The bill would authorize the Director of Finance to authorize short-term loans from the General Fund to the Fair and Exposition Fund of such amounts as necessary to meet cash flow requirements for such allocations to fairs if the loan will be repaid in the same fiscal year and the loans do not exceed specified amounts to be deposited in the fund for the fiscal year or 75% of revenue to be deposited in the Fair and Exposition Fund during the remainder of the fiscal year. Such moneys would be appropriated to the Department of Food and Agriculture for allocation.

(2) Existing law requires the Department of Food and Agriculture to supervise county, district agricultural association, and citrus fruit fairs, and annually appropriates moneys from the Fair and Exposition Fund to the department for such purposes

This bill would authorize the Division of Fairs and Expositions of the department to enter into an agreement with the State Personnel Board for the board to provide increased services to the division on a reimbursement basis The bill would require the Director of Food and Agriculture to reimburse the State Personnel Board for such services from any unexpended moneys appropriated to the department from the Fair and Exposition Fund, and thereby would make an appropriation

(3) Under existing law, repayment of moneys appropriated from the Fair and Exposi-

tion Fund for specified loans to fairs is repaid to the Fair and Exposition Fund

This bill would transfer to and require deposit of all such loan repayments to the General Fund.

(4) The bill would take effect immediately as an urgency statute.

Ch 519 (SB 604) Roberti Public records.

Existing law provides for the disclosure and inspection of public records, except that specified records are exempt from disclosure.

Existing law does not provide that library circulation records kept for the purpose of identifying the borrower of items available in libraries are exempt from disclosure

This bill would provide for the exemption of such records, but not records related to fines imposed on borrowers

Ch. 520 (SB 722) Holmdahl Department of Economic and Business Development

Currently, in the Business and Transportation Agency there is the Department of Economic and Business Development consisting of 5 offices, including the Office of Visitors Services, the Office of Economic Planning, Policy, and Research Development and the Office of Business and Industrial Development, under the control of the Director of Economic Development Each of such offices is required to make various recommendations and reports to the Secretary of the Business and Transportation Agency, the Governor, or the Governor and the Legislature Also, in the State Treasury there is the California Economic Development Grant and Loan Fund to receive federal, state, and local money to make grants or loans to public and private agencies by the Department of Economic and Business Development pursuant to specified federal law

This bill would require such recommendations and reports to instead be made to the Director of Economic Development who would in turn report to the Legislature, the Governor, and the Secretary of the Business and Transportation Agency regarding the efforts and activities of the Department of Economic and Business Development

This bill would change the name of the Office of Visitors Services to the Office of Tourism and authorize such office to charge a fee for tourist publications it prepares.

This bill would also permit proceeds in the California Economic Development Grant and Loan Fund to be used to receive repayments of loans or grants and interest on loans or grants for subsequent reallocation as grants or loans without regard to a federal matching share so long as the proceeds are used for economic development in a manner consistent with the federal law. In addition, the bill would permit the department to impose reasonable charges on all applications, approved grants, and approved loans

Existing law provides for an advisory council which advises the Director of Economic Development, the members of which serve at the pleasure of the Governor

This bill would provide instead that future membership shall be limited to 2 years and that the terms of all members appointed to the council prior to January 1, 1981, shall expire January 1, 1981.

Ch. 521 (SB 1046) Presley. South Coast Air Quality Management District· employees: prevailing salary or wage.

Existing law requires the South Coast Air Quality Management District to pay its employees in its civil service or merit system a salary or wage at least equal to the prevailing salary or wage in private industry for similar employment.

This bill would repeal such existing law relating to the payment of a prevailing salary or wage.

This bill would take effect immediately as an urgency statute

Ch. 522 (SB 1115) Greene. Unemployment compensation benefits eligibility.

Existing law provides that an unemployed individual is eligible to receive unemployment compensation benefits with respect to any week if the director finds, among other things, that an individual was able to work and available for work for that week

This bill would, until January 1, 1985, generally provide that, notwithstanding such provisions, a person who is able to work is eligible to receive benefits if such person is certified as being enrolled in and satisfactorily pursuing a training or retraining course of instruction and, among other things, the person has been unemployed for four or more continuous weeks or because of specified circumstances, and the training program

can be completed in one year and is one which will provide the person with the necessary skills in a demand occupation, as defined.

The bill would require the Employment Development Department to evaluate the effectiveness of such provisions and to make specified reports to the Legislature

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 523 (SB 1669) Dills. Alcoholic beverages.

Existing law specifies that alcoholic beverages may be brought into this state for use within the state only by common carrier and only when consigned in a specified manner. Existing law exempts from these requirements alcoholic beverages brought into this state by an adult from without the United States for personal or household use. The amount of alcoholic beverages which may be brought in by an adult is limited to the amount of alcoholic beverages which is exempt from payment of duty under federal law.

This bill would instead exempt from the importation requirements a reasonable amount of alcoholic beverages brought into this state by an adult from without the United States for personal or household use; except that a California resident returning to the United States by a vehicle which is not a common carrier, or an adult entering as a pedestrian, would be restricted to the amount of alcoholic beverages which is exempt from payment of duty under federal law.

Ch 524 (SB 1554) Garamendi Health care review.

Existing law provides that the proceedings and records of an organized committee of a nonprofit medical care foundation which is a component or subsidiary of a medical society which is organized in a manner which makes available professional competence to review health care services are not subject to discovery, and no person in attendance at a meeting may be compelled to testify as to what transpired, except in actions involving a claim for payment for services

This bill would provide such an exemption from discovery or testimony to a committee of any nonprofit medical care foundation, whether or not a component of a medical society, and also to a professional standards review organization, as specified.

Ch 525 (SB 1704) Keene Prescribed burning: brush-covered lands.

(1) Existing law provides that any person who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape onto any forest, range, or nonresidential grass-covered land is liable for the expense of fighting that fire, excepting a fire set pursuant to specified experimental wildland resources management plans pursuant to a permit, as specified, which escapes.

This bill would qualify the exception to those fires which escape from a prescribed fire where reasonable judgment is exercised and action taken to maintain control, as specified in the bill

~~The bill would also exempt from such liability those escaped fires which were burning under a permit for converting brush/covered lands into forage land if reasonable judgment is exercised and action is taken to maintain control, as specified, except that fires set in specified experimental resource management lands and logging slash burning would not be exempt from liability under such provisions.~~

(2) The bill would redefine uncontrolled fire for purposes of the statutory provision relating to forests and rangelands

(3) Existing law requires specified contracts of the Department of Forestry for preventing and suppressing forest fires be approved by the Director of Finance

This bill would extend such contracting authority to all fires for purposes specified in the bill and require, instead, the approval of the Director of General Services and compliance with specified regulations of the State Board of Forestry

(4) Existing law requires contracts for fires to convert brushlands to forage lands,

among other things, to absolve the department of liability, be under control of the Director of Forestry, as specified, and for deposits for costs to be made with the department

This bill would require such contracts to contain specified provisions relating to equipment, supervision, authority, personnel, insurance, allocation of costs, and deposits of costs in escrow or trust and disbursal of such deposits.

(5) Under existing law, funds received by the department in the performance of such contracts are deposited in the General Fund

This bill would require such funds to be credited to the department's current support appropriation as a reimbursement.

(6) The bill would make other related changes in requirements for prescribed burning.

(7) The bill would become operative on July 1, 1981

Ch. 526 (SB 1718) Mills Transportation high-occupancy lanes· transfer facilities. environmental impact reports

Under the California Environmental Quality Act, with certain exemptions, environmental impact reports or negative declarations are required to be prepared for projects which may have a significant effect on the environment.

This bill would exempt from the act any project to institute or increase passenger or commuter service on high-occupancy vehicle lanes already in use and any facility extensions not to exceed 4 miles in length for the transfer of passengers from or to exclusive public mass transit guideway or busway public transit services.

Ch. 527 (SB 1884) Rodda Mobilehomes· sales tax reimbursement

Chapter 1160 of the Statutes of 1979, among other things, exempted certain mobilehomes from sales and use taxes. In addition, it appropriated $200,000 from the General Fund to the Controller for allocation to local agencies and school districts to reimburse them for costs incurred as a result of the state mandated local programs

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch. 528 (SB 1952) Alquist Mobilehomes-manufactured housing.

Existing law contains provisions relating to mobilehomes.

This bill would designate such provisions as the Mobilehomes-Manufactured Housing Act of 1980 It would make other conforming changes.

Ch 529 (AB 399) McVittie. Mortgages and deeds of trust.

Under existing law, a mortgage or deed of trust is a lien upon the property for which it is given. Existing law requires the mortgagee or assignee of a mortgage to execute and record a certificate of discharge, except in specified circumstances, when any mortgage has been satisfied. When the obligation secured by a deed of trust has been satisfied, the beneficiary or the assignee of the beneficiary is required to execute and deliver to the trustee a request for a full reconveyance to be executed by the trustee The trustee is required to execute and record a full reconveyance, except in specified circumstances Failure to perform these required acts is punishable as a misdemeanor

This bill, in addition, would provide a procedure for the release of the lien of a mortgage or deed of trust when the underlying obligation has been fully satisfied and the present mortgagee or beneficiary of record cannot be located after diligent search, or refuses to execute and deliver a proper certificate of discharge or request for reconveyance, or whenever a balance on the principal and interest remains due and the mortgagor or trustor cannot be located The lien would be released upon recordation of a corporate bond containing specified information and accompanied by a specified declaration and deed of reconveyance, if applicable The bond would be in a sum equal to the greater of either (1) twice the amount of the original obligation plus any principal amount owed, including advances, or (2) one-half of such sum plus accrued interest and conditioned for payment of any sum the mortgagee or beneficiary may recover in an action on the obligation along with costs and attorneys' fees The sum of any specified balance which remains due and is remitted to any issuer of a corporate bond, if un-

claimed, would escheat to the state, as specified.

Ch. 530 (AB 493) Moore Courts: fees and penalties.

Existing law sets forth various penalty assessments based on fines, bail forfeiture or other criminal sanction, expressed in dollar amounts, which are to be set aside for specified purposes.

This bill would, for a specified period, delete those penalty assessments, create an Assessment Fund in the State Treasury, and provide for assessments on specified fines, penalties, and forfeitures, to be deposited in the Assessment Fund and thereafter transferred as specified

Ch. 531 (AB 761) Tanner. Occupational safety and health: elevators, tanks, and boilers

Existing law permits the Division of Occupational Safety and Health in the Department of Industrial Relations to fix and collect fees not to exceed specified maximums for inspection of elevators, tanks, and boilers.

This bill would increase such maximum fees and permit the division to fix and collect a fee to cover the cost of processing an elevator permit.

Ch 532 (AB 1308) Harris Juvenile court law.

Existing law delineates the powers and duties of juvenile court referees.

This bill would specify that a referee shall not conduct any hearing to which the state or federal constitutional prohibitions against double jeopardy apply unless all of the parties thereto stipulate that the referee may act in the capacity of a temporary judge. It would also provide that when a referee sits as a temporary judge, his or her orders become final in the same manner as orders made by a judge

Ch 533 (AB 1162) Egeland. Health: Genetic Disease Testing Fund.

Under existing law, the Director of Finance is authorized upon the request of the State Director of Health Services to loan money from the General Fund to the Genetic Disease Testing Fund to be entirely repaid by June 30, 1982.

This bill would extend the repayment date of any loans made to June 30, 1986.

This bill would take effect immediately as an urgency statute.

Ch 534 (AB 2275) McAlister. Franchises

Existing provisions of the Franchise Investment Law define an "area franchise" as an agreement whereby a subfranchisor is given the right to sell franchises on behalf of the franchisor.

This bill would provide that a contract does not become an "area franchise" because under its term a person is compensated for referrals to a franchisor or acts as a salesperson on the franchisor's behalf

Existing law provides that the Commissioner of Corporations may summarily issue a stop order denying the effectiveness of registration under the Franchise Investment Law if he finds that the offer or sale of the franchise would constitute misrepresentation to, or deceit or fraud of the purchasers.

This bill would permit the commissioner to do so if he finds that the major inducement to prospective franchisees is fees or other compensation from participation in the sale of additional franchises

Existing law makes any person who offers or sells a franchise in violation of certain provisions of the Franchise Investment Law liable to the franchisee for damages.

This bill would also make such person liable to the franchisee for damages if he fails to submit the prospectus and all agreements to the prospective franchisee 48 hours prior to execution of the contract

Ch. 535 (AB 2328) Ryan Public Records Act· election petitions.

An existing provision of the Public Records Act, excludes initiative, referendum, and recall petitions and certain related official memoranda from inspection by the public However, it permits the public officer or public employees who have the duty of receiving, examining, or preserving such petitions the right to examine such material. Furthermore, existing law specifically permits the proponents of a recall petition to examine it under specified conditions

This bill would permit the proponents of an initiative, referendum, or recall petition or the proponent's representatives the right to examine such petitions in order to determine which signatures were disqualified and the reasons therefor

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 536 (AB 2142) Bane. Small claims court.

Existing law provides for the transfer of a small claims court action to a higher court if the defendant files an action against the plaintiff in the higher court, based on the same facts, but for an amount in excess of the monetary jurisdiction of the small claims court, in which case both actions are tried together in the higher court

This bill would postpone such a transfer until the small claims court has reached a judgment, unless the ends of justice would be served by a prejudgment transfer, would delete the requirement that both actions be tried together in the higher court except where the matter is transferred prior to judgment, and would authorize the higher court to award, to the plaintiff in the small claims court, the costs incurred as a result of the transfer, including attorney's fees and filing fees, if he prevails in the action filed in the higher court

Ch. 537 (AB 1635) Mountjoy Sales, competitive bidding

Under existing law, an offer by a merchant to buy or sell goods in a signed writing which by its terms gives assurance that it will be held open is not revocable, for lack of consideration during the time stated, or if no time is stated, for a reasonable time, in no event to exceed 3 months

This bill would apply to offers to supply goods to a licensed contractor, as specified It would provide that when a supplier makes an offer, oral or written, with actual or imputed knowledge of the contractor's license, and that the offer will be relied upon by the contractor in its bid with a third party, such offer shall be irrevocable, notwithstanding lack of consideration, for 10 days after the awarding of the contract to the prime contractor, but in no event for more than 90 days after the date the offer was rendered by the merchant

This bill would also provide that, notwithstanding the provisions regarding the irrevocability of a bid for the specified time periods, a merchant may set the period for which the bid will be held open.

This bill would also require written confirmation by a bidder of oral bids above a specified amount within a specified time.

Ch 538 (AB 1946) Moore Domestic violence

Current law establishes fees for marriage licenses and for confidential marriage certificates. Existing law also provides for an additional fee of $8 to be collected at the time of the issuance of the license or certificate, to be deposited in a special fund and used for funding county domestic violence programs and for related purposes. This bill would provide that priority in funding would be given to agencies and organizations whose primary function is to administer domestic violence programs. It would provide that if there are not sufficient funds in the special fund to finance basic services a county may finance basic services for domestic violence programs It would also provide that a county may carry over funds deposited in a county domestic violence program special fund for a period of no more than 3 years, as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for stat-

utes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified.

The bill would take effect immediately as an urgency statute

Ch. 539 (AB 2342) Knox Probate publication of notice.

Under existing law, the Notice of Death Petition to Administer a Decedent's Estate, which also constitutes the notice to the creditors of the decedent to file a claim, is required to be published in a newspaper of general circulation in the city where the decedent resided at death or where the decedent's property is located If there is no newspaper of that description, or if the decedent did not reside in a city or if the property is not located in a city, then notice is required to be published in a newspaper of general circulation within the judicial district in which the decedent resided or the property is located. If there is no such newspaper, then notice is required to be published in a newspaper of general circulation in the county which is circulated within the community in which the decedent resided or the property is located.

This bill would delete from the above-described three-tiered system for publication of the notice in a newspaper the requirement that the notice be published in a newspaper of general circulation in the judicial district in which the decedent resided or the property is located

Existing law requires a petition for the probate of a will or a petition for letters of administration to include, among other information, the address of the decedent's residence at death

This bill, would specify that the petition shall include the street number, street, city, and county in which the decedent's residence is located at the time of the decedent's death.

This bill would incorporate additional changes in Section 333 of the Probate Code, contingent upon the prior chaptering of AB 2985

Ch 540 (AB 2380) McVittie Criminal procedure

Under existing law, a defendant who pleads guilty or nolo contendere to a felony before a magistrate is referred to the superior court which then sets a time for pronouncement of judgment and refers the case to the probation department

This bill would provide for the magistrate to set such a time and refer the case to the probation department.

Ch 541 (AB 2401) Bergeson. School districts: regional occupational center or program.

(1) Existing law provides that the county auditor shall perform certain functions in the establishment and maintenance of a regional occupational center or program.

This bill would provide that in certain counties the functions of the county auditor shall be performed by the county superintendent of schools.

(2) This bill would make certain legislative findings and declarations.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 542 (AB 2442) Levine Smoking

Existing law prohibits the sale of tobacco and tobacco products to minors A violation of such prohibitions is a misdemeanor, punishable by a fine or, for a second or subsequent offense, imprisonment However, existing law does not generally prohibit the sale to minors of paraphernalia or instruments designed to be used for the smoking of tobacco, tobacco products, or any controlled substance

This bill would prohibit the knowing sale to minors of tobacco and tobacco products

and of such paraphernalia. A violation of those provisions and the provisions relating to tobacco would be a misdemeanor

The bill would specify that local ordinances regulating the sale or display of such items to persons under the age of 18 would not be invalidated because of such provisions or any other provisions of law.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 543 (AB 2446) Nolan. Grand juries

Existing law requires a succeeding grand jury to report on fiscal matters pertaining to the previous fiscal year.

This bill would require the report to be made by the grand jury impaneled during the fiscal year.

Ch. 544 (AB 2505) Calvo. Motor Vehicles: offense: abstract and point counts; registration violations.

(1) Under existing law, the Department of Motor Vehicles assigns various violation point values to various convictions and accidents involving the operation of a motor vehicle Any person whose driving record shows a violation point count in excess of specified amounts over specified periods of time is prima facie presumed to be a negligent driver

The bill would allow the department to withhold from public inspection the most recent traffic conviction on a person's driving record under specified conditions The department would be required to evaluate the effects of withholding such convictions from public inspection, including its traffic safety implications, and to report its findings to the Legislature on or before January 2, 1984 The program would be terminated on July 1, 1984, unless legislation deletes or extends that date

(2) Under existing law, it is unlawful to operate on a highway a motor vehicle or certain other types of vehicles unless it is registered.

The bill would require any person to whom a notice to appear is issued or against whom a complaint is filed regarding the nonregistration of a vehicle required to be registered to produce in court satisfactory evidence that the vehicle is registered and the required fees paid or that the vehicle is reduced to junk.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 545 (AB 2617) Chacon. Municipal initiatives

Existing law requires a municipal initiative petition to qualify if it is signed by a prescribed percentage of the number of voters of the city according to the county clerk's last official report of registration to the Secretary of State

This bill would base the signature requirement on the county clerk's official report as in effect at the time the notice of intent to circulate was published.

This bill would also incorporate changes in Sections 4010 and 4011 of the Elections Code proposed by AB 2033 to be operative only if both bills are chaptered and this bill is chaptered last

Ch 546 (AB 2656) Mello. Exemptions· delinquency service of notice.

Existing law excludes from the definition of "storage" and "use", with respect to sales and use tax, the rental to a lessee of waterproof cargo containers, as specified

This bill would delete such exemption

Existing law provides whenever any user is delinquent in payment of any obligation regarding the use fuel tax, the board of equalization shall transmit notice to the Attorney General who shall take legal action to collect all sums due

This bill would delete such requirement and enable the board to bring the action at any time within 3 years of such delinquency

Existing law requires notice of determination, with respect to underpayments of the emergency telephone surcharge, to be sent to the service supplier or service user by certified or registered mail or by personal service

This bill would delete the requirement that such notice be sent by certified or registered mail

This bill makes an alternative change in Section 8971 of the Revenue and Taxation Code, to be operative only if Senate Bill 1541 and this bill are both chaptered

Ch 547 (AB 2751) Nolan. Mental Health.

(1) Under existing law a court may under certain circumstances order an insane defendant or certain mentally disordered sex offenders who are not a danger to the health and safety of others to be placed on outpatient care under an outpatient supervisor

This bill would combine and revise such provisions of law and provide under certain circumstances outpatient status for such persons under a program of supervision and treatment, prescribing procedures for termination and revocation thereof

This bill would also require the state summary criminal history information on an insane defendant or mentally disordered sex offender to be furnished to the state hospital or other public or private mental health facility treating the individual when needed in the course of its duties. The bill would also require such information to be furnished the officer providing certain conservatorship investigations for gravely disabled criminal defendants

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 548 (AB 2753) Nolan State administrative proceedings discovery and judicial enforcement and judicial review

Under the existing statutes governing state administrative adjudicatory hearings, a written request for discovery must be made prior to the hearing and the verified petition to a superior court to compel such requested discovery, is required to be filed within 15 days after the respondent's first failure or refusal to comply or within 30 days after the request was made and the party fails to reply, whichever period is longer

This bill would prohibit the filing of such petition within 15 days of the date set for commencement of the administrative hearing except upon court order after motion and notice, and for good cause shown and would require the court to consider specified matters

An existing statute requires the administrative adjudicatory proceeding to be stayed pending the superior court proceedings only if the court issues an order to show cause and a copy is filed forthwith with the Office of Administrative Hearings

This bill would delete such provisions and would, instead, authorize the court in its discretion to order such administrative proceedings stayed pending the superior court proceeding, and if necessary for a reasonable time thereafter to afford the parties time to comply with the court order

An existing statute requires that a petition by a party aggrieved by the superior court

order for a writ of mandamus to compel modification or set aside be served and filed in the appropriate court of appeal

This bill would require such a petition to be served and filed in the district court of appeal for the district in which the superior court is located

This bill would also make related and technical changes.

An existing provision provides for the suspension and revocation of certain business and professional licenses for conviction of a crime, as specified.

This bill would also make a technical change in that provision.

Ch. 549 (AB 3131) Egeland *Unemployment disability insurance.*

Existing law permits any local public entity to elect to become an employer for unemployment disability insurance purposes with respect to all its employees. Existing law also permits any public school employer to elect to become an employer for such purposes with respect to all employees who are part of an appropriate unit established pursuant to the educational employer-employee relations law, if such election is the result of a negotiated agreement.

This bill would, in addition, permit any local public agency to elect to become an employer for unemployment disability insurance purposes with respect to all employees who are a part of an appropriate unit established pursuant to the law governing employer-employee relations in local public agencies, provided such election is the result of a negotiated agreement and such election is made by the local public agency before January 1, 1984.

The Employment Development Department would be required to study the impact of this bill on the Disability Fund and to report its findings to the Legislature before January 1, 1984.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

This bill would take effect immediately as an urgency statute

Ch. 550 (AB 3153) Kelley. *Eggs: registration of brands*

Existing law generally regulates the sale and distribution of eggs

The bill would require that egg dealers register brand names which are intended for use on a master container of eggs, as specified, make it unlawful for a brand registrant or his employees to pack eggs into a master container which does not bear the registrant's brand; require that specified persons acquiring possession of master containers return such containers to the registered owner at their own expense, require that a person operating a container exchange business be licensed, as specified; regulate the sale of containers which do not have a registered brand, as specified; and provide that the director may suspend or revoke any license for failure to comply with specified provisions of law

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 551 (AB 3199) Fenton. Criminal procedure· alibi evidence

Existing law provides for continuances in criminal cases for good cause, which is not defined.

This bill would specify that testimony of a witness other than the defendant as to an alibi defense is good cause for a reasonable continuance unless the court finds that the prosecutor was or should have been aware of the evidence

Ch. 552 (AB 3215) Nolan Expert witness fees

Existing law provides that a person who is not a party to an action and who is required to testify in court or at a deposition solely as to any expert opinion the person holds as a result of special qualifications is entitled to enhanced witness fees as compared with an ordinary witness. Another provision of existing law also provides that a party desiring to take the deposition of a person retained as an expert by another party shall pay the expert a reasonable fee for time spent in connection with the deposition, including time spent in travel, but excluding time spent for preparation

This bill would provide that a party desiring to take the deposition of a person retained as an expert by another party is required to pay the enhanced fee to the expert witness only if the expert's deposition is desired solely for the purpose of obtaining any expert opinion which the deponent holds upon the basis of his or her special knowledge, skill, experience, training, or education. Such new provisions would not apply to workers' compensation cases

Ch 553 (AB 3201) M Waters. Real estate loans.

Under existing law, specified real estate licensees who negotiate loans to be secured directly or collaterally by a lien on real property must, before the borrower becomes obligated to complete the loan, deliver to the borrower a written statement, as specified, and must certify in such statement that the loan is being made in compliance with specified provisions of law regulating real estate brokers. Such requirements are not applicable to either a loan, secured by a first trust deed, the principal of which is $20,000 or more, or a loan, secured by a junior lien, the principal of which is $10,000 or more

This bill would provide that the requirement regarding delivery of a written statement, as specified, is also applicable to either a loan, secured by a first trust deed, the principal of which is $20,000 or more, or a loan, secured by a junior lien, the principal of which is $10,000 or more and that the requirement regarding certification of compliance with the law is only applicable to loans within such limits.

Ch 554 (AB 3276) Duffy Health manpower pilot projects

Existing law authorizes the Office of Statewide Health Planning and Development to approve experimental health manpower projects to perform health care services by trainees under supervision. Under existing law the supervisor and the trainee in such a project are responsible for their performance of health care services to the standards of care an individual otherwise legally qualified to perform such services

This bill would require a trainee and his or her supervisor to be held to the same standard of care, and would afford the same immunities to such individuals as given an individual otherwise legally qualified to perform such services

Ch 555 (AB 3323) Bergeson Probation cost

Existing law permits the court granting probation in a criminal case to impose as a condition of probation the payment of fines, reparation, and restitution and to require the defendant to go to work to pay such costs and to report such earnings to the probation officer

This bill would also permit the court to impose as a condition of probation the payment of the cost of probation not to exceed the monthly amount determined to be the actual average cost of probation and would specify the procedures relating to the conduct of hearings to require such payment

Ch 556 (AB 3328) McAlister Insurance athletic teams

Existing law generally requires school districts, community college districts, state universities and colleges, the University of California, and the Department of Education special schools to provide athletic team members with accidental death insurance and insurance for medical and hospital expenses, as specified

This bill would delete the requirement that accidental death insurance be provided

Ch. 557 (AB 3243) Mello Public guardians and administrators.

Under existing law, the public guardian and the public administrator are required to deposit funds coming into their custody in the county treasury or in one or more insured banks or savings and loan associations in the county, or if there are no such banks or associations in the county, then in such banks or associations in the state.

This bill would require such funds to be deposited in the county treasury or one or more insured banks or insured savings and loan associations in the state and delete the requirement that such funds be deposited in banks or associations in the county.

Ch. 558 (AB 3341) Hayden. Weapons.

Existing law provides for destruction of, between July 1st and 10th of each year, dangerous weapons which are made nuisances by law.

This bill provides for such destruction in the month of July rather than between the 1st and 10th of July.

Ch. 559 (AB 3373) McVittie. Pharmacy.

Existing law provides that a prescriber may authorize his employee to orally transmit a prescription to the furnisher except for a prescription for narcotics as defined.

This bill would apply such exception to Schedule II controlled substances, as defined, rather than to narcotics.

This bill would make clarifying changes in the law relating to fees paid by a person who applies for an exemption from the required pharmacy permit as a manufacturer or wholesaler of drugs, poisons or chemicals.

The bill would make clarifying changes in the law relating to the issuance of pharmacy permits to specified persons.

Existing law requires pharmacists to complete specified continuing education requirements as a condition of the renewal of their licenses and requires the Board of Pharmacy to adopt rules and regulations for the administration of such provisions.

This bill would delete an obsolete provision relating to such continuing education requirements.

Existing law requires a registered pharmacist to pay a renewal fee on a specified date of each odd-numbered year to retain the registration in effect.

This bill would instead require payment of the fee biennially, on the specified date

Ch. 560 (AB 3407) Naylor. School property.

Existing law authorizes a school district governing board to sell or lease surplus school property in accordance with specified provisions, including the adoption of a resolution of intention to sell or lease, notice and publication of such resolution, and the opening and accepting of proposals at a public meeting. Existing law generally requires the acceptance of the highest proposal which conforms with all the terms and conditions specified in the resolution.

This bill would authorize a governing board to lease such property at not less than fair market value without complying with these provisions for a specified one-year period if no proposals have been submitted or if the proposals that have been submitted do not conform with the terms and conditions of the resolution of intention to lease. This bill would authorize the governing board to delegate a district officer or employee, or other third person to secure a lessee and to negotiate the terms of the lease.

This bill would prohibit such a lease if a public entity that had submitted a nonconforming proposal requests, in writing, that the governing board lease the real property in accordance with otherwise applicable provisions for the lease of surplus school property.

Ch. 561 (AB 3380) Nolan. Offenses fine, bail, and penalty assessment payment. personal checks.

Existing law authorizes various governmental agencies to accept personal checks under specified conditions for various obligations owed those agencies, including the payment to judicial districts of fines and bail deposits

This bill would recodify and recast those provisions relating to the payment of fees, fines, and bail deposits by requiring each superior, municipal, or justice court to adopt a written policy, consistent with rules adopted by the Judicial Council, governing the acceptance of checks and money orders for such payments and to accept payment in accordance with such policy, subject to a $300 limitation, as specified

The bill would make other nonsubstantive changes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 562 (AB 3425) Torres Settlements of claims

Existing law provides, relative to a case involving alleged multiple tortfeasors, that a tortfeasor who has entered into a good faith settlement with a plaintiff must also be discharged from any claim for partial or comparative indemnity that may be pressed by a concurrent tortfeasor, but does not specify whether such discharge must occur before or after trial as to the plaintiff and the remaining joint tortfeasors

This bill would specify that any party has a right to contest the issue of the "good faith" of a settlement at a noticed hearing and would make related changes

Ch. 563 (AB 3438) Hughes Dental assistants

Existing law provides that the Board of Dental Examiners may license a person as a registered dental assistant who either has graduated from an approved educational program in dental assisting and passes an examination or has 18 months of satisfactory work experience and passes an examination

This bill would require the board to grant credit towards the 18 months' work experience to persons who have graduated from a dental assisting program in a postsecondary institution approved by the Department of Education that is not approved by the board in an amount equal to the total weeks spent in classroom training and internship on a week-for-week basis

The bill would require the board to establish the minimum criteria for the curriculum in such nonboard approved programs, in cooperation with the Superintendent of Public Instruction

The bill would require the Committee on Dental Auxiliaries to report to the board on or before January 1, 1982, on the number of nonboard approved programs in existence and the minimum criteria recommended for nonboard approved programs

The bill would provide that the act is to be operative on and after July 1, 1981

Ch 564 (AB 3413) Mori Local elections

Under existing law if a local election results in a tie vote between candidates, the election board is required to determine the winner by lot

This bill would allow the legislative body of the local entity to resolve the tie vote either by lot or by ordering the conduct of a special runoff election

Existing law permits the use of mailed ballots for use in general district elections

This bill would allow the governing body of the district, by resolution, to revoke the adoption of the all-mailed ballot procedure and consolidate the general district election with any election scheduled in the same territory

Ch 565 (AB 3449) M Waters Professional corporations

Existing law authorizes specified professionals to incorporate and practice or engage in a single profession

This bill would specify that a podiatrist may own shares in a medical corporation and would entitle such corporation to practice medicine and podiatry in the name of such corporation

This bill would also provide that its provisions shall not become operative if AB 2885 is also chaptered

Ch 566 (AB 2445) Nolan Grand juries

Under existing law, every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the

equipment for, or the method or system of performing the duties of, the several offices. Such investigation and report shall be conducted selectively each year, but the needs of each county officer shall be investigated and reported at least once every 4 years

This bill would provide for such investigation of each county officer every 8 years rather than every 4 years

Ch. 567 (AB 3458) Ellis Seller assisted marketing

Existing law regulates seller assisted marketing plans Such plans do not include plans where the initial payment is $25,000 or more. The initial payment is the total amount a purchaser is obligated to pay prior to or at the time of delivery of equipment, supplies, products, or services, or within 6 months of the purchaser commencing operations. The initial payment also means the total sale price if it is to be paid partially as a downpayment and then in specific monthly payments

This bill would instead provide that a seller assisted marketing plan does not include a plan where the initial cash payment is $25,000 or more The initial cash payment or downpayment would be defined as that portion of the initial payment which the purchaser is obligated to pay prior to or at the time of delivery of the equipment, supplies, products, or services It would not include any amount financed by or for which financing is to be obtained by the seller, or any financing which the seller assists in obtaining

The bill would specify that it is declaratory of existing law

Ch. 568 (SB 654) Foran Transportation rail passenger service

Existing law grants general authority to the Department of Transportation to enter into contracts with railroad corporations, including the National Rail Passenger Corporation, to provide commuter and intercity rail passenger services and to acquire and improve rail terminals for passenger service It also allows the department to enter into contracts to provide feeder services to and from rail passenger terminals or intercity bus transportation

This bill would grant additional authority to the department to construct, acquire or lease, improve, and operate bus passenger terminals and related facilities which provide intermodal passenger services and, in certain designated corridors, rail passenger terminals and related facilities.

The bill would also direct the department to request the involvement and cooperation of affected local agencies and passenger carriers in decisions relative to the acquisition, development, and operation of intermodal passenger facilities, to give full consideration to the operating requirements of passenger carriers in developing or funding such facilities, and to give fair and equal treatment to all carriers regardless of mode in setting fees for use of such facilities assessed on passenger carriers

Ch 569 (AB 2845) Egeland. Health facilities

Existing law provides for licensing and regulation of health facilities of specified types and purposes. Such existing law does not provide for a separate type of health facility designated as a small intermediate care facility/developmentally disabled habilitative.

This bill would require the State Department of Health Services and the State Department of Developmental Services to jointly develop and implement licensing, Medi-Cal, and construction regulations, as specified, for intermediate care facilities/developmentally disabled habilitative, as defined, by March 1, 1981

This bill would appropriate $2,000,000 from the General Fund to the Department of Developmental Services without regard to fiscal year for development of community placements and community programs, as specified

Ch 570 (SB 1608) Maddy Livestock inspection strays

(1) Under existing law, any person in charge of cattle being shipped for inspection is responsible for identifying strays to the brand inspector Anyone who fails to identify such strays is required to pay a penalty of $5 to the Bureau of Livestock Identification for each unidentified stray

This bill would raise the penalty from $5 to $50

(2) Under existing law, the taker-up of an estray animal is entitled, for its keeping and care, to a sum not to exceed 50 cents per day for each bovine animal, horse, mule, or burro, and a sum not to exceed 15 cents per day for each sheep, goat, or swine

This bill would instead provide that the taker-up is entitled to a per day payment based on the prevailing rates charged by commercial enterprises which feed livestock on a custom basis

(3) This bill would make an appropriation by increasing the amount of penalties that would be deposited in the Department of Agriculture Fund, a continuously appropriated fund, and changing the amount that could be paid from the fund for the keeping and care of estray animals

Ch 571 (AB 2524) Lockyer Hospital districts· election of directors

Existing law authorizes registered voters residing within a local hospital district to submit a petition proposing that directors of the district be elected by zones If such petition is signed by voters equal in number to at least 15% of the number of voters who cast votes in that district at the last gubernatorial election, the proposal must be submitted to the voters of the district.

This bill would permit the voters of the Eden Township Hospital District to petition to change the board of directors' method of election so that directors are elected either "by zones" or "from zones," as defined It would, with respect to such hospital district, revise the number of requisite signatures which must appear on the petition from 15% to 5%

Ch 572 (SB 1773) Holmdahl. Offsets. amounts owed to and owed by the state

An existing statute authorizes the State Controller to offset against any amount owed by the state, any amount due a state agency from the claimant, however, a state appellate court decision held that a security deposit posted pending personal income tax liability resolution and a personal income tax refund determined due were held by the state in trust for the taxpayers and, therefore, were not amounts owing such person within the meaning of such offset statute

This bill would state that such decision has resulted in some confusion concerning the character of tax refunds, declare that such tax refunds held or owing have the characteristics of a simple debt and do not create such a trust relationship, would amend such existing statute to provide that for its purposes an amount owing to a person or entity by any state agency shall include any tax refund; and would declare that such statute as so amended is a clarification and declaration of existing law

Ch 573 (SB 1686) Vuich Fertilizing materials

Existing law generally regulates the labeling and analysis by the Director of Food and Agriculture of fertilizing materials. It requires that every producer of, manufacturer of, importer of, or dealer in a commercial fertilizer, agricultural mineral, or auxiliary soil chemical, except as specified, obtain a certificate of registration and pay specified fees therefor It requires that a specified tonnage license tax be paid by registered persons and that tonnage reports on the sale or distribution of commercial fertilizers or agricultural minerals be made as specified Existing law declares that any adulterated substance is a public nuisance which may be abated as specified, and specifies penalties for the violation of provisions relating to fertilizing materials

This bill would delete such provisions and would provide as follows

(1) Create an Inspection Advisory Board to advise the director on matters relating to fertilizing materials

(2) Require the licensing of each manufacturer or distributor of commercial fertilizer, agricultural minerals, packaged soil amendments, or auxiliary soil and plant substances for each plant and business location from which he operates, and require payment of a specified fee therefor

(3) Require the registration, for a specified fee, of specified fertilizing materials

(4) Require that licensed persons pay a specified assessment fee on the sale of specified fertilizing materials

(5) Require tonnage sales reports by county

(6) Specify labeling requirements for commercial fertilizers, agricultural minerals, and soil amendments

(7) Authorize the director to take samples and make analyses of any substance, and investigate any use, sale, adulteration, or misbranding The director would be required to annually publish the results of examinations of official samples of commercial fertiliz-

ers.

(8) Specify penalties for the violation of provisions relating to fertilizing materials, and authorize the director to seize and hold any lot of specified fertilizing materials which he has cause to believe is in violation of specified provisions.

(9) Authorize, in addition to other specified remedies, the Department of Food and Agriculture to bring an action for an injunction against any person violating specified provisions relating to fertilizing materials.

The bill would make an appropriation by requiring that moneys be paid into the Department of Agriculture Fund which is continuously appropriated.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 574 (AB 2622) N. Waters. Vital statistics· disposal of records.

Existing law authorizes the local registrar of births and deaths, after one year from the date of registration and with the approval and under the supervision of the State Registrar of Vital Statistics, to dispose of the local registrar's copies of the records if prescribed conditions are satisfied. Existing law also authorizes the county recorder, with and under the supervision of the State Registrar of Vital Statistics, to dispose of the special county records of births and deaths for events which occurred subsequent to July 1, 1905, on file in the office of the county recorder if prescribed conditions are satisfied

This bill would delete the provisions relating to the disposal of the local registrar's copies of the records and would revise the provisions relating to the disposition of special county records of births and deaths to eliminate certain of the specified conditions for the disposal of such records and to, instead, authorize the county recorder and the local registrar of births and deaths, with the approval and under the supervision of the State Registrar of Vital Statistics and with the permission of the board of supervisors of any county or city and county by ordinance, to dispose of county records of births, deaths, and marriages for events which occurred subsequent to July 1, 1905.

Ch 575 (AB 2487) McAlister Workers' compensation insurance.

Existing law permits the issuance of limited workers' compensation policies insuring either the whole or any part of the liability of any employer for compensation Forms of such policies approved by the Insurance Commissioner may not be limited except by indorsement with a form prescribed by the commissioner or in accordance with rules adopted by the commissioner.

This bill would specify that such indorsement form shall not be subject to the commissioner's approval

Ch. 576 (AB 2552) Roos Minor forest products

Existing law prohibits, among other things, cutting or removal of any tree or shrub without a written permit from the landowner or his authorized agent, and requires a permit for transport of specified trees, shrubs, or boughs

Existing law does not require a permit for removal or transport of forest products other than such trees, shrubs, or boughs Existing law prohibits timber operations subject to the submission of a harvesting plan, from which minor forest products may be exempted

This bill would require a bill of sale or permit for the removal and transport of minor forest products, as defined Violation would be a misdemeanor

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a

constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 577 (SB 1560) Beverly Vessels. historical interest

Under existing law, undocumented vessels in this state are generally required to obtain a certificate of number from the Department of Motor Vehicles Vessel registration fees collected by the department are continuously appropriated to the department for the administration of such provisions

This bill would require the department, upon request, to issue for any power-driven pleasure craft, whether documented or undocumented, which is constructed of wood and which was constructed prior to December 31, 1942, a special plaque which identifies the craft as a vessel of historical interest, and would specify related matters The bill would require a reasonable fee, as determined by the department, to be charged for issuance of the plaque, thereby making an appropriation

Ch. 578 (SB 1408) Robbins Courts.

Under existing law, the board of supervisors in each county is required to provide suitable rooms for holding the superior, municipal, and justice courts

This bill would become operative upon the adoption of a specified resolution of the Board of Supervisors of Los Angeles County, or the Board of Supervisors of the City and County of San Francisco, as specified It would establish a surcharge on criminal fines in the County of Los Angeles or in the City and County of San Francisco, or both, would provide for the deposit of specified amounts into the Courthouse Temporary Construction Fund to be established in the county treasury of Los Angeles or San Francisco, or both, and would require all construction of courtrooms in the County of Los Angeles utilizing funds from the Courthouse Temporary Construction Fund to be within the San Fernando Valley Statistical Area, as defined, initially, and thereafter within the Downey Municipal Court District, within the East Los Angeles Municipal Court District, or within the Los Cerritos Municipal Court District, and all construction of courtrooms in the City and County of San Francisco utilizing funds from the Courthouse Temporary Construction Fund to be within the City and County of San Francisco, until specified amounts have been spent on courthouse construction within those areas. The authority for such surcharge would continue through the 20th year after the year in which the surcharge is first collected or, in Los Angeles County, for whatever time is necessary to repay specified loans, whichever is longer

Ch 579 (AB 3306) Knox Securities

Under existing law the sale in a nonissuer transaction of securities issued by a person which is the issuer of any security listed on a national securities exchange or is registered under specified acts is exempt from the necessity of qualifying under the Corporate Securities Law

This bill would exclude limited or general partnership interests from the foregoing, thus necessitating the qualification of such interests

Under existing law, any transaction or agreement between an issuer of securities and an underwriter is exempt from the necessity of qualifying under the Corporate Securities Law if the sale of the securities is qualified prior to distribution

This bill would make such agreements exempt from the necessity of qualifying if the sale of the securities is exempt at the time of the distribution

Under existing law a broker-dealer or investment adviser may have his application for a certificate denied, be censured, or have his certificate suspended or revoked for having been convicted of a felony or misdemeanor or held liable in a civil action for conduct involving embezzlement, fraudulent conversion or misappropriation of property, funds or securities

This bill would substitute "theft" for "embezzlement, fraudulent conversion or misappropriation of property, funds or securities" in the foregoing

Ch 580 (AB 2567) Hayes Postsecondary education student residency requirements

Under existing law, public institutions of higher education are to apply uniform rules in determining whether a student is to be classified as a resident or a nonresident Current statutes provide that a student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty is entitled to resident classification until he or she has resided in the state the minimum time necessary to become a resident. Should that member of the armed forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, be thereafter transferred on military orders to a place outside the continental United States where the member continues to serve in the armed forces of the United States, the student dependent does not lose his or her resident classification until he or she has resided in the state the minimum time necessary to become a resident

This bill would provide, instead, that should a member of the armed forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, be (1) thereafter transferred on military orders to a place outside this state where the member continues to serve in the armed forces of the United States or (2) thereafter retired as an active member of the armed forces of the United States, the student dependent shall not lose his or her resident classification until he or she has resided in the state the minimum time necessary to become a resident

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch 581 (AB 2530) Bates Housing authorities surplus property

Under present law housing authorities are expressly authorized to transfer surplus real property to fire protection districts for fire protection purposes where the authority determines the transfer is necessary or desirable to effect the purposes of the authority Housing authorities are also generally empowered to dispose of real property General provisions of law relating to surplus property of agencies subject to the Ralph M Brown Act, including housing authorities, require disposal of surplus lands for housing, as specified.

This bill would specifically delineate purposes and priorities for disposal of surplus real property of housing authorities, and would authorize an authority to sell surplus real property at its cost for certain housing-related purposes

The bill would require the Department of Housing and Community Development to adopt regulations for administration of such sales of surplus property for housing, including notice requirements and requirements to implement the priorities that would be established by the bill

The bill would require the deed or other conveyance to contain recitals concerning compliance with the bill and the department's regulations, as applicable Such recitals would be conclusive in favor of purchasers and encumbrancers for value, but, if not included in the deed, would not invalidate the transfer of title

Ch 582 (AB 2695) Vicencia Workers' compensation

Existing law provides that either an injured employee or an employer who pays workers' compensation benefits may bring an action against any third person for damages proximately resulting from such injury or death The party bringing the action against such third person is required to give the other party written notice of the action, and the name of the court in which the action is brought

This bill, instead, would require the employer or employee bringing an action against a third person to provide the other party with a copy of the complaint

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 583 (AB 2555) Thurman Weights and measures· fees

Under existing law, county sealers are required to inspect, try, and test devices for weighing and measuring

This bill would allow a county, if authorized by the county board of supervisors, to collect a specified fee from the owner or user of a weighing or measuring device which is used commercially, when such device is inspected or tested at the owner's or user's request and such inspection or testing could legally be performed by a registered repairman. All such fees would be paid into the county general fund The bill would also require the Director of Food and Agriculture to prescribe a uniform schedule of fees, as specified

Ch. 584 (AB 3171) Frazee Solid waste resource and conversion.

Existing law does not expressly authorize local agencies to contract for solid waste resource recovery projects.

This bill would authorize local agencies, as defined, to contract for facilities which conform to specified solid waste management plans for the conversion of solid waste into energy, synthetic fuels, or reuseable materials, as specified, and to finance such facilities with specified revenue bonds or otherwise

Ch. 585 (SB 1382) Presley Agricultural preserves cancellation. deferred taxes

Under existing law, prime agricultural land which a landowner, by contract with a city or county, places in an agricultural preserve by agreeing to limit it to agricultural use, is valued for property tax purposes on a basis consistent with such restrictions and uses

At the landowner's request, the city or county may cancel such contract prior to the end of its term, and require the landowner to pay a specified amount in deferred taxes Alternatively, the city or county may waive such payment or any portion thereof if specified conditions exist and if the governing body of the city or county finds that granting such waiver is in the public interest Under existing law, such a waiver must be approved by the Secretary of the Resources Agency

This bill would require that the secretary approve the waiver if he finds that the granting of the waiver by the city or county is consistent with the policies of the California Land Conservation Act of 1965 and that the city or county complied with certain requirements.

This bill would further require that the secretary, in evaluating a request for waiver, shall review the findings of the board or council, evidence in the record of the local agency, and other evidence received concerning the cancellation or waiver

Ch 586 (AB 2639) Statham Horseracing stewards

Existing Horse Racing Law requires the California Horse Racing Board to license stewards meeting examination requirements and to contract with stewards for performing duties at horseracing meetings

This bill would revise the examination requirement for stewards and exempt any person who has been licensed as a steward prior to January 1, 1980, from the requirements of the written examination but not from the oral examination

The bill would require the board to select the best qualified stewards for employment rather than contract

Ch 587 (AB 2899) Levine Rape

Existing law provides two definitions of rape First, rape is defined as an act of sexual intercourse accomplished under any of specified circumstances, including force, violence, or specified threats, with a person not the spouse of the perpetrator Second, rape is defined to include an act of sexual intercourse with the spouse of the perpetrator accomplished under force, violence or specified threat Under either definition the use of force must overcome resistance, or threats must be used to prevent resistance

This bill would delete the provisions relative to force, violence or threats and the element of resistance in connection therewith and provide for rape accomplished against the will by force or fear of immediate and unlawful bodily injury The bill would make related changes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 588 (AB 2138) Bates State Fire Marshal regulations

(1) Existing law declares the intent of the Legislature relating to certain statutes and State Fire Marshal regulations for application to specified buildings, and declares the intent to prohibit local ordinances, rules or regulations relating to fire and panic safety in buildings or structures used for community care facilities

This bill would require an administrative hearing, upon specified request and after written notice of the State Fire Marshal's interpretation, to resolve any conflict between the State Fire Marshal and the local enforcement agency in the interpretation or application of such provisions as they pertain to community care facilities in case of such a conflict by a local enforcement agency in the interpretation or application of the regulations of the State Fire Marshal

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 589 (AB 3166) Stirling Vehicle ownership and registration manufacturer's serial or identification number

(1) Under existing law, it is a felony for any person with intent to defraud to alter, forge, counterfeit, or falsify any certificate of ownership, registration card, certificate, license or special plate or permit with respect to a motor vehicle It is a felony for any person to alter, forge, counterfeit, or falsify any such document or plate with intent to represent the same as issued by the Department of Motor Vehicles, or for any person to alter, forge, counterfeit, or falsify with fraudulent intent any endorsement of transfer on a certificate of ownership It is also a felony for any person with fraudulent intent to display, or cause or permit to be displayed, or to have in his possession any blank, incomplete, canceled, suspended, revoked, altered, forged, counterfeited, or false ownership or registration certificate It is also a felony for any person to utter, publish, pass, or attempt to pass, as true and genuine, such ownership or registration certificate knowing the same to be false, altered, forged, or counterfeited with intent to prejudice, damage, or defraud any person

This bill would recast the statutory provisions relating to the above-described felonies and would, in addition, make it a felony for any person, with intent to prejudice, damage, or defraud, to acquire, possess, sell, or offer for sale a genuine or counterfeit vehicle

manufacturer's serial or identification number plate

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 590 (AB 3278) Mori Homicide trials costs reimbursement by state

Existing law authorizes a county which is responsible for the cost of a trial or trials or any hearing of a person for the offense of homicide to apply to the Director of Finance for reimbursement of the costs incurred by the county in excess of a prescribed amount and, if the county meets specified conditions and the Director of Finance determines that the reimbursement meets certain provisions, requires the Director of Finance to include any amounts necessary to fulfill the purposes of the provisions authorizing a county to make application for reimbursement of such costs in a request for a deficiency appropriation in augmentation of the emergency fund It also authorizes the Director of Finance to establish rules and regulations to carry out the purposes of these provisions

This bill would revise the formula for reimbursement on July 1, 1981, would require that the application for reimbursement be made to the State Controller, and would require the State Controller, if the county meets the specified conditions and the State Controller determines that the reimbursement meets certain conditions, to request the Director of Finance to include any amounts necessary to fulfill the purposes of the provisions authorizing a county to make application for reimbursement of such costs in a request for a deficiency appropriation in augmentation of the emergency fund It would also authorize the State Controller, rather than the Director of Finance, to establish rules and regulations to carry out the purposes of these provisions

Ch 591 (AB 3350) McVittie Insurers production of witnesses

Existing law provides that a witness is not obliged to attend as a witness before any court or any other officer out of the county in which he resides, unless the distance be less than 150 miles from his place of residence to the place of trial and unless specified fees are offered to him

This bill would provide that a witness shall not be obliged to attend as a witness before any court unless the place of trial is less than 500 miles from his place of residence

Ch 592 (SB 710) Keene State Park System Robert H Meyer Memorial State Beach

Under existing law, the Department of Parks and Recreation administers the state park system

This bill would rename the Corral Beach project the Robert H Meyer Memorial State Beach in recognition of Mr Meyer's many contributions to the growth and improvement of the state park system The bill would require the department to alter all signs to reflect this name change not later than January 15, 1981, and to change all such references in directories and publications concerning the state park system as they are revised The bill would permit the Park and Recreation Commission to change the classification of the unit within the state park system

Ch 593 (SB 1338) Vuich Marketing orders

The California Marketing Act of 1937 provides authority for the Director of Food and Agriculture to issue marketing orders which regulate the marketing, processing, distribution, or handling of agricultural commodities A marketing order may contain provisions for the "advertising and sales promotion," as defined, of any commodity to create, maintain, or enlarge markets, or prevent, modify, or remove trade barriers which obstruct the free flow of any commodity to market Existing law, until May 31, 1981, includes within the definition of "advertising and sales promotion" activities for the modification or removal of trade barriers that restrict the free flow of a commodity to

market, including negotiation with the federal government and foreign governments, and the allowance of reimbursement payments to offset commodity transportation costs to foreign markets

This bill would extend the inclusion of such activities within the definition of "advertising and sale promotion" until May 31, 1986, and would require that domestic f o b selling price not be used as a factor in determining qualifications for reimbursement payments, except as specified

Ch 594 (SB 1370) Presley Health

(1) Under existing law, there is established a California Health Facilities Commission Under existing law, health facilities are required to file with the commission certain reports

This bill would require additional report data relative to hospital discharges, as specified It would, additionally, require certain summary financial and utilization data to be reported, as specified It would require, except as specified, reports filed by a health facility with the commission to be available for public inspection in a prescribed manner The commission would be required, on or before January 1, 1981, with the advice and consultation of the State Department of Health Services, to adopt a single, uniform fiscal reporting document for long-term care facilities for use by the commission and department It would also make certain legislative findings and declarations The provisions of the bill requiring a reporting document for long-term care facilities, additional report data, and conforming changes made in existing law pursuant thereto, would be repealed effective January 1, 1985

(2) This bill would exempt a charitable research hospital, as defined, from certain provisions of the bill requiring additional reports

(3) It would make other conforming changes

(4) Under existing law, there is a California Health Facilities Commission Fund in which there is deposited certain fees set by the commission, including a special annual fee for health facilities, other than skilled nursing and intermediate care facilities, at a rate not more than 0 02 of 1 percent of the facility's gross operating cost for its last fiscal year

This bill would increase the maximum rate to 0 024 of 1 percent, as specified

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch 595 (SB 1378) Foran Transportation recreational trails roadside rests

(1) Under the California Recreational Trails Act, the Director of Parks and Recreation is required to consult with and seek the assistance of the Department of Transportation in planning the California Recreational Trails System so that the trails therein become part of the state transportation improvement program

This bill would delete the provision that those trails become part of the state transportation improvement program

(2) Existing law requires the Department of Parks and Recreation to administer a program to locate, construct, equip, and maintain roadside rests along state highways

This bill would repeal such existing law

Ch 596 (AB 2849) Egeland Work furlough

Existing law provides for work furlough programs for county jail inmates, and for furloughs for residents of community correctional centers established by the Department of Corrections

This bill would require the Department of Corrections to establish additional work furlough programs, as specified, for state prison inmates

Ch 597 (SB 1388) Nejedly Public utilities lifeline rates

Existing law requires the Public Utilities Commission to designate minimum energy or lifeline requirements for gas and electricity based on the needs of the average residential user and to designate lifeline gas and electricity requirements for customers dependent on life support equipment and for paraplegic and quadriplegic persons having increased heating needs

This bill would include multiple sclerosis patients among the specified classes of customers for whom the commission is required to designate an increased lifeline allowance in consideration of their greater heating and cooling requirements

Ch 598 (AB 3473) Mori. Temporary housing projects Komandorski Village

Pursuant to existing law, and with certain exceptions, the Temporary Housing Projects Law required demolition, prior to March 4, 1972, of dwelling structures in temporary housing projects acquired by any city, county, or housing authority from the federal government Existing law expressly provides that the Housing Authority of the City of Pleasanton need not demolish the temporary housing project known as "Komandorski Village" until January 1, 1981.

This bill would extend the date for the required destruction of Komandorski Village until January 1, 1984. Additionally, the bill would make legislative findings regarding such project.

This bill would take effect immediately as an urgency statute

Ch 599 (SB 1477) Cusanovich Sentences

Existing law authorizes the court to impose any of specified or other reasonable conditions of probation on a criminal defendant, but does not expressly provide for the costs of probation administration to be levied on the defendant Specified administrative costs are deducted from earnings of prisoners under the Cobey Work Furlough Law

This bill would provide for payment of administrative costs by prisoners serving a weekend or other specified sentence in order to continue regular employment as a condition of probation or final sentence, other than work furlough

Ch 600 (SB 1541) Rains State tax liens.

Existing law relating to state tax liens is contained in various codes, including the Code of Civil Procedure, Fish and Game Code, Government Code, Public Resources Code, Revenue and Taxation Code, and Unemployment Insurance Code

This bill would consolidate the various state tax lien provisions contained in such codes into the Government Code, would provide for the priority between competing state tax liens or between a state tax lien and certain federal liens, and would provide that the consolidation is merely a restatement and continuation of the existing provisions and all liens created pursuant to the existing provisions prior to the operative date of this act shall continue in force and effect

This bill would incorporate additional changes in Section 6702 of the Revenue and Taxation Code, proposed by A B 2450, to be effective only if A B 2450 and this bill are both chaptered and become effective January 1, 1981, and this bill is chaptered last

Ch 601 (SB 1736) Sieroty Subdivisions time-share estates and uses

(1) Existing law does not specifically include "time-share" projects, estates or uses under subdivided land laws for purposes of subdivision regulation by the Commissioner of Real Estate

This bill would include these interests, as specified, within provisions requiring such regulation both with respect to the current jurisdiction of the commissioner over out-of-state real estate promotions and real estate offerings for sale or lease within the state A "time-share project" would be defined as one in which a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided A "time-share estate" would be defined as a right of occupancy in a time-share project which is coupled with an estate in the real property A "time-share use" would be defined as a license or contractual or membership right of occupancy in a time-share project which is not coupled with an estate in the real property

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs man-

dated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(3) This bill would permit an owner of a time-share project for which sales were made prior to October 1, 1980, to continue to make sales under certain conditions, including the conditions that, prior to November 28, 1980, the owner file a notice of intention to continue to sell, and apply for a subdivision public report or permit, on a form and in a manner prescribed by the Department of Real Estate

(4) This bill would incorporate the changes in Section 11000 of the Business and Professions Code proposed by both this bill and SB 1665, operative only if both bills are chaptered, both bills amend Section 11000, and this bill is chaptered last

Ch. 602 (AB 1916) Duffy Marketing orders and agreements California Pistachio Commission

(1) The existing law permits marketing orders, issued under the California Marketing Act of 1937, to contain provisions for the establishment of prescribed plans for research, advertising, and sales promotion of various agricultural commodities, including pistachios.

The bill would establish the California Pistachio Commission, with prescribed membership, and prescribe its powers, duties, and responsibilities in carrying out the provisions of the bill The commission would be authorized to carry on programs of advertising, promotion, marketing research, and production research relating to pistachios The bill would authorize the commission to levy an assessment on producers of pistachios, as prescribed, for purposes of carrying out such provisions

The provisions of this bill, except as necessary to conduct such vote, would not become operative until the producers of pistachios, by referendum, vote in favor of the provisions of the bill, as prescribed. The bill would also provide for the suspension and termination of the operation of its provisions and for concluding the operations of the commission.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 603 (SB 1490) Greene Developmental services

Under existing law, the Developmental Disabilities Program Development Fund is appropriated to the State Department of Developmental Services until July 1, 1980, for the purposes of program development in the state plan

Under existing law, the approval of the State Council on Developmental Disabilities is required to adjust parental fee schedules and to make allocations from such fund

This bill would extend such date to July 1, 1983

This bill would take effect immediately as an urgency statute

Ch 604 (SB 1868) Rodda School employees subject matter credentials

(1) Under existing law, the Commission for Teacher Preparation and Licensing is required to administer subject matter examinations which assure minimum level of subject matter knowledge by all certificated personnel. Subject matter examinations authorizing single-subject instruction are required for all subjects taught in public schools All such subjects are subsumed within specified categories

This bill would add health science as one of the specified categories for which subject matter examinations authorizing single-subject instruction would be required to be given by the Commission for Teacher Preparation and Licensing

(2) Under existing law, the Commission for Teacher Preparation and Licensing is authorized to develop new or employ existing objective examinations as a measure of subject matter knowledge

This bill would require that the commission employ an existing health science subject matter examination and not develop a new examination for the purpose of certifying single subject instruction in health science This bill would also provide that it is the intent of the Legislature that no funds be appropriated for the development of a health science subject matter examination

Ch. 605 (SB 1813) Cusanovich. Improvement Act of 1911

Under the Improvement Act of 1911, whenever the total amount bid plus estimated incidental costs exceed the engineer's estimate of cost in the "Notice of Improvement" by more than 15%, notice is required to be given of the increase over the estimated cost.

This bill would require that a notice of such an increase over the estimated cost of the proposed work to be assessed would be required only when it would result in an assessment which is 15% more than the engineer's estimate of cost

Ch. 606 (SB 1824) Presley. Southwest Border Regional Commission

Existing federal law provides for the creation of regional economic development commissions throughout the country Each commission includes one member from each participating state in the region who may be the Governor, his designee, or such other person as may be provided by state law.

This bill would establish a California office to facilitate the state's participation in the Southwest Border Regional Commission, which was created in order to develop a regional economic plan This bill would provide for a director of the office, appointed by the Governor with the advice and consent of the Senate, and specify the duties thereof It would also require annual reports on the activities of the office for the Governor and Legislature.

This bill would provide that the California member of the Southwest Border Commission is the Governor, or his designee, provided such designee is appointed with the advice and consent of the Senate

Ch 607 (AB 1141) Chacon Business and professions

Under existing law, various specified persons, including persons licensed to practice cosmetology under the cosmetology law, are exempted from the provisions of law relating to the licensure and regulation of barbers However, such persons are not authorized by such exemption to shave or trim the beard, or cut the hair of any person for cosmetic purposes, except that persons licensed to practice cosmetology may cut the hair when the haircut is performed in a licensed cosmetology establishment, provided the cosmetology establishment does not represent itself to the public as being primarily engaged in the business of haircutting or is not so engaged.

This bill would delete the provision restricting the cosmetology establishment from representing itself to the public as being primarily engaged in the business of haircutting or from being so engaged

Under existing law, there is no provision for an application fee for a certificate to practice barbering

This bill would provide for such a fee, to be fixed by the State Board of Barber Examiners at not more than $10, thereby increasing the funds in the continuously appropriated State Board of Barber Examiners Fund

Ch 608 (SB 1655) Speraw Vehicles

(1) Under existing law, whenever the Department of Motor Vehicles receives an application accompanied by a fee, other than an application for a duplicate driver's license, the fee is refundable if the application is refused or rejected

This bill would provide that application fees for occupational licenses, as specified, are nonrefundable

(2) Existing law permits the department to suspend or revoke the license of an

automobile dismantler who acquires or disposes of a vehicle knowing it to be stolen

This bill would authorize such suspension or revocation when an automobile dismantler acquires or disposes of parts of a vehicle, knowing them to be stolen.

(3) Existing law does not specifically prohibit the fraudulent acquisition or disposition of vehicle identification numbers

This bill would prohibit the acquisition or disposition, with intent to prejudice, damage, injure, or defraud, of any genuine or counterfeit manufacturer's serial or identification number from, or purporting to be from, a vehicle or part thereof, and would specify for any violation imprisonment in the county jail for not less than 90 days nor more than 1 year or in the state prison, and a fine of not less than $250 nor more than $5,000

(4) Under existing law, the owner or person in possession is required to return canceled, suspended, or revoked license plates, registration card, or certificate of ownership, and failure to do so constitutes an infraction.

This bill would specify that, where the failure to do so is with intent to defraud, the violation is a misdemeanor.

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 609 (AB 1756) Papan Insurance: primary and excess coverage

Under existing law, where 2 or more insurance policies are applicable to the same loss, certain policies affording coverage to persons renting or leasing vehicles are presumed to be excess over any other valid and collectible insurance policy covering the insured as a named insured or as an additional insured which provides coverage with limits at least equal to specified minimum coverage.

This bill would provide that such policies affording coverage to persons renting or leasing vehicles are presumed to be excess over any other valid and collectible policy covering the insured as a named insured which provides coverage up to specified minimum coverage.

Under existing law, where 2 or more policies are applicable to the same loss arising out of the loading or unloading of a motor vehicle, and one or more policies is issued to the owner, tenant, or lessee of the premises, it is presumed that insurance covering the premises is primary and that insurance covering the motor vehicle is excess over all other valid and collectible insurance with limits at least equal to specified minimum coverage

This bill would provide that the coverage provided by the policies covering the motor vehicle is excess over all other valid and collectible insurance with limits up to specified minimum coverage

Existing law with respect to any motor vehicle related loss to which certain primary insurance is not valid and collectible in whole or in part provides that the excess policy may provide that it applies only to the extent necessary to provide the insured with minimum coverage limits as specified

This bill would instead permit the excess policy to provide, with respect to any primary policy or to any loss to which the primary insurance is not valid and collectible in whole or in part, that the excess policy apply only to the extent necessary to provide the insured with specified coverage limits

Ch 610 (AB 1994) Lockyer Property taxation business inventories

Chapter 1150 of the Statutes of 1979, among other things, exempted 100% of the assessed value of business inventories from property taxation for the 1980–81 fiscal year and fiscal years thereafter It required the state to reimburse local governmental agencies for revenue loss by reason of such exemption pursuant to a specified formula Chapter 1150 took effect immediately as an urgency statute

This bill would require the state to reimburse local governmental jurisdictions within

a county rather than local governmental agencies for revenue loss as a result of the business inventory exemption

This bill would also make various clarifying changes with respect to the operative dates of various provisions in Chapter 1150 of the Statutes of 1979

Existing law requires the state to provide replacement revenues to local government by reason of the repeal or reduction of property tax on specified classes of property It also requires the Controller to audit the claims of local governmental agencies for reimbursement of revenue loss by reason of the business inventory exemption Chapter 1150 of the Statutes of 1979 provides that the provision requiring the Controller to audit such claims shall have no force or effect for the 1980–81 fiscal year or any fiscal year thereafter

This bill would specifically repeal that provision requiring the Controller to audit such claims It would also specify a formula to be used in computing assessed valuation for purposes of taxation under the Community Redevelopment Law

This bill would make other changes to Chapter 1150 of the Statutes of 1979 relating to reimbursement to local governments

Existing law authorizes a flood control district to levy an assessment to cover the cost of providing flood control services.

This bill would authorize the Collinsville Levee District to levy an assessment for the purposes set forth in Chapter 310 of the Statutes of 1905

Under existing property tax law, the allocation formula to be used by assessors with respect to certificated aircraft excludes from the computation of time-in-state factor, air and ground time spent within the state, prior to such aircraft's first revenue flight and on ground time that such aircraft has spent within the state in excess of 12 consecutive hours Such exclusion applies for the 1974–75 fiscal year to the 1979–80 fiscal year, inclusive

This bill would extend such exclusion for air and ground time spent within the state prior to such aircraft's first revenue flight indefinitely and would provide for the reimbursement to local government jurisdictions for revenue loss by reason of the exclusion

Existing law does not exempt aircraft from the business inventory tax

This bill provides that aircraft which are considered business inventory, shall be included in the inventory exemption

The bill would require the Controller to report to the Legislature on the amount of the claims made pursuant to Section 2229 of the Revenue and Taxation Code by county auditors for state reimbursement for property tax revenues lost by reason of this enactment

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch 611 (AB 263) Mangers State lands Fairview State Hospital

Under existing law the Director of General Services with the consent of the State Department of Developmental Services, is authorized to let, at a price permitting development of housing, as specified, real property not exceeding 60 acres located within the grounds of Fairview State Hospital for the purpose of developing affordable housing for employees of the hospital The law permits not to exceed 10% of the units to be utilized by patient-clients and, in addition, when such units cannot be filled by employee or transitional patient-clients of the hospital, existing law, subject to certain conditions, permits the housing to be utilized by persons employed within the City of Costa Mesa within specified income limits

This bill would authorize the lease to be assignable subject to certain approval, to a

partnership in which the lessee has a certain interest, or to an individual, corporation or partnership of a net worth of at ~~lease~~ [least]* $3,000,000 that has experience substantially equal to that of the lessee in specified areas

The bill would also authorize vacant units that have been vacant over 60 days after the lessee has conducted a marketing program, that have been offered to eligible persons, to be made available to other persons employed in the City of Costa Mesa

Ch 612 (AB 945) Torres Employment industrial homework

Existing law requires the Division of Labor Standards Enforcement to destroy goods, garments, or products confiscated by the division for being manufactured in violation of the industrial homework laws

This bill would instead require the division to dispose of such articles or materials in accordance with regulations

Ch 613 (AB 1108) Ivers Nursing home administrators license fees.

Under existing law, the renewal fee for a nursing home administrator's license is not less than $55 nor more than $100, as fixed by the Board of Examiners of Nursing Home Administrators In addition, renewal fees for a license or certificate in an active status are presently required to apply to renewal of a license or certificate in an inactive status

This bill would increase the renewal fee for an active license to not less than $150 nor more than $190, and would make the fee for an inactive license $100

Such additional license fees would be deposited in the Nursing Home Administrator's State Licensing Board Fund, which is continuously appropriated, and, therefore, the bill would make an appropriation

Ch 614 (AB 1196) Egeland Transportation passenger rail services: Santa Clara County

Under existing law, the Department of Transportation is authorized to negotiate and, if feasible, to contract with the Southern Pacific Transportation Company to provide passenger rail service between San Francisco and San Jose and points in between.

This bill would also authorize the department to negotiate and, if feasible, to contract with the appropriate railroad corporation to provide passenger rail service between San Francisco and San Jose and points in between and to extend passenger rail service to points south of San Jose which are within Santa Clara County

The bill would prohibit state funds from being committed or expended for such extension of passenger rail services to points south of San Jose unless there is an appropriation in the Budget Act for such purposes

Ch 615 (AB 496) Thurman Vehicles maintenance facilities inspections

(1) Existing law requires the Department of the California Highway Patrol to adopt reasonable rules and regulations designed to promote the safe operation of vehicles The department is authorized to inspect vehicles in maintenance facilities or terminals in order to ensure compliance with Vehicle Code provisions and regulations adopted pursuant to the code

This bill would require inspection, at least once every 13 months, of every terminal or maintenance facility of any person who operates a bus exclusively for the transportation of minors, college students, or elderly persons on organized outings, or workers being transported to and from a work location, except farm laborers and workers being transported on a nonprofit basis as part of a carpool program Operating a bus without the required inspection would be a misdemeanor It would require the department to report on its experiences and recommendations regarding these inspections to the Legislature on or before January 1, 1984, and would repeal these provisions as of that date

(2) This bill would appropriate $514,740 to the Department of the California Highway Patrol from the Motor Vehicle Account in the State Transportation Fund in order to carry out the provisions of this bill

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the

State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would provide that no appropriation is made for such purpose and no reimbursement is required by this act for a specified reason

Ch 616 (AB 776) McVittie Peace officers records

Existing law defines peace officers and prescribes the authority of such peace officers

This bill would specifically designate the Chief of Investigations of the Board of Prison Terms as a peace officer

Existing law specifies that the home addresses of certain peace officers in records of the Department of Motor Vehicles are confidential if so requested by such peace officers, and that, once an officer has requested confidentiality, his home address shall not be disclosed as part of the public record and may be disclosed only to specified governmental agencies.

This bill would include district attorneys' inspectors or investigators and peace officer employees of the Board of Prison Terms among the peace officers who may request that their home addresses remain confidential.

The provisions authorizing confidentiality would become operative July 1, 1981

The bill would appropriate $15,000 to the Department of Motor Vehicles to carry out the provisions of the act

Ch. 617 (AB 2217) D Brown Vessel thefts and registration

Under existing law, a peace officer is required to report a theft or loss of a vessel to the Department of Motor Vehicles within 48 hours after receiving such information, and the owner of a vessel which has been stolen or embezzled may, subject to specified requirements, notify the department The department upon receiving a report of a lost, stolen, or embezzled vessel is required to make specified designations on the records of such vessel in the files of the department

This bill would restrict such peace officer's report requirements to stolen vessels, would require a peace officer to instead report any such theft to the Department of Justice, Automated Boat System, immediately after receiving such information, and would require the Department of Justice to notify the Department of Motor Vehicles The bill would permit an owner to notify a law enforcement agency, rather than the department, of a vessel theft or embezzlement The bill would require the Department of Motor Vehicles upon receiving a report of a stolen or embezzled vessel to place an appropriate notice in the electronic file system, as specified, and would make related changes The bill would provide that a report of a stolen or embezzled vessel is effective for a period of not less than 1 year from the date first reported, or for such longer period as the department may determine

The bill would also change the term "builder's hull number" to "hull identification number" and require an applicant for renewal of registration of a vessel to furnish the hull identification number if the records of the department do not contain such number

Ch 618 (AB 2114) Cline Vehicle infractions bail

(1) Existing law provides that the municipal and justice court judges in a county shall establish a uniform schedule of bail applicable throughout the county for all misdemeanor and infraction offenses

This bill would provide that, for infractions under the Vehicle Code, the bail shall not be set higher than the maximum fine exclusive of any applicable penalty assessment and that bail shall be set without regard to residence

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill specifies that there are no state-mandated local costs in this act and any revenue loss implied in the bill is not reimbursable by the state

Ch 619 (AB 290) M. Waters Employment practices

The existing California Fair Employment and Housing Act, among other things, makes certain actions by an employer, among others, unlawful employment practices.

This bill would, in addition, make it an unlawful employment practice for an employer to require any employee to be sterilized as a condition of employment

Ch. 620 (AB 232) McVittie Judges San Bernardino County

Under existing law there are 20 superior court judges in San Bernardino County.

This bill would increase the number of superior court judges in San Bernardino County from 20 to 21 upon a finding by the Board of Supervisors of San Bernardino County that there are sufficient funds for one additional judge and the adoption of a resolution to that effect

This bill would appropriate $82,353 to the Controller without regard to fiscal year for allocation and disbursement to local agencies for costs incurred by them pursuant to this act, upon the adoption of such a resolution, as specified

Ch 621 (SB 1377) Foran. Transportation· funding.

(1) Existing law provides that amendments to change state highway construction funding laws to make allocations on the basis of existing exclusive public mass transit guideway construction needs as well as existing state highway construction needs and to specify state transportation district allocations, become operative only if the California Transportation Plan is adopted and there is a finding that such changes would meet the requirements of Article XIX of the California Constitution Under existing law, the 1978 biennial report of the California Transportation Commission constituted the California Transportation Plan for purposes of Section 3 of Article XIX The 1978 biennial report was adopted by the commission April 27, 1979.

This bill would repeal the provisions limiting the operative effect of the above changes in the state highway funding laws and, thus, the amendments to laws making allocations on the basis of existing exclusive public mass transit guideway construction needs as well as existing state highway construction needs, and specifying state transportation district allocations, would become operative on January 1, 1981

(2) Existing law provides that county minimum expenditure requirements will be repealed when the California Transportation Plan is adopted and the commission finds that abolishing such minimum expenditure requirements would give equal consideration to transportation needs of all areas of the state The commission adopted a resolution making a finding with respect to the abolishment of county minimum expenditure requirements in its 1978 biennial report adopted April 27, 1979

The bill would delete the above provision which imposes conditions on the repeal of the county minimum expenditure requirements

(3) The bill would also correct references in, and delete obsolete provisions of, existing uncodified statutory provisions relating to transportation

Ch 622 (SB 1380) Foran Transportation.

(1) Existing law requires the Reciprocity Commission to report specified transactions with foreign jurisdictions annually to the Legislature

This bill would repeal such requirement

(2) Existing law requires specified weight fees be paid for the registration of commercial vehicles, in addition to any other registration fee, excepting specified vehicles Motor vehicles manufactured in or prior to 1936 are exempt from such weight fees

This bill would authorize the registered owner of a commercial vehicle manufactured in or prior to 1936 to pay the appropriate weight fees, and would require the Department of Motor Vehicles to issue commercial license plates for such vehicles

(3) Under existing law, the California Transportation Commission has succeeded to, and is vested with, all the duties, powers, purposes, responsibilities, and jurisdiction of the former California Highway Commission and the former California Toll Bridge Authority

This bill would correct obsolete references to such former agencies

Ch 623 (SB 1772) Holmdahl Public works record maintenance job cost minimum

Existing statutes require the engineer in charge of public work performed by day's labor or force account to maintain certain records regarding the work but excluding work costing less than $5000

This bill would increase such threshold amount for covered work to $15,000

Ch 624 (SB 1765) Greene Leases of real property for public use. terms

An existing statute authorizes any state department, board, or commission to lease real property for up to one year, subject to the approval of the Department of General Services and provided such lease does not exceed a total rental of $1,000

This bill would change the maximum term and amount to, respectively, 2 years and $3,000

Ch 625 (SB 1802) Wilson Communications

Existing state law does not prohibit interference with an emergency radio communication.

This bill would make it a felony or misdemeanor as specified, to interfere with an emergency citizen's band radio communication

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 626 (SB 1926) Petris Juvenile courts fine

Existing law authorizes a juvenile court judge to require a minor who has been adjudged a ward of the court to undertake specified treatment, to make restitution, to participate in an uncompensated work program, or to undertake professional counseling.

This bill would further authorize a juvenile court judge to require a financially able ward of the court to pay a fine up to $250 for deposit in the county treasury

Duplicate provisions of the juvenile court law provide for court-ordered or mandatory counseling of the parents of a dependent child of the court.

This bill would eliminate one of such provisions

It would also make a technical change

Ch. 627 (AB 2277) Hannigan. Summary dissolution of marriage.

Existing law provides a procedure for a summary dissolution of marriage where (1) the marriage is not more than 2 years in duration, (2) there are no minor children of the parties born or adopted during the marriage and the wife to her knowledge is not pregnant, (3) the parties have no real property; (4) there are no unpaid debts over $2,000 except as specified; (5) the parties waive rights to spousal support; (6) the total fair market value of community property is less than $5,000 and neither party has separate property assets in excess of $5,000, except as specified; (7) the parties have executed an agreement setting forth the division of assets and assumption of liabilities of the community and have duly executed documents, as specified, and (8) certain other requirements are met

This bill would revise requirements (1), (4) and (6) above to provide that persons may use the summary dissolution procedure where the marriage is not more than 5 years in duration, there are no unpaid debts over $3,000, except as specified, and the total fair market value of community property is less than $10,000 and neither party has separate property assets in excess of $10,000, except as specified Commencing January 1, 1983, it also would provide for the adjustment pursuant to a specified formula of the foregoing limitations on the value of obligations and assets on January 1 of each odd-numbered year

It would also specify that the parties must have no children born of their relationship before or during marriage or adopted by the parties during the marriage

Existing law authorizes a court to set aside a judgment of summary dissolution on designated grounds

This bill would require a court to set aside such a judgment as to all matters except

the status of the marriage upon proof that the parties did not meet specified jurisdictional requirements with regard to dissolution of marriage at the time the petition was filed

Ch. 628 (AB 2341) Knox Health care service plans.

(1) The Knox-Keene Health Care Service Plan Act of 1975, with certain exceptions, requires licensing of health care service plans The act presently is applicable to defined health care service plans and specialized health care service plans. Although the present definition of health care service plan excludes plans which substantially indemnify subscribers or enrollees for the costs of provided services, nonconforming plans registered and operating under the former Knox-Mills Health Plan Act as of June 30, 1976, were permitted to be licensed under the Knox-Keene Health Care Service Plan Act of 1978 for 3 years, but as a condition of such licensure thereafter were required to have reduced the gross percentage of their indemnity payments to a level which is less than "substantial"

Presently the Knox-Keene Health Care Plan Act of 1975 contains apparently conflicting statutory provisions with respect to application of the act to admitted insurers which provide, administer, or otherwise arrange for provision of health care services for a prepaid change One such statutory provision exempts insurers regulated by the Insurance Commissioner from the coverage of the act if the insurer's plan includes a substantial amount of indemnity payments, while another statutory provision requires insurers to be licensed under the act if the insurer's plan is directly providing any health care services through plan-owned or contracting health facilities and providers.

This bill would revise the definition of health care service plan and related provisions of the Knox-Keene Health Care Service Plan Act of 1975 to delete substantial indemnification as a definitional criterion

(2) Health care service plans licensed under the Knox-Keene Health Care Service Plan Act of 1975 are eligible, if they meet certain other criteria, to participate as prepaid health plans under the Waxman-Duffy Prepaid Health Care Plan Act

This bill would exclude from eligibility for such participation, health care service plans organized and operating pursuant to prescribed provisions of the Corporations Code and which substantially indemnify subscribers or enrollees for the cost of provided services, except that such a plan could continue to operate as a fiscal intermediary at risk, as defined in existing law

Ch 629 (AB 2546) Elder Total loss salvage vehicles

(1) Existing law defines a "dealer" for purposes of the Vehicle Code

This bill would exclude from such definition a "salvage pool," as defined, and would require salvage pools to maintain an accurate record of every vehicle acquired and disposed of

(2) Existing law provides, with certain exceptions, for the issuance of a salvage certificate for a total loss salvage vehicle

This bill would revise these provisions and provide certain reporting requirements with respect to such vehicles

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 630 (AB 2758) Leonard Motor vehicle fuel

Existing law requires any person who sells motor vehicle fuel by the liter to also display a gallon-to-liter conversion table showing quantity and price equivalents The law provides that such provision is to be effective until January 1, 1981, and on such date would be repealed A violation of this provision is a misdemeanor

This bill would provide that the foregoing provision of law shall remain in effect until January 1, 1985, and on such date is repealed

This bill would further provide that if this bill and Assembly Bill No. 2779, which generally renumbers all the provisions of existing law relating to the sale of petroleum products but which does not reenact the provision of law requiring the posting of a gallon-to-liter conversion table, are both chaptered and become effective January 1, 1981, that a provision requiring the posting of a gallon-to-liter conversion table, as specified, would be added to the law as revised by Assembly Bill No. 2779

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 631 (SB 1706) Craven Coastal zone boundary· San Diego County.

The California Coastal Act of 1976, generally, provides for planning and regulation of development within prescribed areas of the state's coastline, designated as the coastal zone. In certain designated areas in the County of San Diego, the specified coastal zone is delineated, by reference, on a designated map 33 filed with the office of the Secretary of State on prescribed date pursuant to designated provisions.

This bill would provide that, notwithstanding any such designated provision or map, the inland boundary of the coastal zone in a portion of San Diego County, of designated acreage in Penasquitos Canyon, would be amended as indicated by revised map number 33, dated and filed with the Secretary of State on a designated date, provided that a drainage plan is submitted by the City of San Diego and approved by the California Coastal Commission providing drainage in connection with the extension of Mira Mesa Boulevard to Interstate Highway 805.

Ch 632 (SB 200) Ayala. Water facilities

(1) Existing law provides for the design, construction, operation, and maintenance of specified water development facilities by the state. Such facilities include, among others, the facilities specified or authorized as additional facilities in the state Central Valley Project, and specified facilities in the Sacramento-San Joaquin Delta including facilities for transfer of water across the delta, flood and salinity control, and related functions.

This bill would designate as additional facilities of the Central Valley Project, subject to specified conditions, a specified peripheral canal to be built in specified stages, relocation of the intake to the Contra Costa Canal, the Los Vaqueros Unit as described, specified south delta water quality improvement facilities, Suisun Marsh protection facilities as specified, specified facilities for utilizing ground water storage space in specified locations, the Glenn Reservoir-River Diversion Unit as specified, the Colusa Reservoir-River Diversion Unit as specified subject to specified conditions, waste water reclamation programs as specified, water conservation programs as specified, the Mid-Valley Canal as specified, the Western Delta Overland Water Facilities as specified, and facilities to provide for the transportation of water to San Joaquin, San Francisco, San Mateo, Alameda, and Contra Costa Counties as specified.

The bill would provide that construction of the peripheral canal or the Mid-Valley Canal are conditioned upon the Department of Water Resources and the Department of Fish and Game entering into a permanent agreement for the protection of fish and wildlife, as specified The bill would prohibit the transportation of water for the federal Central Valley Project through state project facilities, including the peripheral canal, with specified exceptions, until the enactment of federal legislation or the Secretary of the Interior entering into a permanent contract with the department which requires operation of the federal Central Valley Project in coordination with the State Water Resources Development System and in compliance with water quality standards and permit and license conditions adopted by the State Water Resources Control Board, as specified, and in conformity with a permanent agreement between the United States and the state for the protection and enhancement of fish and wildlife, as specified, and until federal agreement to the transportation of water of the federal Central Valley

Project through the peripheral canal. The bill would require the department to enter into contracts with specified delta agencies as prescribed and would require differences between the state and such delta agencies, if contracts have not been executed by the effective date of the bill, to be resolved by arbitration in accordance with specified provisions

The bill would provide that authorizations of the Los Vaqueros, ground water storage, Glenn Reservoir-River Diversion, Colusa Reservoir-River Diversion, and Mid Valley Canal units are conditioned upon completion of specified favorable feasibility reports.

(2) Under existing federal law, before federal authorization of a project and if nonfederal public bodies indicate their intent in writing to administer project land and water areas for recreation and fish and wildlife enhancement, as specified, and to bear not less than one-half the separable costs of the project allocated to such purposes and all of the costs of operation, maintenance, and replacement, the federal project may take into account such benefits in determining the economic benefits of the project, allocate such costs as specified and provide that not over one-half of such separable costs and all joint costs of the project allocated to such enhancement purposes shall be borne by the United States and be nonreimbursable.

The bill would authorize the Secretary of the Resources Agency to make such indication in writing for any federal multiple-purpose water project land and water areas of the Mid-Valley Canal Unit.

(3) Existing law prohibits the Department of Water Resources from depriving a watershed or area wherein water originates, as specified, of the prior right to the water required therein, as specified.

This bill would also require the project to be operated in compliance with water quality standards set forth as conditions in permits or licenses and in water quality control plans, as specified or as established by contract. The bill would require specified state agencies to take all necessary actions to assure that the federal Central Valley Project is operated in compliance with such standards.

The bill would require the costs of benefits in the delta as a result of a project operation, in excess of any detriments caused by the project, to be repaid, to the extent properly allocable, to the department by the beneficiaries and not by the contractors of the project who do not receive those benefits.

The bill would require the department to make an allocation of specified costs to the project to compensate for historic upstream depletion and diversions, and would specify that public agencies which have contracted for water supplies shall not be responsible for such allocated costs.

(4) The bill would also authorize the Department of Fish and Game to administer, as specified, a comprehensive study to determine the interrelationship between delta outflow, including flushing flows, and fish and wildlife resources in the San Francisco Bay System westerly of the delta and waste discharges into the San Francisco Bay System The bill would require the Department of Water Resources to study the possible interconnection between the State Water Resources Development System and water supply systems serving the Counties of Alameda, Contra Costa, San Francisco, San Joaquin, and San Mateo. The bill would also authorize the department to participate in an investigation of the need to enlarge Shasta Dam and Reservoir or other existing federal reservoirs

Ch 633 (SB 545) Montoya. Garment manufacturing

Existing law does not specifically regulate persons engaged in the business of garment manufacturing.

This bill would require persons engaged in the business of garment manufacturing, defined as sewing, cutting, making, processing, repairing, finishing, assembling, or otherwise preparing any garment or any article of wearing apparel for sale or resale by any person, to be registered with the labor commissioner. The bill exempts from such registration (1) any person who manufactures garments alone without the assistance of any employees, contractors, or others, (2) any person who engages solely in that part of the business engaged solely in cleaning, alteration, or tailoring, and (3) any person who engages in garment manufacturing as an employee, with wages as sole compensation. The bill provides for civil and criminal penalties, confiscation, bond requirements, and notice and hearing provisions for specified violations of specified state laws applicable to the employment of garment industry workers.

The bill also requires the labor commissioner to establish procedures for mandatory arbitration of pricing and product quality disputes arising out of written contracts between manufacturers and contractors, and to appoint an advisory committee on garment manufacturing to advise him of common industry problems.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

The provisions of this bill would become operative on July 1, 1981

Ch. 634 (AB 2092) Deddeh Inheritance and gift taxes.

Under California's existing Inheritance Tax Law, a death tax is imposed in the form of an inheritance tax measured by the share of a decedent's estate passing to each beneficiary, with the tax rates varying in accordance with the amount received by each such beneficiary and in accordance with such beneficiary's relationship to the decedent Under existing law, procedures have been established for the determination and payment of such inheritance taxes

This bill would revise such procedures, and would generally exempt all property transferred to a spouse from inheritance and gift taxes, and would increase the existing amounts which are exempt from these taxes

The existing provisions of the Probate Code prohibit an order or decree distributing an estate unless all inheritance taxes have been paid or unless the State Controller has consented to the distribution

This bill would repeal those provisions in the Probate Code prohibiting distribution unless the inheritance taxes have been paid

This bill would appropriate $400,000 to the Controller for the purpose of administering the act

This bill would take effect immediately as a tax levy and shall apply in the computation of inheritance and gift taxes with respect to the computation of gifts and deaths occurring on and after January 1, 1981 developments, as specified

It would make other conforming changes and certain findings and declarations

It would delete the requirement that an affirmative plan be approved by the Director of Housing and Community Development.

Ch 636 (AB 2779) Tanner. Petroleum products

Existing law provides for the regulation of the sale of bread, certain farm products, petroleum and related products

This bill would repeal the provisions relating to certain farm products and would repeal the provisions relating to bread and petroleum and related products from the division of the Business and Professions Code titled Special Business Regulations and add them, with minor changes, to the division of the Business and Professions Code titled Weights and Measures

It would also declare that its provisions do not constitute a change in, but are declaratory of, the existing law

This bill would, in addition, provide for the following (1) the incorporation of changes made by SB 1249 to the provisions contained in Section 13411 of the Business and Professions Code, as added by this bill, to be operative only if this bill and SB 1249 are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered after SB 1249, (2) the incorporation of changes made by AB 2348 to the provisions contained in Section 13431 of the Business and Professions Code, as added by this bill, to be operative only if this bill and AB 2348 are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered after AB 2348, and (3) the addition of Section 13470 5 to the Business and Professions Code, to be operative only if this bill and AB 2758 are both chaptered and become effective January 1, 1981, and this bill is chaptered after AB 2758

Ch. 637 (AB 2734) Bates State highways· excess real property

Existing law requires the Department of Transportation to sell real property acquired for highway purposes when it determines that the property is no longer necessary for highway purposes The policy of the department is to sell its excess real property at fair market value.

This bill would require the department, if it sells or exchanges the old Greek Orthodox Church property in the City of Oakland as excess real property, to limit the use of such property to a nonprofit purpose which provides access to the public and preserves the historical condition, integrity, and dignity of the property. The bill would require the department to first offer the property for sale to the Committee to Save the Brush Street Church.

Ch. 638 (SB 1591) Stiern. Owens Dry Lake

Existing law does not provide a program to study the control of fugitive dust generated from the bed of Owens Dry Lake in Inyo County.

This bill would provide for such a program and would appropriate $250,000 from the California Environmental License Plate Fund for expenditure during the 1979–80 through 1982–83 fiscal years for the program.

This bill would take effect immediately as an urgency statute

Ch 639 (SB 1303) Stiern Superior court judges

(1) Existing law provides that there shall be 8 superior court judges in Kern County

This bill would increase the number of superior court judges in Kern County from 8 to 10

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made pursuant to Section 2231 of the Revenue and Taxation Code, except as provided below, for a specified reason

(3) The bill would also appropriate $164,706 from the General Fund for allocation and disbursement as specified.

Ch. 640 (SB 1956) Beverly. Insurance. mortgage guaranty

Existing law specifically permits a mortgage guaranty insurer, by contract, to reinsure any insurance it transacts.

This bill would provide that such reinsurance shall be with either a mortgage guaranty insurer or a nonaffiliated insurer or reinsurer which writes any type or types of insurance or reinsurance and has a paid-in capital of at least $1,000,000 and paid-in surplus of at least $1,000,000 and annually derives at least 50 percent of its premium income from reinsurance, or, alternatively, derives at least $25,000,000 of premium income per year from reinsurance It would also specify that the authority to reinsure shall not be deemed to permit the insurer or reinsurer to directly write mortgage guaranty insurance

Ch. 641 (SB 1607) Watson Youth service bureaus

Under existing law the Department of the Youth Authority is required to share in the cost of youth service bureaus meeting designated standards at the rate of 50% of the actual fiscal year cost or $80,000 per fiscal year, whichever amount is lesser

This bill would increase the maximum amount of such cost sharing to $87,200.

It would also extend the date for the Department of the Youth Authority to submit a report to the Legislature required by current law describing youth services bureaus funded from January 1, 1981, to January 1, 1982

It would appropriate $697,600 from the General Fund to the Department of the Youth Authority to be allocated for the 1980–81 fiscal year for the above purposes

The bill would take effect immediately as an urgency statute

Ch 642 (SB 1412) Foran Ballot measures. legislative hearings.

Existing law authorizes the Legislature to conduct public hearings regarding an initiative or referendum after the Attorney General has prepared a summary for the measure. However, existing law does not require the Legislature to conduct a joint legislative hearing regarding a measure which has qualified for a statewide ballot.

This bill would require the Secretary of State, upon the certification of an initiative measure for the ballot, to transmit copies of the measure to the Legislature. The appropriate committees of each house would be required to hold joint public hearings on the subject of the initiative measure prior to the date of the election at which the measure is to be voted upon, provided that no hearing would be permitted within 30 days of the election.

This bill would also provide that its provisions shall not be construed as authority for the Legislature to alter the initiative measure or prevent it from appearing on the ballot

Ch. 643 (SB 1649) Cusanovich Electronic Data Processing Systems

Existing law provides for the administration and use of computers in state government Such provisions establish a state data processing officer, the Intergovernmental Board on Information Systems, a State Electronic Data Processing Policy Committee, a Consolidated Data Center, and a Business and Services Consolidated Data Center.

This bill would revise, reorganize, and renumber such provisions. This bill would change the name of the state data processing officer to the Chief of the State Office of Information Technology and would specify the duties of the chief The bill would delete the Intergovernmental Board on Information Systems, the Consolidated Data Center, and the State Electronic Data Processing Policy Committee The bill would further change the name of the Business and Services Consolidated Data Center to the Stephen P. Teale Data Center

Ch 644 (SB 938) Ayala. Developmentally disabled

(1) Existing statutes prescribe procedures for the judicial commitment to the State Department of Developmental Services of any mentally retarded person who is a danger to himself or herself or others. Commitment proceedings must be filed in the county where the person is physically present.

This bill would require the department to reimburse a county within which a state hospital which treats dangerous mentally retarded persons is located for specified costs of judicial proceedings relating to such mentally retarded persons who are residing in such state hospital.

(2) Existing law adopted pursuant to the provisions of Chapter 1319 of the Statutes of 1978, among other things, provides for filing of commitment proceedings and for examination of alleged mentally retarded persons, and specified court proceedings for such commitment

This bill would appropriate $112,500 to the Controller for allocation and disbursement to local agencies to reimburse them for costs incurred pursuant to the provisions of Chapter 1319 of the Statutes of 1978 that have been renewed and approved by the department

Ch 645 (SB 1259) Schmitz Sales and use tax exemption

The existing Sales and Use Tax Law exempts various transactions from sales and use taxes, including the gross receipts from the sale of and the storage, use, or other consumption in this state of meals served to low-income elderly persons at or below cost by a nonprofit organization

This bill would exempt from the sales and use taxes the gross receipts from the sale of and the storage, use, or other consumption of meals and food products furnished to and consumed by persons 62 years of age or older residing in a condominium and who own equal shares in a common kitchen facility, provided, that the meals and food products are served to such persons on a regular basis However, such provision shall not become operative if the initiative constitutional amendment which limits personal income tax rates is approved by the voters at the Direct Primary Election to be held on Tuesday, June 3, 1980

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse

counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would appropriate $7,000 to the Controller to make the reimbursements to counties and cities specified in Section 2230

This bill would take effect immediately as a tax levy, but would not become operative if the initiative constitutional amendment which proposes to add Section 26 5 to Article XIII of the Constitution is approved by the voters However, notwithstanding the operative date of the bill, the Board of Equalization would be prohibited from collecting taxes with respect to such exemption prior to the approval of Section 26.5 if such measure is approved by the voters.

Ch 646 (AB 2648) Young Cable television

Existing law authorizes the Public Utilities Commission to regulate the terms and conditions under which a cable television corporation may utilize surplus space on poles, ducts, conduits, or other support structures of public utilities, and to set the compensation therefor

This bill would revise these provisions to specify that the commission may, for these purposes, regulate excess capacity as well as excess space on and in support structures of a public utility, as defined, and would revise the method of calculating compensation to be paid by the cable television corporation to the public utility, whenever the public utility and cable television corporation are unable to agree on the terms and conditions thereof, to include a one-time reimbursement for actual costs incurred by the public utility in making the space or capacity available plus an annual fee, as specified, of not less than $2.50 per support structure per year for the use of the space or capacity

The bill would allow a cable television corporation utilizing a support structure pursuant to these provisions the option, whenever the public utility requires previously surplus space or capacity for public utility services, of paying all costs for rearrangements necessary to maintain the attachment of its cable television equipment or of removing its equipment at its own expense.

The bill would state the intent of the Legislature with respect to these provisions

The bill would take effect immediately as an urgency statute.

Ch 647 (SB 649) Robbins. 51st District Agricultural Association appropriation

Under existing law, the 51st District Agricultural Association was abolished in 1959 and its property transferred to the Department of Finance The 51st District Agricultural Association was reestablished in 1974 and specified property was transferred to the district in 1975.

This bill would require the Department of General Services, in conjunction with the Division of Fairs and Expositions in the Department of Food and Agriculture, to conduct a study to determine estimated costs to provide the 51st District Agricultural Association with land and buildings for holding fairs and other activities The Department of General Services would be required to report the results of such study to the Legislature by April 1, 1981. The bill would appropriate $30,000, from the appropriation made to the Fair and Exposition Fund under Section 19630 of the Business and Professions Code, to the Department of General Services to conduct the study and make the report. The bill would require that a matching $30,000 be provided from 51st District Agricultural Association funds

Ch 648 (SB 1866) Rodda Sacramento Regional Transit District

(1) Under the Sacramento Regional Transit District Act, the directors of the Sacramento Regional Transit District are appointed for 2-year terms and receive for attending board meetings $20 per meeting not to exceed $80 per month Contracts for the purchase of supplies, equipment, and materials by the district over $5,000 are required to be awarded to the lowest responsible bidder

This bill would require that the terms of the directors be increased to 4 years, but limited to 2 successive terms, and staggered, as specified, and would raise the compensation for attending a meeting to $50, not to exceed $200 per month It would raise the amount above which contracts must be placed for bid from $5,000 to $10,000 It would require that ordinances be published once in a newspaper circulated in the district, and specify the enacting clause for such ordinances

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 649 (SB 1738) Presley. Pharmacy.

Existing law has deleted reference to poison in the Pharmacy Act and has authorized the Board of Pharmacy to administer the California Hazardous Substances Act.

This bill would make technical changes relating to such changes in laws relating to poisons.

Existing law prohibits any person in the area of a pharmacy, except a registered pharmacist, officer of the law, prescriber, nurse, or clerical and maintenance personnel, as specified.

This bill would authorize an intern pharmacist and a person consulting with the pharmacist to be in such area

Existing law defines a dangerous drug as any drug unsafe for self-medication, including various drugs and compounds, as specified

This bill would revise such definition by deleting reference to the various drugs and compounds

Existing law prohibits any person from having in possession any hypnotic drug or amphetamines, as specified, unless furnished by prescription

This bill would delete references to hypnotic drugs and amphetamines and would prohibit the possession of any controlled substance enumerated in Schedule II, III, or IV of the Controlled Substances Act, as specified

Existing law provides that it is a felony to violate provisions of law relating to distribution and possession of dangerous drugs when a minor is used as agent.

This bill would provide that such relation must be knowledgeable and willfully committed for such to constitute a felony. The bill would also require such scienter in relation to the violation of any rule promulgated by the Board of Pharmacy limiting or restricting the furnishing of any drug, as specified.

Existing law provides that any violation of provisions regulating the practice of pharmacy is a misdemeanor

This bill would provide that any person who knowingly violates such provisions would be guilty of a misdemeanor and all other violations would constitute an infraction

Existing law prohibits any person, other than a person authorized to dispense, administer, or prescribe controlled substances, from manufacturing, copying, or reproducing prescription blanks.

This bill would also prohibit the possession of such blanks.

The bill would make other technical, nonsubstantive, and conforming changes in provisions relating to the practice of pharmacy

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 650 (SB 1683) Foran. Vehicle license fee revenues

The existing Motor Vehicle License Fee Law provides for the distribution of revenues from license fees to the state and to the cities and counties, and specifies that the amount appropriated by the Legislature for the use of the Department of Motor Vehicles for the enforcement of such law shall be transferred to the Motor Vehicle Account in the State

Transportation Fund. In addition, 2.5% of revenues remaining after specified deductions is transferred to the Motor Vehicle Account in the State Transportation Fund

This bill would specify a method by which the amount for use of the department shall be determined commencing with the 1982–83 fiscal year, and would delete the 2.5% transfer.

Ch 651 (AB 2166) Young. Health studios.

Existing law provides that no contract for health studio services shall require payments or financing by the buyer over a period in excess of two years from the date the contract is entered into, nor shall the term of any such contract be measured by the life of the buyer; except that the services to be rendered to the buyer under the contract may extend over a period not to exceed 7 years from the date the contract is entered into

This bill would decrease the length of time over which services to be rendered to the buyer under the contract may extend to a period not to exceed 3 years from the date the contract is entered into.

Under existing law, every contract for health studio services must provide for cancellation of such contract and refund of prepaid sums, as specified, if, by reason of death or disability, the person agreeing to receive services is unable to receive all services for which he or she has contracted.

This bill would require every contract for health studio services to provide for cancellation and refund of prepaid sums, as specified, under two additional situations. First, the buyer would have the right to cancel the contract at any time prior to midnight of the third business day after the date the contract was executed, as specified. Notice of such a right of cancellation would be required to be given in writing, as specified, and all moneys paid pursuant to the contract would be required to be refunded within 10 days of receipt of the notice of cancellation, except that payment would be required to be made for any health studio services received prior to such cancellation Second, the buyer would have the right to cancel and to obtain prompt refund of so much of any sum prepaid for health studio services as is allocable to services not taken, if the buyer moves further than 25 miles from the health studio and is unable to transfer the contract to a comparable facility. However, in the latter case, a contract for health studio services may provide that if the buyer moves further than 25 miles from the health studio and is unable to transfer the contract to a comparable facility, such person may be charged a predetermined fee not exceeding $100, or, if more than half the life of the contract has expired, such person may be charged a predetermined fee not exceeding $50

Existing law provides that no contract for health studio services may require a payment of a total amount in excess of $500

This bill would, as of January 1, 1981, increase that limit to $1,000, exclusive of interest or finance charges

Ch. 652 (SB 1589) Alquist. Cable television· pole attachments

Existing law authorizes the Public Utilities Commission to regulate the terms and conditions under which a cable television corporation may utilize surplus space on poles, ducts, conduits, or other support structures of public utilities, and to set the compensation therefor.

This bill would revise these provisions to specify that the commission may, for these purposes, regulate excess capacity as well as excess space on and in support structures of a public utility, as defined, and would revise the method of calculating compensation to be paid by the cable television corporation to the public utility, whenever the public utility and cable television corporation are unable to agree on the terms and conditions thereof, to include a one-time reimbursement for actual costs incurred by the public utility in making the space or capacity available plus an annual fee, as specified, of not less than $2.50 per support structure per year for the use of the space or capacity

The bill would allow a cable television corporation utilizing a support structure pursuant to these provisions the option, whenever the public utility requires previously surplus space or capacity for public utility services, of paying all costs for rearrangements necessary to maintain the attachment of its cable television equipment or of removing its equipment at its own expense

The bill would also state the intent of the Legislature with respect to these provisions

The bill would take effect immediately as an urgency statute

Ch. 653 (SB 1725) Presley Office of Appropriate Technology.

Existing Executive Order B-18-76 created the Office of Appropriate Technology in the Office of Planning and Research in order to assist and advise the Governor and all state agencies in developing and implementing less costly and less energy intensive technologies

This bill would provide a statutory basis for the Office of Appropriate Technology and establish the office in the Office of Planning and Research. This bill would specify the purposes and duties of the office, require the Governor to appoint the director of the office, require an annual report of its accomplishments, and terminate the office as of June 30, 1984.

Ch. 654 (SB 729) Richardson Peace officers inspectors and investigators.

Existing law requires the Commission on Peace Officer Standards and Training to adopt minimum standards for training of peace officer members of certain local agencies.

This bill would require the adoption of such standards by the commission for regularly employed and paid inspectors and investigators of a district attorney's office, as defined, who conduct criminal investigations and would require any county wishing to receive aid for the training of such inspectors and investigators to make application to the commission.

Ch. 655 (SB 1499) Presley. Hazardous waste land use restriction

Existing law requires any person, as defined, to obtain a hazardous waste facilities permit from the State Department of Health Services for the use or operation of a treatment facility, waste transfer station, waste storage area, resource recovery facility, or waste disposal site, as defined, which accepts or disposes of hazardous waste, as defined, and prohibits disposal of hazardous waste except at a disposal site or facility of an operator who holds such a permit. The department is required to adopt regulations for the administration of such permit program Existing law does not expressly authorize the department to condition such a permit upon execution of a covenant imposing use restrictions on all or a part of land to be used as a site for, or adjacent to a site for, a hazardous waste facility

This bill would expressly authorize such a permit condition, as specified, which would be enforceable by civil actions for injunction or civil penalties. The bill would authorize the owner of land subject to such covenant, provision, or statement to request removal of it of the department, and would require the department to review the need for it and, where appropriate, to agree to remove or modify it, as specified

The bill would provide for court review of any decision of the department pursuant to the provisions of the bill by administrative mandate, as specified and would require the court to uphold the decision if it finds the decision is supported by substantial evidence

Ch 656 (SB 1466) Garamendi. Water quality filing fee

Under existing law, each report of a waste discharge filed with a regional water quality control board is required to be accompanied by a filing fee of not to exceed $1,000, according to a reasonable fee schedule established by the State Water Resources Control Board

This bill would increase the maximum permissible amount of such fee to $10,000, and would require such fees to be calculated on the basis of total flow, volume, number of animals, or area involved and to be reasonably related to the costs to the regional board

Ch 657 (AB 3467) Ingalls State highways appropriation

Item 164 of the Budget Act of 1979 (Ch 259, Stats 1979) appropriated $377,207,171 from the State Highway Account in the State Transportation Fund to the Department of Transportation for support of the highway transportation program

This bill would appropriate $20,000,000 from the State Highway Account to the department in augmentation of Item 164 for expenditure for maintenance related to cleanup and repair of storm damage

This bill would take effect immediately as a statute for the usual current expenses of

the state.

Ch. 658 (AB 59) Robinson. Courts Orange County

Existing law specifies that there shall be 42 judges of the Superior Court in Orange County.

This bill would increase the number of superior court judges in Orange County from 42 to 46.

Existing law specifies that there shall be 3 judges in the South Orange County Municipal Court

This bill would increase the number of judges in the South Orange County Municipal Court from 3 to 4.

The bill would appropriate $329,410 to the Controller for allocation and disbursement according to a specified schedule The bill would not otherwise appropriate money to reimburse local agencies for costs imposed by the bill.

Ch 659 (AB 2725) Hayes. Water supplies· Colorado River

Under existing law, the Colorado River Board is vested with specified powers relating to the uses of the water of the Colorado River system

This bill would direct the board, in consultation with the Department of Water Resources, to coordinate the efforts of all parties, including any person or any local, state, federal, or other agency, to use surplus water currently available from the Colorado River system to develop additional water and energy supplies, and would specify related matters.

The bill would not apply to any decision made by the board after December 31, 1985, or after the date the Central Arizona Water Project becomes operational as determined by the board, whichever date is the earlier, and would be repealed as of such date

Ch. 660 (SB 1997) Beverly Savings and loan associations

Existing law specifies the activities in which a savings and loan association may engage.

This bill would, among other things, do all of the following·

(1) Revise one of the conditions which authorize an association to make amortized loans upon the security of improved real property in an amount not in excess of 80% of the appraised value of such real property.

(2) With respect to amortized loans upon the security of real property in an amount in excess of 80% of the appraised value of such property, increase from $75,000 to $93,750 the maximum amount of the loan for 1-family structures and certain real property or 90% of the appraised value of the real property rather than 90% of the appraised value or purchase price of the security property, or specify that if the loan is made to finance the purchase of real property, the amount of the loan may be 90% of the purchase price. It would also specify that the maximum amount of such loans for 2-, 3- or 4-family structures is the greater of $60,000 per unit or the amount allowable under the National Housing Act.

(3) Revise provisions of existing law which permit an association to lend on the security of specified interests in cooperative housing

(4) With respect to certain loans which provide for a loan limitation of 95%, increase from $60,000 to $75,000 the maximum amount of loan permitted for a 1-family structure and other specified real property

(5) With respect to the existing 90% loan limitation upon loans secured by the pledge of an association's shares or investment certificates, provide that where the sole and express purpose for the use of the proceeds of such loan is to invest money in a money market certificate of $10,000 or more, the percentage limitation shall not apply It would also provide that the borrower may borrow up to an amount not to exceed 50% of the money market certificate in which the proceeds of the loan are invested and that no further loan may be made on the security of such money market certificate

(6) With respect to the authorization for an association to, with or without security, make loans, advance credit, and purchase obligations representing loans and advances of credit, for the purpose of financing repairs, alterations, improvements, or equipment, with specified exceptions, delete the requirement that such loans or advances not exceed $15,000 on any one loan or advance by the association for the same property alteration, repair, improvement, or purchase and installation for energy purposes It

would also increase from 15 to 20 years the authorized term of such loans or advances

(7) Provide that an association may make first lien loans guaranteed under the Farmers Home Administration Rural Housing Program on the security of residential real property subject to specified limitations

Ch 661 (AB 2086) Statham Driving under the influence intoxicating liquor.

(1) Under existing law, it is unlawful to drive a vehicle on or off the highway while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug. It is also unlawful to drive recklessly In 1978 the minimum fine for conviction of any of these offenses was increased by $25 to $275 for driving under the influence, to $50 for reckless driving, and to $125 for reckless driving causing bodily injury. Twenty-five dollars for each conviction is required to be placed in a special account and used exclusively to reimburse the Department of Justice and other agencies for performing blood, breath, and urine analysis for determination of alcohol content These special provisions increasing the minimum fine are repealed on July 1, 1980, and, thus, the minimum fine upon conviction of driving a vehicle while under the influence of intoxicating liquor or the combined influence of intoxicating liquor and drugs will revert to $250, of reckless driving to $25, and of reckless driving causing bodily injury to $100

This bill would increase the minimum fine for those offenses by $70 to $320 for driving under the influence offenses, to $95 for reckless driving, and to $170 for reckless driving causing bodily injury

The bill would require that $50 for each conviction be placed in a special account in the county treasury for exclusive allocation by the administrator of the county's alcoholism program, with the approval of the board of supervisors, for alcohol programs and services for the general population through the local planning process pursuant to specific provisions of the county plan, with first priority to certified programs, and as specified Counties would be authorized to retain up to 5% of the funds collected to offset administrative costs of collection and disbursement, and the State Department of Alcohol and Drug Programs would be authorized to charge a fee to offset costs of certification of programs

(2) This bill would incorporate additional changes in Sections 23101, 23102, 23103, and 23104 of the Vehicle Code, made by SB 1429, to be operative only if both this bill and SB 1429 are chaptered and this bill is chaptered last

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch 662 (SB 1471) Petris Alameda County Flood Control and Water Conservation District. fees and service charges

Existing law authorizes the Alameda County Flood Control and Water Conservation District to prescribe, revise, and collect fees or charges for facilities furnished or to be furnished by the district for specified systems of the district and requires the district to use the revenues therefrom for specified purposes.

This bill would allow the district to prescribe, revise, and collect fees or charges for land development services, as specified, provided by the district, not to exceed the reasonable costs thereof Specified public agencies would be exempt from any imposition of fees or charges under this authority

Ch 663 (AB 2986) Mangers California Health Facilities Authority

Under existing law there is a California Health Facilities Authority which is empowered to make loans under certain conditions to nonprofit corporations or associations for financing or refinancing of the acquisition, construction, or remodeling of health facilities and specified clinics and for other projects, as defined Existing law authorizes the

authority for the purpose of obtaining moneys to make such loans to issue revenue bonds. The total amount of such revenue bonds authorized to be outstanding at any one time is limited to $650,000,000

This bill would require the authority to make available not less than $117,000,000 of the initial outstanding bonds, as specified, to health institutions which seek the financing or refinancing of projects providing services predominantly to members of health maintenance organizations which are qualified under specified federal laws This bill would also increase the total amount of the revenue bonds authorized to be outstanding at one time to $767,000,000.

Ch. 664 (AB 3391) Chacon Schools. categorical aid programs evaluation.

Under existing law, the Legislature is required to conduct a comprehensive study of specific educational programs, which terminate on specified dates, unless the Legislature enacts legislation providing otherwise, and requires that in each study each program be scrutinized with regard to various specified matters

This bill would include the characteristics of the target population being served, the need for the program, and the purpose and intent of the program among the matters already required to be scrutinized

This bill would incorporate changes in Section 62006 of the Education Code, proposed by AB 2191, to be operative only if AB 2191 and this bill are both chaptered and become effective, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute

Ch. 665 (AB 565) Mangers. Seniors

Existing law authorizes state departments to advance funds in the amount and manner specified to certain community-based private nonprofit agencies which enter into contracts for services with such departments.

This bill would specify that the Health and Welfare Agency may make advance payments to the multipurpose senior services projects which qualify

Existing law also requires the Health and Welfare Agency to approve and fund model projects for the provision of multipurpose senior services for older persons based on prescribed criteria. Such provisions are to be repealed January 1, 1981, unless extended by the enactment of a bill chaptered on or before such date

This bill would make certain changes to comply state law with federal law, modify the dates for submitting reports on the administration of this program to the Legislature and the Governor and would extend the effective date of these provisions until June 30, 1983, at which time the provisions would be repealed, unless a later enacted statute is chaptered before that time This bill would provide that pilot projects may contract with the Director of the State Department of Health Services as Medi-Cal pilot programs which may utilize funds appropriated from the Health Care Deposit Fund

The bill would take effect immediately as an urgency statute

Ch. 666 (SB 475) Rodda. Public employees

Existing law requires the Public Employment Relations Board to employ a general counsel to assist it in the performance of its functions

This bill would instead require the Governor to appoint a general counsel upon the recommendation of the board, to assist the board in the performance of its functions and require the general counsel to serve at the pleasure of the board

Existing law requires the State Controller to reimburse state employees for amounts withheld on the basis of sick leave pay, as soon as possible after the approved sick leave notification has been received

This bill would require such reimbursement on at least an annual basis, rather than as soon as possible, after the approved sick leave notification has been received

This bill would also make technical nonsubstantive changes in existing law

This bill would take effect immediately as an urgency statute

Ch 667 (AB 2798) Bergeson State Coastal Conservancy land acquisition

(1) Existing law provides for the State Coastal Conservancy with prescribed powers and responsibilities for, among other things, implementing a program of resource enhancement within the coastal zone, as defined, reservation of significant coastal resource

areas, and acquisition of public accessways. Under the existing law, the Director of General Services is authorized, when so requested by the conservancy, to lease, rent, sell, exchange, or otherwise transfer any land, interest therein, or option acquired pursuant to the provisions establishing the conservancy and its powers and duties, if such action is determined by the conservancy to be necessary to meet such provisions, including the implementation of any plan approved by the conservancy in accordance with such provisions

This bill would, instead, require the Director of General Services to perform such functions, when so requested by the conservancy, pursuant to an implementation plan approved by the conservancy

(2) Under existing law, the conservancy is authorized to fund up to 40% of any costs of land acquisition as part of an approved coastal resource enhancement project

This bill would authorize the conservancy to fund up to 40% of any state agency land acquisition costs and up to 100% of any local agency costs of such land acquisition.

(3) The present law requires the conservancy to cooperate with designated public agencies in connection with the reservation of significant coastal resource areas and authorizes it, under specified conditions, to acquire and hold the site for subsequent conveyance to an appropriate public agency

This bill would require the conservancy to also cooperate with any nonprofit organization in connection with the reservation of such areas, and authorize it to provide technical assistance as is required to aid public agencies and nonprofit organizations in completing such acquisitions and related functions

(4) The present law authorizes the Department of Parks and Recreation and the conservancy to lease any public access site to a public agency, and authorizes the conservancy to accept, from any state or local public agency, fees collected for purposes of providing public access to coastal resources

This bill would authorize such leasing also to a nonprofit organization, and authorize the conservancy to accept such fees from any public agency or nonprofit organization and make related conforming changes

Ch 668 (AB 2375) Tucker Community redevelopment housing

Existing law requires the Department of Housing and Community Development to establish a program to replace housing units to be removed from the corridor of the Interstate Route 105, in accordance with, and conditioned upon, the final consent decree issued by the United States District Court for the Southern District of California in Civil Number 72-355-HP

This bill would specify that the use of localized or spot examinations is encouraged as requested by the department to employ personnel for the program and would require the department to actively recruit, and make every effort to hire, persons especially and experientially familiar with the corridor to apply for employment In conducting such localized or spot examinations for various employee classes, the department would be required to give notice and the opportunity to participate in the examinations to all persons on existing employment lists of the State Personnel Board This bill would also allow persons who have been adversely affected by the examinations or appointments a right of appeal to the State Personnel Board

This bill would take effect immediately as an urgency statute

Ch 669 (AB 2267) Priolo County sanitation districts

(1) Existing law provides, except in a county sanitation district in the County of Sacramento, for alternatives in the composition of the board of directors of county sanitation districts, who are representatives of the city, county, and sanitary districts in such county sanitation districts

This bill would authorize, in one alternative, for the board of directors of such a district to provide for election of one or more members of the board of directors of the county sanitation district, as specified in the bill, so long as the total number is an odd number

In the event of such election, the district would be required to pay the county its reasonable costs for such election

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review

statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 670 (AB 2310) Cline Juvenile court law.

Under existing law when a person has applied to the probation officer to request commencement of juvenile court proceedings to declare a minor a dependent child or ward of the court and the probation officer fails to take such action within 21 court days after making the application, the person may, within 30 court days after making the application, apply for review of the decision of the probation officer, as specified

This bill would revise the time for making an application for review to 10 court days after the applicant's receipt of notice of the probation officer's decision not to file a petition

Ch 671 (AB 2333) Wray Motor vehicles· traffic control devices. uniform regulations.

(1) Under existing law, official traffic control devices are required to conform to uniform standards and specifications adopted by the Department of Transportation

This bill would require any traffic control device erected by a city or county, on and after January 1, 1981, to conform to such standards and specifications, if the city or county, as the case may be, permits, restricts, or prohibits the use of public or private highways by ordinance or resolution

The bill would make other related changes.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 672 (AB 2345) Chappie Taxation

Under existing law, a charter city may usually impose municipal taxes without statutory authority; general law cities and counties are generally authorized to impose special taxes and may license for the purpose of regulation and fix license fees in connection therewith Cities or counties may propose special taxes by ordinance

This bill would enable districts, as defined, to impose special taxes, pursuant to the provisions of Article XIII A of the California Constitution This bill would enable the legislative bodies of cities, counties, and districts to propose special taxes by ordinance or resolution

This bill would further enable counties to collect special taxes for districts in the same manner as specified for cities

This bill would take effect immediately as an urgency statute.

Ch 673 (AB 2391) Duffy Mobilehomes installations

Existing law does not require the Department of Housing and Community Development to, by regulation, specify a standard form for use, statewide, as a certificate of occupancy or statement of mobilehome installation acceptance by enforcement agencies, as defined

This bill would require the department to adopt such regulations It would require the department to transmit a copy of this standard form to all enforcement agencies It would prescribe that an enforcement agency is not required to use the standard form until its existing stock of forms for this purpose is depleted

Ch 674 (AB 2431) Priolo Property taxation

Under existing laws relating to property taxation, property is generally assessed at its 1975 value, as increased by an inflationary rate not to exceed 2% a year Newly construct-

ed property, as defined, is subject to reassessment

This bill would provide that for purposes of such definition, any reconstruction or improvement of real property where such property was, pursuant to a notice or permit issued by the governing body, reconstructed or improved to comply with local ordinances on seismic safety shall not be deemed "newly constructed" for purposes of causing a reassessment

This bill would require that the governing body which enacted such local ordinance issue certificates of compliance to property owners who comply and further requires that the property owners file such certificates with the county assessor

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

The bill would be operative only if ACA 3 of the 1979–80 Regular Session of the Legislature is approved by the voters

Ch 675 (AB 2488) Stirling Motor Vehicles driving under influence of liquor

Existing law authorizes a peace officer having reasonable cause to suspect a person of driving under the influence of intoxicating liquor to require the person to take a chemical test to determine the person's blood alcohol level The officer is, among other things, required to advise the person that there is no right to the presence of an attorney during any part of the testing process

This bill would also require the officer to advise the person that the fact of a refusal to submit to such a test may be used against the person in court

The bill would incorporate the changes made to Section 13353 of the Vehicle Code by AB 869.

Ch 676 (AB 3175) Fenton. Codes maintenance

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes and legislation necessary to codify such statutes as are enacted from time to time subsequent to the enactment of the codes

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 1980, and would not make any substantive change in the law

Ch 677 (AB 3297) Kapiloff Depositions.

Under existing law, the officer taking a deposition is required to securely seal the deposition after certifying that the deposition is a true record of the testimony given by the witness and to give notice of the availability of the deposition to all parties

This bill would revise such provisions to require certification of each copy of a deposition as well, to require the deposition to be sealed in an envelope after notice is given that the deposition is available for reading, correction, and approval, or after a specified period and this bill would make related changes This bill would also enact provisions relating to depositions taken out of state and would require a court filing fee of $6 to be charged for filing the deposition

Existing law, relative to interrogatories, does not specify who is to retain the original of the interrogatories and answers thereto

This bill would require the party who served the interrogatories to retain the original thereof and the original answers thereto

This bill would incorporate additional changes to Section 2019 of the Code of Civil Procedure proposed by AB 2473, contingent upon the enactment and prior chaptering of AB 2473

Ch 678 (AB 3268) Chappie Recreation and park districts regulations, ordinances violation

Existing law authorizes the board of directors of a recreation and park district to make and enforce necessary rules, regulations, or bylaws and provides that a violation of specified provisions is a misdemeanor.

This bill would authorize a district board to determine that a violation of a district rule, regulation, or ordinance is an infraction punishable by a fine of not more than $50 rather than a misdemeanor.

Ch. 679 (AB 2448) Nolan Telephone service: emergency interruption.

Existing law generally prohibits damaging telephone lines and wiretapping, but provides that the supervising law enforcement official in an area where hostages are being held has authority to order a designated telephone company employee to arrange to cut, reroute, or divert telephone lines for the purpose of preventing telephone communication by a holder of hostages to unauthorized persons

This bill would expand such provisions to permit such interruption of telephone service whenever a person is holding hostages and committing a crime or is barricaded and resisting apprehension through the use or threatened use of force.

Ch. 680 (AB 2799) Bergeson. Vehicles: accidents: driver information.

(1) Under existing law, the driver of any vehicle involved in an accident resulting in damage to property is required to locate and notify the owner or person in charge of such property of the name and address of the driver and owner of the vehicle involved or leave specified information in a conspicuous place.

This bill would require the driver, upon request and upon locating the driver of any other vehicle involved or the owner or person in charge of damaged property, to present his driver's license and the vehicle registration, as well as other specified information If the registered owner of an involved vehicle is present at the scene, he would also be required, upon request, to present his driver's license information, if available, or other valid identification.

(2) Existing law requires the driver of a vehicle involved in an accident resulting in injury or death to, among other things, exhibit his driver's license, upon request and if available, to persons involved in the accident

This bill would revise these provisions without substantive change

(3) Under existing law, the failure of a person involved in an accident involving damage to property to furnish specified information to others is a misdemeanor

This bill would make it a misdemeanor for any person involved in a traffic accident, including an accident resulting in injury or death to any person, to willfully fail to present his driver's license or other evidence of identity to another person involved in the accident.

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 681 (AB 1295) Agnos Mental health conservatorships

Under existing law, a conservator for a gravely disabled person may place the conservatee in his or her own home or the home of a relative, or if specified in the court order, may place the conservatee in a medical or nonmedical facility as close as possible to his or her home or the home of a relative

This bill would require the report of the officer providing conservatorship investigation to contain recommendations on the proper placement for the conservatee, the court in the conservatorship proceeding to determine the least restrictive and most appropriate alternative placement for the conservatee and the court to order the conservator to place the conservatee in the least restrictive alternative placement, as designated by the court The court would also be required to determine persons to be notified of a change of placement

The bill would also authorize the conservator to change such placement without a further hearing and court approval to a less restrictive alternative placement. The bill would also require the conservator to change the placement to a more restrictive placement when needed because the conservatee poses an immediate and substantial danger to himself or herself or others and require the conservator to provide written notice of the change to the court and other specified persons.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 682 (AB 2115) McAlister. Judgments: paternity and support

Existing statutory law authorizes the district attorney to enter into an agreement with a noncustodial parent for the entry of a judgment determining paternity, where applicable, and for periodic child support payments. An appellate court recently held such statute unconstitutional on the ground that it does not protect the due process rights to notice and hearing of the noncustodial parent nor does it address the issue of the manner in which such rights may be waived.

This bill would provide that a judgment based on such an agreement shall be entered only if (1) the noncustodial parent is represented by legal counsel who attests that the noncustodial parent has been advised of his or her rights and after being so advised has agreed to the entry of judgment, as specified, or (2) a judge has determined that the noncustodial parent has willingly, knowingly, and intelligently waived his or her due process rights, as specified It would also specify that such an agreement may be made before the birth of the child.

Ch. 683 (AB 1793) McAlister. Inland pilots

Existing law generally regulates bar pilots and pilotage from the high seas to the Bays of San Francisco, San Pablo, and Suisun and the ports thereof, and from those bays and ports to the high seas and specifies the rates to be paid for such pilotage. It establishes the Pilotage Rate Committee to make recommendations to the Legislature on pilotage rates Pilotage between and within the ports of such bays, however, is at such rates as are agreed upon by the parties

This bill would specify that all pilotage between and within such bays and their tributaries to the ports of Stockton and Sacramento, exclusive of the jurisdiction of the port of Sacramento, shall be at such rates as are established by the Legislature, but would permit the port of Stockton to establish different rates for use within its jurisdiction. The bill would direct the Pilotage Rate Committee to make recommendations to the Legislature on the rates for such pilotage services The bill would require that, when the committee is considering and recommending rates for such pilotage services, the 2 pilot members of the committee shall be replaced by 2 full-time inland pilots, as defined The bill would delete the requirement that committee members be at least 35 years of age

The provisions of the bill would remain in effect only until January 1, 1984

Ch 684 (AB 3092) McVittie Schools: disturbances.

Existing law prohibits as a misdemeanor specified fighting, disturbances or use of offensive words within any building or upon the grounds of any community college, state college or state university

This bill would apply such provisions to additional schools, as defined, and make such provisions inapplicable to registered students of the school

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes dis-

claiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 685 (AB 3025) M Waters Public works contracts.

(1) Under existing law, a contractor to whom a public entity has awarded a contract in excess of $15,000 is required to file a payment bond with the public entity before beginning the work.

This bill would increase the amount of the contract to $25,000 before a payment bond is required.

(2) The State Contract Act presently defines the term "project" for the purposes of the act to include erection, construction, alteration, repair, or improvement which will exceed $15,000 in total cost. The act also specifies that if the state department contracting under the act determines that the provisions of the act are not required for projects estimated to cost less than $15,000, it may exempt such projects from the act, but is required to award the work to the lowest responsible bidder or reject all bids

This bill would increase the cost amount in the definition of "project" from $15,000 to $25,000 and would repeal the provision relating to exempting projects from the act

(3) Under the State Contract Act, the state department contracting under the act may authorize the carrying out of the project by the state agency concerned therewith if the estimated cost does not exceed $150,000, except that such cost limitation does not apply to a district agricultural association or State Lands Commission project Additionally, the district or agency may be authorized to carry out a project directly, provided that, if the estimated total cost of the project exceeds $15,000, the district or agency must solicit written bids and award the work to the lowest responsible bidder or reject all bids, with the exception that the district or agency may carry out work in excess of $15,000, but not in excess of $35,000, in the case of district agricultural association fair projects, or $20,000 in other cases, by day labor if certain conditions are met

This bill would increase the $150,000 amount to $200,000, increase the $15,000 amount to $25,000, increase the $35,000 amount to $50,000, and increase the $20,000 amount to $35,000

(4) The State Contract Act also requires a department contracting for work under the act to require a prospective bidder on any contract with an estimated cost in excess of $150,000 to complete a standard questionnaire and financial statement

This bill would increase the $150,000 monetary requirement to $300,000

(5) The State Contract Act additionally requires public notice to be given in a specified manner with respect to any project estimated to cost $10,000 or more.

This bill would remove the monetary requirement

Ch 686 (AB 2909) Torres Intimidation of witnesses and victims

Existing law makes it a misdemeanor to willfully and unlawfully prevent a witness or potential witness from attending upon any trial, proceeding, or inquiry authorized by law. If the prevention or dissuasion is accomplished by means of force or threats of unlawful injury to person or damage to the property of another the offense is a felony punishable by imprisonment in the state prison for 2, 3, or 4 years At the arraignment the court may be required to admonish a person who there is cause to believe may violate these provisions and to announce the penalties for violation

This bill would repeal such provisions and would make it a misdemeanor to knowingly and maliciously prevent or dissuade or attempt to prevent or dissuade any witness or victim, as such terms are defined, from attending or giving testimony at any trial, proceeding, or inquiry authorized by law, or to attempt to prevent or dissuade another person who has been the victim of a crime or who is a witness to a crime, from performing specified acts relating to assisting law enforcement or prosecution activities If any such act or attempt is accompanied by threats, is in the furtherance of a conspiracy, is committed by a person convicted previously of an offense under these provisions or similar provisions of other jurisdictions, or is committed for pecuniary gain or other consideration, the act or attempt would be a felony Every person attempting the

commission of such an act would be guilty of the offense, regardless of the success or failure of the attempt.

This bill would permit any court with criminal jurisdiction, upon a good cause belief that intimidation or dissuasion of a victim or witness has occurred or is reasonably likely to occur, to issue orders, including orders against the violation of such provisions, against the communication with any specified witness or victim, calling for a hearing to determine if such other orders should be issued, and providing for protection of witnesses and victims by a law enforcement agency. Violation of such orders could be punished as a violation of the statute, if applicable, or as a contempt of court

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 687 (AB 2815) Mello County superintendent of schools election

Existing provisions of the California Constitution and the statutes require an elected county superintendent of schools to be elected by the voters residing therein, except where 2 or more counties agree to elect a joint county superintendent of schools

This bill would provide an exception to this rule. Specifically, it would provide that if a unified school district, as described, is situated in 2 or more counties, appropriate action may be taken to permit all voters of such a district, including those residing outside of the particular county, the right to participate in the election of the county superintendent of schools if such superintendent has jurisdiction over the district

The bill would also provide that the county clerk of each affected county would be responsible for the conduct of the election within his or her county

Ch 688 (AB 3427) Harris Real estate licensees restitution

Existing law permits an administrative agency to include an order of restitution as a term of probation in cases where there has been a breach of contract by the party against whom a decision is rendered, however, it makes no specific provision authorizing the Real Estate Commissioner, in deciding cases affecting real estate licensees or permittees, to impose as a condition of probation the payment of restitution to persons suffering damages as a result of a conversion of trust funds by the licensee

This bill would provide that the revocation or suspension of the license of any real estate licensee may be stayed or reduced by the commissioner at any time before the decision becomes effective, and may be conditioned upon compliance with an order of restitution requiring the licensee against whom the decision is rendered to compensate the person or persons injured

Such provision would remain in effect until January 1, 1984

Ch 689 (AB 3316) Agnos Local agencies and San Francisco Bay Area Rapid Transit District· securities

Existing law authorizes the treasurer of the San Francisco Bay Area Rapid Transit District to deposit securities owned by the district for safekeeping in the trust department of any state or national bank in this state or a trust company authorized to act as such in this state. Existing law generally allows local governments to deposit securities for safekeeping with a trust company or a state or national bank located in this state, with the Federal Reserve Bank of San Francisco or any branch thereof, or with any state or national bank located in any city designated as a reserve city by the Board of Governors of the Federal Reserve System

This bill would allow local governments, in addition, to make such deposits with federally chartered and state chartered savings and loan associations, and would make these provisions regarding deposits of securities for safekeeping by local governments apply also to deposits of securities by the district

Ch 690 (SB 1973) Campbell. Health studio services contracts

Existing law defines the term "contract for health studio services" with respect to laws specifically regulating such contracts and the rights of the parties thereunder

This bill would revise such definition to exclude from the application of such laws contracts for instruction, training, or assistance relating to diet or control of eating habits not involving physical culture, body building, exercising, figure development or any other such physical skill

Ch 691 (SB 1488) Nimmo Municipal courts San Luis Obispo County

Existing law specifies the number and classification of municipal court employees in San Luis Obispo County

This bill would revise the number and classification of municipal court employees in San Luis Obispo County

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 2246 of the Revenue and Taxation Code

Ch 692 (SB 1919) Holmdahl Air pollution emission trade-offs

(1) Existing law authorizes every air pollution control and air quality management district to establish by regulation, subject to disapproval by the State Air Resources Board pursuant to specified provisions, a system for the banking of reductions in the emission of air contaminants which may be used to offset future increases in emission of air contaminants Existing law authorizes the use of approved reductions in emissions of air contaminants to be transferred by any means of conveyance permissible under state law, but prohibits any transfer from being effective until the district air pollution control officer is notified in writing

This bill would require the banking system to provide for registration of all interests in approved emission reductions The bill would authorize a district to adopt a fee schedule for issuance of certificates and operation of the registry The bill would delete such prohibition on transfers of approved emission reductions from being effective until the district air pollution control officer is notified in writing, and instead would authorize transfers for approved emission reductions by written conveyance or operation of law

The bill would exempt the perfecting of a security interest in approved air contaminant emission reductions from the filing requirements of the Uniform Commercial Code—Secured Transactions provisions in the Commercial Code

(2) This bill would make additional changes in Section 9302 of the Commercial Code proposed by AB 3367 which would take effect on the effective date of AB 3367 only if both this bill and AB 3367 are chaptered and this bill is chaptered last

(3) This bill would take effect immediately as an urgency statute

Ch 693 (AB 1150) Filante Water conservation cisterns, water conservation systems

Under existing law, there is no requirement as a general matter for the inclusion of cisterns in structures

This bill would establish a demonstration program to promote the inclusion of cisterns in new or existing structures The bill would authorize the Department of Water Resources to approve proposed projects for the inclusion of cisterns in new or existing structures, and would require the department to adopt rules and regulations for administration of the program The bill would require the department to report on the program to the Governor and the Legislature by June 1, 1981

The bill would also permit a state personal income tax credit, as specified, for the costs of water conservation systems on residences in California, and would require the department, in accordance with prescribed requirements, to establish guidelines to determine eligibility of water conservation systems, as defined, for such credit

The bill would require the Franchise Tax Board to report to the Legislature before January 15, 1983, on the impact of the bill

The bill would remain in effect only until January 1, 1983

Ch 694 (AB 2276) Hannigan. Surplus state land

Present law contains no authorization for the offering of surplus state lands, before the land is offered for public sale, to any charitable and educational organization eligible for the welfare tax exemption from which the state has previously acquired land by condemnation

This bill would require the Director of General Services until January 1, 1983, to offer any such surplus state lands at the appraised value, as determined by the director, to any such organization located in the capitol area from which the state has acquired land by condemnation within the 3 preceding years Such offer would be made not less than 60 days before the lands are offered for public sale and after the lands are offered to state and local governmental agencies pursuant to applicable provisions of law ~~This act~~ [These provisions]* would remain effective until January 1, 1983, and on such date would be repealed

Existing law does not authorize the Department of Transportation, prior to offering land for public sale, to offer in writing, any surplus state lands acquired by the state for highway purposes at the appraised value, as determined by the Director of Transportation, to any charitable or educational organization located in the capitol area eligible for the welfare tax exemption from which the state has previously acquired land by condemnation

This bill would require the Director of Transportation to make such an offer of such surplus state land, as specified, and would terminate the authority to make such offers as of January 1, 1983

This bill would also provide that failure to comply with its provisions shall not invalidate any right, title, or interest acquired by a purchaser or encumbrancer for value

This act would take effect immediately as an urgency statute

Ch 695 (AB 2745) Bates Health confidential records and information.

(1) Under existing statutes, all information and records obtained in the course of providing mental health services under the Lanterman-Petris-Short Act or the Short-Doyle Act, in the course of providing services under the Lanterman Developmental Disabilities Services Act, or pursuant to the statutes relating to admissions and judicial commitments and to mental institutions, with specified exceptions, are confidential

This bill would require the disclosure of such confidential information to authorized licensing personnel or authorized health professional representatives of the State Department of Health Services, and who are licensed or registered health professionals, as necessary to perform licensing inspection and investigation duties relating to health The bill would also authorize the use of such information in a criminal, civil, or administrative proceeding in relation thereto, as specified

The bill would, in addition, authorize the disclosure of such confidential information to any board which licenses and certifies professionals in the fields of mental health and developmental disabilities in relation to such license or certificate, as specified

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 696 (AB 3213) Hughes Redevelopment

Present law authorizes merger of redevelopment project areas within the respective Cities of Sacramento, San Bernardino, Chula Vista, San Jose, and Santa Fe Springs

This bill would establish uniform provisions for merger of redevelopment projects in every county and city On and after January 1, 1981, this bill would generally be the exclusive authority for merger of redevelopment projects, but projects previously merged in the above cities would continue under the provisions governing such mergers, and the City of Richmond could alternatively proceed under special merger provisions of AB 3300, if that bill is chaptered and becomes effective Subject to the terms of prior indebtedness, the bill would require at least 20% of the tax-increment revenues produced by redevelopment projects merged under the bill to be placed in the redevelopment agency's Low and Moderate Income Housing Fund, to be used to assist housing, as specified, and which would be subject to transfer to the housing authority if not used for 6 years However, if no housing authority operates within the agency's jurisdiction, the agency would be permitted to retain such moneys

The bill would require any shortfall in tax increment allocated for housing, as required by the bill, to be made up prior to incurring new indebtedness

Ch 697 (AB 3312) McVittie Patients' records costs

Existing law authorizes an attorney, as to persons the attorney represents regarding an existing or potential case, upon presentation of proper written authorization, to inspect or copy medically related records of the person from members of various medically related occupational groups Existing law authorizes a copying charge to be imposed for making the records available, not to exceed 10 cents per page, plus any additional reasonable clerical costs incurred in locating and making the records available

This bill would limit the amount which could be charged for clerical costs to an amount based on the time spent locating and making the records available multiplied by the employee's hourly wage

Ch 698 (AB 2609) W Brown Petroleum franchises

Existing law relating to fair practices by franchise dealers provides, among other things, that, notwithstanding the terms of any franchise, a retail gasoline station owned or operated by a franchisee shall not be precluded from purchasing gasoline or diesel fuel from any available source if the franchisor is "unable or refuses to supply the franchisee with such products," as defined

This bill would provide, in addition, that, notwithstanding the terms of any franchise, the franchisor may neither withhold its consent to the sale, transfer, or assignment of the franchise by the franchisee to another person, except under certain specified circumstances, nor prohibit or prevent the sale, transfer, or assignment of the franchise to a corporation controlled by the franchisee if specified conditions are satisfied.

This bill would provide, however, that the franchisor may reasonably withhold consent to the sale, transfer, or assignment of a franchise if, as a result of the transaction, trade in the sale of petroleum products will be restrained, as specified.

This bill would further provide that any terms of a franchise entered into on or after the effective date of the act which conflict with the provisions of the act shall be void and unenforceable The bill would provide that the provisions of the act do not apply to a franchise entered into prior to the effective date of the bill

Ch 699 (AB 3356) Bergeson Criminal law judgments

Existing law requires that when a probationary order or a judgment, other than of death, has been pronounced, and the judgment is for imprisonment in a state prison, an abstract thereof, certified by the clerk of the court, or by the judge if there is no clerk, shall be forthwith furnished to the officer whose duty it is to execute the probationary order or judgment

This bill would authorize substitution of a copy of the minute order in lieu of such abstract A copy of the minute order would be required to have a specified form

Ch 700 (SB 1437) Marks Residential rehabilitation

Under the Marks-Foran Residential Rehabilitation Act of 1973, a city, county, redevelopment agency, or housing authority may make loans for defined residential rehabilitation, which may include refinancing and acquisition costs The maximum amount which may be loaned for rehabilitation under existing law, exclusive of costs of acquisition or

refinancing, is $45,000 per dwelling or commercial unit.

This bill would make an exception to such limitation for loans made by the redevelopment agency of a city and county for rehabilitation of one-to-four unit dwellings, provided such financing does not exceed $80,000 per dwelling unit or 90% of the after-rehabilitation value, whichever is less.

Ch. 701 (AB 2490) Fenton Veterans' benefits. appeals.

Existing law permits anyone denied an application to the Department of Veterans Affairs for veterans' benefits the right to appeal the decision to the California Veterans Board, which is directed to render its decision in writing to the appellant within 30 days of receipt.

This bill would, instead, require the board to render its decision not later than the second meeting of the board following receipt, specifying that the appeal is deemed to be received by the board at the first meeting subsequent to delivery of the appeal to the secretary of the board.

Ch. 702 (AB 2498) Statham Veterans: farm and home purchases.

(1) Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 prohibit the Department of Veterans Affairs from expending more than $30,000 for a mobilehome for sale to a veteran purchaser when the mobilehome is sited on a lot owned by the purchaser or more than $22,500 when the mobilehome is to be sited in a mobilehome park.

Existing provisions do not specify payment to the department for conducting mobilehome inspections

This bill would permit the department to pay up to $55,000 for a mobilehome sited on a lot owned by the purchaser and $35,000 for a mobilehome sited in a mobilehome park In addition, it would direct the seller to pay, or the department to deduct from the purchase price of a mobilehome, $75 to pay the costs of the department's inspection and require that the inspection be completed within a specified time

(2) Existing law authorizes the department to issue revenue debentures not to exceed $500,000,000, as specified.

This bill would authorize the issuance of additional debentures, not to exceed $500,000,000 in amount

(3) This bill would make an appropriation by increasing the amount deposited in the Veterans' Farm and Home Building Fund of 1970, which is a continuously appropriated fund

Ch 703 (AB 2582) Hallett Workers' compensation public safety officers

Existing law provides that specified public safety officers who are members of the Public Employees' Retirement System or are subject to the County Employees Retirement Law of 1937, and who are disabled in the course of their employment, shall be entitled to a leave of absence of up to one year while so disabled without loss of salary in lieu of temporary disability benefits

This bill would, upon the adoption of a resolution of the board of supervisors so declaring, delete the requirement that such disabled employee be a member of the Public Employees' Retirement System or subject to the County Employees Retirement Law of 1937 in order to receive such benefits, for any fireman employed by the County of San Luis Obispo, and for the sheriff or any officer or employee of the sheriff's office of the County of San Luis Obispo.

Ch 704 (AB 2671) McAlister. Title insurance

Existing law defines the business of title insurance as including, among other things, the issuance by a title insurer, of a letter of indemnity Any such letter of indemnity is required to be limited to and issued solely for the purpose of enabling an underwritten title company with whom the title insurer has an underwriting agreement to continue to transact an escrow business during that period of time required by the underwritten title company to comply with an increase in the statutory net worth requirements imposed as a condition to the transaction of the business of title insurance by an underwritten title company

This bill would instead provide that any such letter of indemnity be limited to and

issued solely for the purpose of indemnifying the commissioner on behalf of any member of the public who transacts an escrow with an underwritten title company with whom the title insurer has underwriting agreement.

Existing law permits the Insurance Commissioner, as an aid to uniform administration of rate regulatory laws, to prescribe reasonable rules and regulations relating to accounting procedures, record maintenance, and data reporting

This bill would revise such provisions to instead provide for the annual reporting of financial data relating to the aggregate economic performance of all title insurance entities, as specified It would also provide for a statistical plan reasonably adapted to each of the rating classifications in use within the state to be used by title insurers in the reporting of data required by such plan, and permit the Insurance Commissioner to employ the services of one or more advisory organizations to assist in the development of such information, as specified

Ch 705 (AB 2673) N Waters. Community services districts

(1) Existing law authorizes a community services district to prescribe, revise, and collect rates or other charges for services and facilities furnished by it, and provide for collection by the district, and to provide for collection of rates or charges or delinquencies for street lighting purposes on the county tax roll in a specified manner

This bill would authorize a community services district to elect to have any or all rates and charges for any purposes collected on the county tax roll together with the county general taxes, make such rates or charges delinquent at the same time and subject to the same delinquency penalties as the general taxes, except as specified for the first year of such charges, and authorize the county to deduct its reasonable costs incurred for such service

The bill would also conform the lien date for collection of rates and charges of the district to the lien date of county taxes at 12 01 a.m on the first day of March

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified.

(3) The bill would take effect immediately as an urgency statute

Ch. 706 (AB 3141) Bane Mortgage foreclosure consultants

Existing law regulates the permissible activities of mortgage "foreclosure consultants" regarding residences in foreclosure. Existing law defines the term "foreclosure consultant" in a way which does not exclude personal property brokers

This bill would specifically exclude personal property brokers, with certain exceptions in individual instances as determined by the Commissioner of Corporations, from the definition of "foreclosure consultant" for purposes of such regulations

This bill would incorporate further changes to Section 2945 1 of the Civil Code, proposed by AB 2475, contingent upon the enactment and prior chaptering of AB 2475

Ch. 707 (AB 3218) Duffy. Health manpower pilot projects, health facilities

(1) Existing law authorizing health manpower pilot projects sets forth specified limitations on projects involving the prescribing, dispensing, or administering of drugs or devices by registered nurses, physician's assistants, or pharmacists

This bill would make such limitations inapplicable to administration of drugs or devices, and would exempt, until December 31, 1980, projects for which an application was under review by the Office of Statewide Health Planning and Development prior to January 1, 1978, and approved prior to January 1, 1979

(2) Present law defines and provides for licensure of specified types of health facilities

This bill would define and provide for licensure of a new type of health facility to be known as a "chemical dependency recovery hospital " Such a facility could also be

operated as a supplemental service of a general acute care hospital in a separate physical structure or structures, as specified, in which case the general acute care hospital could allocate its existing beds in any bed classification for such purpose without reclassifying the beds for health planning purposes The bill would specify requirements for licensure regulations for chemical dependency recovery hospitals, and would require establishment of a prescribed advisory committee to assist the State Department of Health Services in developing the licensure regulations.

(3) The bill would take effect immediately as an urgency statute.

Ch 708 (AB 2752) Nolan. Health facilities· licensure. Medi-Cal provider of services

(1) Existing law authorizes the State Department of Health Services to suspend or revoke any license or special permit issued to a health facility, as defined

This bill would authorize such suspension or revocation by the department for the conviction of a licensee or other person, as specified, of a crime, as defined

It would, additionally, authorize the denial of an application for licensure of a health facility by the department for the same reasons and for knowingly making a false statement in an application, as specified

(2) Existing law requires that prior to issuing a license to any person or persons to operate or manage a community care facility, as defined, that the State Department of Health Services secure a criminal record, as prescribed, to determine whether the person has been convicted of a specified crime. Existing law requires the license to be denied if such a conviction is discovered, except in cases where the State Director of Health Services finds the applicant to be of good character, as prescribed

This bill would, additionally, authorize the department to deny such an application for licensure if certain specified persons have been convicted of a crime, as defined

Ch. 709 (AB 1974) Knox Recreational marinas: loans.

Existing law empowers the Department of Boating and Waterways to make subordinated loans to a recreational marina in connection with a loan made, as specified, to such a marina and approved for guarantee by the Small Business Administration

This bill would define "subordinated loan," would delete the reference to loans guaranteed by the Small Business Administration and instead substitute loans guaranteed by any agency of the federal government.

Ch 710 (AB 2033) Gage. Local elections public examination

(1) In connection with the conduct of a county election involving a county measure, existing law authorizes the county board of supervisors of each county to allow 1 copy of specified election materials to be mailed to a postal address where 2 or more registered voters have the same surname and the same postal address.

This bill would specify that the above authorization applies to the mailing of the impartial analysis prepared by the county counsel or district attorney as well as other currently specified election materials

(2) Under existing law, there is no provision that the election official who is charged with conducting a local election involving a local measure (i e., city, county, district, school district, and community college district measure) be required to cause election materials which are to be submitted to the voters be open to public examination prior to the printing of such materials

This bill would require the clerk conducting a city, county, district, school district, or community college district election involving a local measure, not less than 20 days before the clerk submits certain official election materials for printing, to make a copy of such materials available for public examination, and, upon the payment of an authorized fee, obtain a copy for use outside of the clerk's office Any voter of the jurisdiction in which the local election is being held or the clerk himself or herself, would be authorized to seek a writ of mandate or an injunction requiring any such material to be amended or deleted The bill would also provide that a peremptory writ of mandate or an injunction be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of the law

In addition, the bill would revise certain local election dates in order to accommodate the 20-day public examination period provided for above

(3) Existing law requires each local jurisdiction which consolidates its election with a statewide election to file a certain resolution with the county board of supervisors at least 74 days prior to the election.

This bill would require the filing of such resolution at least 88 days, rather than 74 days, prior to the election

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would also incorporate changes in Sections 4010 and 4011 of the Elections Code proposed by AB 2617 to be operative only if both this bill and AB 2617 are chaptered and this bill is chaptered last

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified.

Ch. 711 (AB 2105) Lockyer Merger of redevelopment areas.

Present law authorizes redevelopment plans adopted under the Community Redevelopment Law to provide for allocation to the redevelopment agency of a prescribed portion of the tax revenues derived from property in the redevelopment project area in order to finance redevelopment Such allocation scheme is commonly known as the "tax-increment" method of financing redevelopment. Present law authorizes merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the redevelopment agency respectively of the cities of Sacramento, San Bernardino, Chula Vista, San Jose, and Santa Fe Springs for the purpose of application of tax revenues allocated to the agency under the "tax-increment" method of financing.

This bill would authorize merger of redevelopment project areas in the City of San Leandro, subject to a requirement that tax-increment revenues produced by a constituent project area of a merged project be used first to comply with the terms of any pledge of such taxes predating the merger. Subject to the terms of such prior indebtedness, the bill would require at least 20% of the tax-increment revenues produced by redevelopment projects merged under the bill to be placed in the redevelopment agency's Low and Moderate Income Housing Fund, to be used to assist housing, as specified, and which would be subject to transfer to the housing authority if not used for six years.

The provisions of this bill would not be operative if AB 3213 is chaptered.

Ch 712 (AB 2351) Thurman Produce markets· Alameda, San Francisco, and San Mateo Counties: produce dealers

(1) Under existing law, every produce dealer who operates a market in Alameda, San Francisco, or San Mateo County is responsible for providing registered unloaders when they are specifically requested by a producer or hauler of farm products.

This bill would delete such provision and would make a technical change

(2) Existing law, until January 1, 1982, generally regulates the unloading of produce at produce markets in Alameda, San Francisco, and San Mateo Counties. It requires that "registered unloaders," as defined, provide the deputy labor commissioner with specified information. It authorizes produce dealers to organize an association, as specified, and specifies a method for establishing the scale of charges for unloading produce in a market. Existing law also authorizes the Director of Industrial Relations to assess a specified fee upon produce dealers for use in administering the provisions of the law

This bill would extend the effective date of such provisions until January 1, 1984

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would provide that no appropriation is made for such purpose and no reim-

bursement is required by this act for a specified reason

Ch. 713 (AB 2364) Bergeson Moulton-Niguel Water District elections

(1) Under existing law, districts organized pursuant to the California Water District Law are landowner voting districts, but the voting procedure may be changed to that of a resident voting district upon petition by registered voters when at least 50% of the assessable area within the district is developed for residential, industrial, or commercial use

This bill would require all elections held after the effective date of the bill within the Moulton-Niguel Water District only, except elections to authorize special taxes or bonded indebtedness of an uninhabited improvement district as defined, to be conducted as resident voter elections The bill would require all directors so elected to be district residents and registered voters, and would require directors to be elected on an at-large basis, but would permit the board of directors to establish divisions for the election of directors in accordance with prescribed requirements The bill would permit the board, in the event of the establishment of divisions, to designate uninhabited land, as defined, as a division and to provide for the election of a director from such division, who need only be a holder of title to land, on the basis of landowner voting The bill would provide for current directors of the district to serve the remainder of their unexpired terms, and would specify related matters The bill would declare that enactment of the bill as a local and special statute is necessary for specified reasons

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 714 (SB 1386) Greene School and community college classified employees.

Existing law states that persons employed as noncredentialed personnel by school districts under Title VI of the federal Comprehensive Employment and Training Act of 1973, as amended by the Emergency Jobs and Unemployment Assistance Act of 1974, on projects of not more than one year are exempt from the classified service The 1973 Act, as amended by the 1974 Act, has been superseded by the Comprehensive Employment Training Act Amendments of 1978 Thus, existing law is inoperative since the federal provisions to which it refers are no longer in effect

This bill would provide that the governing board of a school district or a community college district may establish positions and employ persons in public service positions which are funded by the Comprehensive Employment and Training Act and which are restricted by the act to a limited duration of participation Such positions would be part of the classified service Persons so employed and occupying such positions would be classified employees for all purposes except for specified purposes relating to the filling of vacancies, the computation of seniority, layoff, and the computation of service credit for permanent status

Ch 715 (AB 2692) Bergeson Pupil records grades

(1) Existing law prohibits the changing of a pupil's grade in the absence of mistake, fraud, bad faith, or incompetency

This bill would limit the changing of a pupil's grade for mistake to clerical or mechanical mistakes

(2) Under existing law the parent of a pupil is given the opportunity to have information in the pupil's record, including grades, corrected or removed for mistake, fraud, bad faith, or incompetency Under these provisions, the certificated employee who recorded such information is included in meetings between school officials and parents in which the questioned information is discussed

This bill would prohibit the changing of a pupil's grade in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetency, unless the teacher who deter-

mined such grade is, to the extent practicable, given an opportunity to explain why such grade was given and is, to the extent practicable, included in all discussions relating to the changing of such grade

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 716 (AB 2875) Rogers Welfare of children.

Existing law relating to hearings on the disposition of a minor who has been adjudged a dependent child of the court requires that a social study be received in evidence in the initial disposition hearing and that a supplemental report be filed in a continued disposition hearing.

This bill would specify what information must be included in such social study and supplemental report.

Ch 717 (AB 2995) W Brown Pilots San Francisco Bay

(1) Existing law prescribes pilotage rates for the Bays of San Francisco, San Pablo, and Suisun Such rates include a charge of 15 75 mills per high gross registered ton. Pilots are required to pay to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, for its services and expenses, 5% of pilotage fees The amount of such fees, however, is computed exclusive of certain increases in pilotage rates made by various legislative enactments, including any such amendment enacted at the 1979–80 Regular Session of the Legislature

This bill would increase such charge to 16 25 mills per high gross registered ton

(2) Existing law requires a pilot to be at least 62 years of age to be eligible for a pension, and provides that retired or disabled pilots shall receive as a monthly pension an amount which is $50 multiplied by the number of years of service

This bill would reduce the minimum retirement age to 60, and would increase the $50 amount to $60

(3) Under existing law, a pilot carried to sea against his will, or unnecessarily detained on board a vessel when a pilot vessel is in attendance to receive him, is entitled to receive $100 per day while so carried to sea or detained, plus reimbursement for any expenses incurred by him in returning to the pilot station, not to exceed a total amount of $1,000

This bill would increase such amount to $150 per day, not to exceed a total amount of $1,500

(4) Existing law establishes a San Francisco Bar Pilot pension plan and requires an additional charge to be levied for pilotage services in the Bays of San Francisco, San Pablo, and Suisun to finance the plan The additional charge is calculated annually.

This bill would provide for semiannual calculations as specified

Ch 718 (AB 3000) W Brown State employees discipline unauthorized training or target practice materials

An existing statute enumerates the causes for disciplining state civil service employees, including discourteous treatment of other employees and other failure of good behavior during duty hours which is of a nature that it causes discredit to his agency or his employment

This bill would add to the enumerated causes for disciplining state civil service employees and provide as a cause for disciplining city and county civil service employees, the use during duty hours, for training or target practice, of any material which is not authorized therefor by the appointing power

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by

the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 719 (AB 3001) Harris State employees

Existing law requires each state agency and department to establish an effective affirmative action program, with the State Personnel Board being responsible for the statewide advocacy, coordination, enforcement, and monitoring of these programs

This bill would provide that the board, in establishing order and subdivisions of layoff and reemployment, when it finds past discriminatory hiring practices, shall adopt by rule, a process that provides that the composition of the affected work force before and after the layoffs will be the same

Ch 720 (SB 394) Russell Public retirement systems.

(1) The Public Employees' Retirement Law presently permits members under various circumstances to elect to receive credit for service by making installment payments

This bill would provide that specified local members, upon retirement for industrial disability, be refunded such payments if their employer elects to be subject to the provision and amends its contract with the Public Employees' Retirement System The provision would be repealed on January 1, 1982, unless the repeal date is deleted or extended

(2) Existing provisions of the County Employees Retirement Law of 1937 require that an actuarial valuation be made of any county retirement system within 1 year after establishment under such law and at 3-year intervals thereafter.

This bill would generally prohibit the assumptions, calculations, and recommendations of the actuary in such actuarial valuations from being subject to collective bargaining statutes

(3) Existing County Employees Retirement Law of 1937 authorizes counties to adopt alternative schedules of benefits under such systems

This bill would require that a member of such a retirement system have the member's retirement allowance calculated under any particular benefit provision only for the period of time that the provision was in effect in the member's county This requirement would apply only to new members

(4) Existing law authorizes a county board of supervisors to adopt a disability retirement provision which permits a member to transfer or be assigned to a different position with duties within his capacity and to receive the difference in compensation between the 2 positions in lieu of a disability retirement allowance

This bill would provide that that provision apply only to nonservice-connected disability and would authorize the board of retirement to adopt a different service-connected disability retirement provision which would, under specified conditions, permit a member to take another position in county or district service which is compatible with a suitable rehabilitation program and to receive the difference in compensation between the former position and the new position as a supplemental disability retirement allowance The provision would be repealed on January 1, 1986, unless the repeal date is deleted or extended. The Auditor General would be required to prepare a report on the costs and savings of such provisions on or before January 1, 1984

(5) This bill would state that the legislative intent, in enacting the bill, is to provide for the actuarial soundness of such county retirement systems and to promote efficiency in administration of such systems

(6) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reim-

bursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 721 (SB 460) Rains California Avocado Commission.

(1) Under the existing law, generally, the California Avocado Commission, with prescribed membership, powers, and duties, is authorized to carry on programs of advertising, promotion, and marketing research relating to the sale of avocados. The law contains procedures for the election of producer and handler members of the commission, provides that specified actions are a misdemeanor, provides that the commission shall adopt regulations for the conduct of hearings, and provides for the appeal of commission decisions It also requires that the Director of Food and Agriculture give notice concerning a specified referendum by publication in a newspaper of general circulation

This bill would specifically authorize the commission to also deal with production research, would redefine "cooperative producer," "distributor," "independent handler," and "independent producer or grower," and define "cooperative handler." It would repeal provisions relating to the election to the commission of producer and handler members, and would instead provide that elections to the commission shall be pursuant to rules and regulations of the commission which are approved by the director It would specify the punishment for a misdemeanor, allow the commission to recover attorney's fees and costs in specified actions, and would revise the requirement for notice by the director.

(2) Existing law requires the commission's books, records, and accounts to be subject to an annual private audit, as prescribed, and, in addition, authorizes the Department of Finance to audit such books, records, and accounts at any time The present law specifies that such audit is to be made a part of an annual report which is required to be submitted by the commission to all producers and handlers of avocados, with copies to be submitted to the Legislature

This bill would require an annual independent audit and would specify that the audit which is required to be made a part of such an annual report is the independent audit which is required to be made annually

(3) Existing law specifies the boundaries of districts for purposes of the commission's business.

This bill would establish procedures for reapportioning such districts, and require that reapportionment take place prior to the election of commissioners in 1981, and every 5 years thereafter

(4) Existing law requires that a producer member of the commission have a financial interest in producing avocados for market

This bill would require that a producer, in order to be elected a commissioner or alternate, have, at the time of the election, a financial interest in the production of avocados within the district from which the individual stands for election.

(5) Existing law establishes the terms of office for commission members elected in 1978, some of which terms expire in 1980

This bill would extend the length of terms expiring in 1980 by 1 year to 1981, and would provide that commission members elected in 1981 serve for staggered terms, as specified

(6) Existing law requires that specified persons handling moneys belonging to the commission shall be bonded by a fidelity bond in favor of the commission, conditioned upon the faithful performance of duties

This bill would delete the requirement that such bond be conditioned upon the faithful performance of duties

(7) Existing law requires that the commission conduct a referendum, between November 1, 1980, and October 31, 1981, among producers in a specified manner to determine whether provisions of law relating to the commission shall be reapproved and continued effective

This bill would change the procedures for conducting such referendum

(8) Existing law requires that a producer of avocados for noncommercial purposes file an affidavit with the commission so stating, and provides that no production of avocados

in excess of 1,000 pounds per year is exempt from assessment

This bill would repeal such provisions and would authorize noncommercial producers from whom assessments are collected to apply for a refund. The commission would be required to refund such assessment payments if the producer can demonstrate to the commission's satisfaction that the avocados were produced for noncommercial purposes.

(9) The bill would make additional technical changes in existing law.

Ch 722 (SB 593) Carpenter. County Employees Retirement Law of 1937 service credit

Existing provisions of the County Employees Retirement Law of 1937 generally limit receipt of service credit to that earned by performance of regular duties

This bill would provide that no provision of the County Employees Retirement Law of 1937 shall be construed to prohibit the Orange County Transit District from extending retirement service credit on and after January 1, 1981, for the time during which a member is on leave of absence to serve as a full-time officer of a recognized employee bargaining unit if the member or the district, or both, pay specified contributions The maximum service credit would be limited to 8 years The bill would not become operative in a county unless adopted by the board of supervisors

Ch. 723 (SB 1061) Marks Housing authorities powers, community redevelopment. rehabilitated dwelling

(1) Existing law authorizes housing authorities to perform certain acts or functions.

This bill would authorize a housing authority within its area of operation to provide such security, as the authority deems necessary, for the protection of a project and its inhabitants

(2) Existing law authorizes a housing authority to provide financing for the construction or rehabilitation of residential structures for persons of low income, as defined, within its area of operation. Existing law authorizes housing authorities to make loans for the acquisition of housing by persons of low income. Under present law, housing authorities may also make housing loans for other persons in connection with prescribed residential rehabilitation programs and programs of the California Housing Finance Agency.

This bill would specifically authorize such loans to be made through qualified mortgage lenders

(3) Existing law requires a housing authority to fix the rental rate for dwellings in its projects at a level necessary to produce revenue for certain prescribed purposes

This bill would revise and clarify these provisions relative to a housing authority utilizing federal financial aid and relative to the persons and entities these provisions apply to, as specified.

Ch 724 (SB 1322) Petris. Residential care facilities for children.

Existing law under the California Community Care Facilities Act requires the State Department of Social Services to license certain facilities, including facilities for children.

This bill would specify the policy of the state as follows: (1) it is the policy of the state to facilitate the proper placement of every child in residential care facilities where such placement is in the best interests of the child; (2) the placement agencies must actively seek out-of-home care facilities capable of meeting the varied needs of the child; and (3) in placing children in out-of-home care, particular attention should be given to the individual child's needs, the ability of the facility to meet those needs, the needs of other children in the facility, the licensing requirements of the facility as determined by the licensing agency, and the impact of the placement on the family reunification plan

The bill would state that such policy does not preclude the placement of children with varying designations and needs in the same facility except as provided by statute, and on the conditions that the facility is licensed and has a special permit, if necessary, to meet the needs of each child so placed

Ch 725 (SB 1381) Foran. Transportation· Public Utilities Code code maintenance

Chapter 1106 of the Statutes of 1977 revised state law relating to transportation and,

among other things, abolished the State Transportation Board, the State Aeronautics Board, the California Highway Commission, and the California Toll Bridge Authority and vested their duties, powers, purposes, responsibilities, and jurisdiction in the California Transportation Commission

Chapter 1253 of the Statutes of 1972 abolished the Department of Public Works and vested its duties, powers, purposes, responsibilities, and jurisdiction in the Department of Transportation.

This bill would correct references to the California Transportation Commission and the Department of Transportation in, and delete obsolete provisions of, the Public Utilities Code and the general law relating to transportation.

Ch 726 (SB 1310) Garamendi. Nonvehicular air pollution: exemptions to prohibition

Existing law provides various exemptions to the general prohibition of discharge into the air of air contaminants of a specified shade or opacity.

This bill would also exempt smoke emissions from burners used to produce energy and fired by forestry and agricultural residues with supplementary fossil fuels, when the emissions result from the startup or shutdown of the combustion process or the malfunction of emission control equipment.

The bill would incorporate additional changes in Section 41704 of the Health and Safety Code made by AB 3158 and SB 1922 only if this bill and either or both of those bills are chaptered and this bill is chaptered last

Ch. 727 (SB 1304) Presley Arrest.

Existing law provides that a merchant, or a person employed by a library facility, may detain a person for a reasonable time for the purpose of conducting an investigation in a reasonable manner whenever the merchant or library employee has probable cause to believe the person to be detained is attempting to unlawfully take or has unlawfully taken merchandise, or books or library materials, respectively, from the premises. In making the detention, the merchant or library employee may use a reasonable amount of nondeadly force necessary to protect himself and to prevent escape of the person detained or the loss of the property. During the period of detention, any items which the merchant or library employee has reasonable cause to believe are unlawfully taken from the premises and which are in plain view may be examined for the purpose of ascertaining ownership In any action for false arrest, false imprisonment, slander, or unlawful detention brought by any person detained by a merchant, or library employee, it is a defense to such action that the merchant, or library employee, detaining such person had probable cause to believe that the person had stolen or attempted to steal merchandise, or books or library materials, respectively, and that the merchant or library employee acted reasonably under all the circumstances

This bill would additionally authorize a peace officer who accepts custody of a person arrested for stealing of merchandise or books or other library materials to search the person arrested and his or her immediate possessions for any item or items alleged to have been taken.

Ch 728 (SB 1459) Carpenter School testing programs.

Existing law provides for achievement tests to be administered to all public school pupils, as specified.

This bill would specify that for purposes of implementing Title 1 of the Elementary and Secondary Education Act of 1965, as amended, the State Board of Education and the Department of Education shall not require more than 1 standardized achievement test to be administered per year, per pupil.

This bill would require the Legislative Analyst to submit, by January 31, 1981, a specified report relating to state-mandated tests to the Senate Education Committee and the Assembly Education Committee.

Ch 729 (SB 1431) Vuich. Savings and loan associations· credit advances on real property.

Existing law specifies the purposes for which savings and loan associations may make loans or advances on credit, or invest in interests therein, on the security of specified

real property. With respect to such investments, it provides that no association shall have investments aggregating more than an amount equal to the lesser of 2% of its total assets plus ½% of total assets for each percentage point of statutory net worth in excess of 4% of assets, or 5% of its total assets in these specified real property interests.

This bill would additionally specify that investments in loans secured by 1 to 4 family, owner-occupied residences may be made up to a specified amount.

Ch. 730 (SB 1443) Carpenter. Health facilities: psychologists.

Present law authorizes health facilities to include clinical psychologists, as defined, on the professional staff and to accord them clinical privileges consistent with the scope of the psychologist's licensure

This bill would, instead, authorize inclusion of clinical psychologists on the medical staff and committees of the medical staff of such a health facility, and would authorize clinical psychologists to carry professional responsibilities in accordance with their licensure and the individual practitioner's demonstrated competence, as specified As to health facilities providing psychological services, with both licensed clinical psychologists and licensed physicians and surgeons on the medical staff, the bill would expressly authorize either physicians or clinical psychologists to perform services which both may provide, without discrimination. The bill would expressly permit clinical teaching facilities of university medical schools to restrict clinical psychologist staff members to clinical psychologists with faculty teaching appointments The bill would also require that, where possible, the health facility staff which processes, reviews, evaluates, or determines qualifications for staff privileges include a clinical psychologist if the facility's medical staff includes clinical psychologists

Ch. 731 (SB 1276) Cusanovich Insurance.

Existing law prohibits policies of automobile liability insurance from excluding uninsured motorist coverage when the named insured performs volunteer services for a nonprofit charitable organization or governmental agency where the remuneration from such organization or agency to the insured does not exceed 15 cents per mile actually driven.

This bill would, in conformity with existing provisions relating to automobile liability coverage, increase the allowable remuneration from 15 to 22 cents per mile.

This bill would take effect immediately as an urgency statute.

This bill would incorporate additional changes proposed by AB 2418 to become operative if both bills are chaptered and this bill is chaptered last

Ch. 732 (SB 1288) Ayala. Cities: mayoral elections.

Existing law provides that if the elected mayor of a city serves a 2-year term and the election of the remaining members of the city council for 4-year terms is not evenly staggered, the city council may, on a 1-time basis only and prior to the first day for circulating nomination papers for such election, designate 1 of the 3 city council offices appearing on the general municipal ballot, other than the office of the mayor, to serve a 2-year term. The remaining members of the council may also designate the council position receiving the least votes as having a 2-year term, or if there is a tie for that position, designate it by lot.

This bill would make such procedure applicable to city councils having an elected mayor with a 4-year term.

Ch. 733 (AB 3048) Levine Energy technologies: agriculture.

Under the existing law, the State Energy Resources Conservation and Development Commission is required, generally, to develop and coordinate a program of research and development in energy supply, consumption, and conservation.

This bill would provide for a program, managed by the Department of Food and Agriculture in cooperation with the commission, to assess potential solar energy projects in agriculture, to cooperate with the University of California to provide specified information to ranchers, farmers, and food processors, and to establish an energy conservation, renewable resource, and solar energy technologies assistance program in agriculture, as specified The assistance program would be required to include state financial incentives to encourage the deployment of diverse energy conservation and

renewable resource energy technologies in agriculture and food processing. The bill would specify energy conservation, solar applications, and renewable resource energy technologies eligible to receive state financial assistance.

The department, in cooperation with the commission and the University of California, would be required to assist applicants in attempting to obtain assistance from other sources prior to authorizing any state assistance The department would be required to establish a technical review committee, as specified.

The bill would create the Renewable Resource Energy Agricultural Account in the General Fund and provide that all moneys in the account, when appropriated, would be available for allocation by the department for the purposes of the bill. All moneys repaid pursuant to such provisions and other provisions governing a program of research and development in energy supply, consumption, and conservation would be required to be deposited in the account, and funds expended in any calendar year for administering the program would not be allowed to exceed 5% of the total financial assistance provided to applicants. The bill would also transfer $2,000,000 from the Energy and Resources Fund to the Renewable Resources Energy Agricultural Account if AB 2973 is enacted.

Ch 734 (AB 2430) Cline. Schools: district reorganization unification.

Under current law, various alternative procedures exist for the organization or reorganization of school districts, including unification of school districts.

This bill would, notwithstanding any other provision of law, (1) require the county committee on school district organization in a county of the first class, which is studying a proposal for unification within a union high school district, to exclude any component elementary school district with specified average daily attendance from the proposal, upon request of such district; (2) provide that any such elementary school district shall not be merged into a new unified school district because its boundaries are coterminous with a high school district, and (3) specify that such elementary school district shall not be included within a high school district, but would provide that the education of high school students excluded from an existing high school district following any reorganization shall become the responsibility of one of the newly reorganized unified school districts, as specified.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 735 (AB 3129) Imbrecht. Victims of crimes

Existing law requires all accepted applications regarding victims of crimes to be promptly verified by the staff of the State Board of Control

This bill would provide that verifications may be obtained in cooperation with comprehensive programs for victims and witnesses and would require the board to cooperate with the local victim witness programs and the Office of Criminal Justice Planning in conducting and developing various training sessions and procedures.

Ch. 736 (AB 859) Naylor. Schools. surplus property.

(1) Existing law imposes specified conditions upon the sale of surplus school property, including requirements for making the property available to specified public agencies, making it available to the previous owner, and requiring competitive bidding

This bill would enact additional specified conditions with respect to the proposed sale or lease of a school site which contains land used for school playground, playing field, or other outdoor recreational and open-space purposes, by school districts having an average daily attendance of not more than 400,000.

The bill would require, under specified circumstances, that the portion of a surplus

school site consisting of land used for playground, playing field, or other outdoor recreational and open-space purposes, but not more than 30% of a school district's total surplus acreage, be first offered for sale or lease to specified public agencies pursuant to specified priorities for the purpose of continuing to make the land available for such purposes, and would impose as the minimum sales price an amount not less than 25% of the fair market value of the land to be sold or an amount not less than the amount necessary to retire a share of local bonded indebtedness, as specified, and would impose maximum limitations on the sales price and on the lease payments.

This bill would authorize school districts offering specified district property for sale to sell a portion of that property for fair market value if the district offers an equivalent size alternative portion of the property for playground, playing field, or other recreational and open-space purposes

The bill would require the deed or other instrument of transfer to provide that the school district would be entitled to reacquire the land at any time and to finance the reacquisition by lien against the proceeds of the subsequent sale by the school district. The bill would also provide for reacquisition of the land by the school district if the purchasing agency determines that the land is no longer needed by it for playground, playing field, or other outdoor recreation and open-space purposes.

Except in the case of a site which, under specified conditions, is presently leased to a city for park purposes, school districts which have immediate need for an additional site and are actively seeking to acquire such a site would be able to designate up to two surplus school sites as exempt from the provisions of the bill and would be able to exempt one surplus school site if the district is seeking immediate expansion of classroom capacity in a school by 50% or more.

The bill would also specify that the failure of a district to comply with the provisions of the bill would not invalidate the transfer or conveyance of property to a purchaser or encumbrancer for value.

The bill would permit a school district, as an alternative to the selling or leasing of surplus land, to enter into other types of transactions, involving a lease, lease-purchase, and open-space easement, with specified governmental entities

Existing law makes school districts subject to nonuse payments to the state with respect to school sites not used for school purposes for a specified number of years.

This bill would exempt a school district from nonuse payments for any year with respect to a school site which for one-half or more of the year has been utilized by the school district, or by another governmental entity pursuant to agreement with the school district, for school or community playground, playing field, or other outdoor recreational purposes.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 737 (SB 1265) Nejedly Public officers.

Existing law does not prohibit the reduction of the salary of any elected public office during an election year and after any candidate has filed for that particular office

This bill would prohibit such a reduction in salary from occurring during an election year.

Ch 738 (AB 2513) Thurman. Weights and measures

(1) Existing law requires the Department of Food and Agriculture to issue instructions and make recommendations to county sealers, as specified.

This bill would require instructions and recommendations which are made to insure statewide weights and measures protection to include a local administration cost analy-

sis, as specified, utilizing data provided by the county sealer, would require the Director of Food and Agriculture to develop, jointly with the county sealers, county priorities for enforcement programs and activities, and would require the director to annually report specified findings and a list of priorities to the Legislature

This bill would also authorize the director to allocate annually to each county from specified moneys an amount not exceeding ⅓ of the amount expended by the county for the previous fiscal year for weights and measures programs

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 739 (AB 997) Nestande Biennial energy report: State Energy Resources Conservation and Development Commission Governor.

The Warren-Alquist State Energy Resources Conservation and Development Act requires the preparation of a statewide energy report every two years which, generally, all identify emerging trends relating to energy supply, demand, and conservation and public health and safety factors, specify the level of statewide and service area electrical energy demand for a designated forthcoming period, and provide the basis for state policy and actions in relation thereto, and require the State Energy Resources Conservation and Development Commission to transmit such a report to the Governor and the Legislature.

This bill would, commencing with the report transmitted in 1981, require the Governor to review each such report and, within a designated period, to report his agreement or disagreement with the policy recommendations contained therein, as prescribed The bill would, generally prescribe the content of the Governor's report, and would designate it as the Governor's official statement of energy policy.

The bill would specify that the Governor's report on the 1981 Biennial Report of the commission would not be due until March 31, 1981

Ch 740 (AB 2358) Imbrecht State highway system· Route 1.

Existing law designates the segments of road which comprise State Highway Route 1

This bill would include within Route 1 a section of Route 101 from Emma Wood State Park, 1 3 miles north of Route 33, to Route 101, 2 8 miles south of the Ventura-Santa Barbara County line at Mobile Pier Undercrossing

Ch 741 (AB 2415) Hannigan. Courts.

Existing law specifies the number, classification, and compensation of various court officers and employees in Solano, Napa, and Yolo Counties

This bill would revise the number, classification, and compensation of various court officers and employees in Solano, Napa, and Yolo Counties

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected

Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 22467 of the Revenue and Taxation Code.

Ch. 742 (AB 2428) Nestande. Fair political practices.

Existing law under the Political Reform Act of 1974 provides that no action shall be filed for the violation of reporting requirements, the unlawful making or receiving of a contribution, gift, or expenditure or violation of a disqualification provision more than 4 years after the first day on which a request to the civil prosecutor could be filed

This bill would provide instead, that no civil action alleging the violation of the campaign disclosure laws shall be filed more than 4 years after an audit could begin and that no civil action alleging a violation of the provisions of the Political Reform Act of 1974, shall be filed more than 4 years after the date the violation occurred

Ch 743 (AB 2406) Bates Vehicle leasing

Under existing law, lessors of vehicles, with specified exceptions, are required to submit notices of lease to the Department of Motor Vehicles with payment of a fee not to exceed $5 per notice

This bill would repeal such provisions

Ch 744 (AB 2661) Thurman Courts. Stanislaus and Merced Counties

Existing law sets forth the compensation of officers and employees of the municipal and superior courts in Stanislaus and Merced Counties.

This bill would revise the compensation of specified officers and employees of the municipal and superior courts in Stanislaus County and of specified officers and employees of the municipal court in Merced County

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 745 (AB 2724) Mello Court personnel. Santa Cruz County.

Existing law provides a monthly salary schedule for full-time official reporters of the Superior Court in Santa Cruz County, and specifies the compensation for an official reporter pro tempore for each day such reporter is on duty under order of the court

This bill would provide that the salaries specified by existing law shall be paid to such full-time official reporters and official reporters pro tempore unless the board of supervisors by ordinance provides for compensation in excess of the statutory amounts, in which event the amounts set by ordinance shall apply

Existing law specifies the constitution and salary range of municipal court personnel in Santa Cruz County

This bill would provide for the appointment of a court administrator-clerk of the municipal court, who shall be empowered to appoint an assistant [court administrator-]* clerk of the municipal court, ~~both~~ [the former]* of whom would receive a salary at a specified schedule rate and serve in [a]* civil service-exempt ~~positions~~ [position]*. The administrator-clerk would be appointed by and serve at the pleasure of the judges of the municipal court, and the assistant [court administrator-]* clerk would serve with the approval of a majority of the judges of the court [at a specified salary schedule rate]*

Existing law authorizes the clerk of the municipal court to appoint various specified court personnel

This bill would instead authorize the administrator-clerk to appoint, in addition to presently authorized personnel, additional deputy court clerks, at specified salary schedule levels It would revise the salary provisions for various court personnel, as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require

the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 746 (AB 2900) Fenton. Courts. Los Angeles County.

Existing law provides for the number and compensation of municipal court personnel in Los Angeles County, and establishes the reporters' salary fund. Existing law also provides that a majority of the judges of the Los Angeles Superior Court may appoint specified officers and employees, including court reporters, at specified rates of compensation

This bill would revise the number and compensation of municipal court personnel in Los Angeles County, and would revise the above authorization for superior court officers and employees and their compensation, including the number and compensation of court reporters and increase the required minimum balance of the reporters' salary fund

Under existing law Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 747 (AB 3140) McVittie. Courts: San Bernardino County

Existing law authorizes San Bernardino County to increase the salaries of, and reclassify, municipal court employees Such authority is effective only until January 1, 1981

This bill would extend such authority until January 1, 1982.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 748 (AB 3183) Robinson. Superior courts. Orange County

Existing law specifies the number, compensation, and classification of superior court personnel in Orange County.

This bill would revise the number, compensation, and classification of superior court personnel in Orange County.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected

Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 2246 of the Revenue and Taxation Code.

Ch 749 (AB 3476) Levine Controlled substances: methamphetamine and its precursors

(1) Under present law, methamphetamine is a controlled substance classified in Schedule II Its precursor, methylamine is subjected to certain controls and criminal penalties relative to sale, transfer, and furnishing. Also, present law makes it a felony to simultaneously possess both methylamine and phenylacetone with intent to manufacture methamphetamine.

This bill would enact identical provisions with respect to N-ethylamphetamine and its precursor ethylamine.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) This bill would take effect immediately as an urgency statute.

Ch. 750 (SB 1562) Montoya. School finance: community colleges: apprentices.

(1) Current law prescribes a program for training apprentices through instruction approved and provided by state and local public education agencies authorized to provide instructional education. It also provides, for purposes of state apportionments from the State School Fund, that apprentices enrolled in a community college be reported separately, and apprentices enrolled in a high school be reported as regular students

This bill would provide that attendance of apprentices enrolled in any class maintained by a high school, unified school district, regional occupational center or program, community college, or adult school shall be reported separately. The bill would also exempt such apprentice classes from interdistrict attendance agreement requirements.

This bill would require the Superintendent of Public Instruction and the Chancellor of the California Community Colleges, whichever is appropriate, to make allowances for each clock hour of teaching time devoted to each indentured apprentice enrolled in and attending an apprentice class at the rate of $3.25 per hour.

This bill would revise the method of computing apportionments to school districts and community college districts for purposes of making the allowances prescribed by this bill

(2) Existing law provides that no charges or fees of any kind shall be required to be paid by any apprentice, except that nonresident apprentices of the school or community college district providing instruction may be required to pay tuition and other charges.

This bill would delete this exception and require that no charges or fees of any kind be required to be paid by nonresident apprentices of the school or community college district providing instruction.

(3) Under existing law, from the amount annually transferred to Section A of the State School Fund, there is to be expended a specified amount for basic aid, equalization aid, allowances for adults, and allowances to the county school tuition funds.

This bill would reduce that specified amount, and would require that a specified amount be expended for purposes of apprenticeship education

(4) Under existing law, the sum of $1,047,000,000 is appropriated to Section B of the State School Fund for community college apportionments during the 1980–81 fiscal year

This bill would provide that $9,947,000 of that amount or an amount appropriated in lieu of that amount in the Budget Act of 1980 shall be available for purposes of funding apprenticeship education in the 1980–81 fiscal year at the community college level and would provide that $4,063,000 of the amount appropriated by the Budget Act of 1980 for making apportionments to school districts shall be available for funding apprenticeship

education in school districts

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(6) This bill would take effect immediately as an urgency statute

Ch. 751 (SB 1928) Presley Juvenile court law

Existing law provides for the creation and operation, as specified, of several types of commissions designed to prevent juvenile delinquency, including county juvenile justice commissions, regional juvenile justice commissions, and delinquency prevention commissions.

This bill would require the membership of each of the commissions to include two or more persons who are between 14 and 21 years of age, provided there are available persons between 14 and 21 years of age who are able to carry out the duties of a commission member in a manner satisfactory to the appointing authority.

An existing provision of law requires that in counties having a population in excess of 2,000,000 in lieu of a county juvenile justice commission, there shall be a probation committee of not less than 7 members, to be appointed as specified.

This bill would delete such provision

Ch 752 (SB 1895) Robbins. Vehicles towing and transporting

Under existing law, the transportation by towing of a disabled vehicle is exempted from the provisions of the Highway Carriers' Act.

This bill would also exempt the transporting other than by towing of not more than 3 vehicles, or not more than 2 vehicles with a third vehicle in tow, when in transit to be repaired or dismantled, and the transportation by towing of a vehicle which was illegally parked

Ch. 753 (SB 1883) Dills. Teacher preparation: securing personal information

(1) Under current law, the Commission for Teacher Preparation and Licensing is authorized to secure information and records from any agency or department of the state for the purpose of evaluating the identification or fitness of any applicant for a credential or for the renewal of a credential

This bill would, in addition, authorize the commission to obtain records and information from any political subdivision of the state, whether chartered by the state or not, and would limit the purpose of obtaining the information to the ascertainment of the moral character and true identity of the applicant or holder of a credential.

This bill would require the application for a credential to contain notice that the information included in the application is subject to investigation for, and verification of, the applicant's moral character and true identity.

(2) Existing law does not provide for the consent to disclosure of information from public agencies to the commission.

This bill would provide that every applicant for issuance or renewal of a credential shall be deemed to give his or her consent for disclosure of information from a public agency to the commission for the sole purpose of ascertaining his or her moral character and identity.

(3) Existing law authorizes the commission, upon written request of a private school authority to disclose information and other data relative to the identification or fitness of an applicant for a teaching position with a private school to the private school authority.

This bill would condition the release of such information upon the written consent of an applicant for a credential or a credential holder

Ch 754 (SB 1882) Dills. Private Investigator and Adjuster Act.

Existing law specifies the grounds for the denial of a license to be issued pursuant to the Private Investigator and Adjuster Act

This bill would authorize the Director of Consumer Affairs to refuse to issue any such license to any person who has had any license issued to him or her revoked or suspended or if any member, officer, or director of any partnership, corporation, or firm has had a license revoked or suspended, as specified.

Existing law generally prohibits persons licensed under the Private Investigator and Adjuster Act from engaging in various specified acts

This bill would, in addition, specifically prohibit persons licensed as private patrol operators and uniformed employees of private patrol operators from engaging in various other acts, as specified

Existing law authorizes the Director of Consumer Affairs to impose a civil penalty of not less than $500 in lieu of the suspension or revocation of a license issued pursuant to the Private Investigator and Adjuster Act for violations of specified provisions of law

This bill would authorize the director to issue a citation consisting of an order of abatement or the assessment of a fine of not more than $1000 if after investigation the director determines a licensee to be in violation of specified provisions of such act. The bill would require the citation or fine assessment to inform the licensee that he or she may request a hearing and require that the licensee must request such hearing in writing within 20 days of the issuance of the citation or the assessment of the fine The bill would also require the director to suspend the license of a licensee who neither requests a hearing nor pays the assessed fine within 20 days of the assessment

This bill would, in addition, specify the amounts of fines which may be assessed for violations of specified provisions of the law

Existing law requires licensees of the Private Investigator and Adjuster Act to file a $2,000 surety bond or other security, as specified, as a condition of licensure

This bill would delete such bonding requirement

Existing law specifies the grounds for the suspension or revocation of a license issued pursuant to the Private Investigator and Adjuster Act

This bill would authorize the director to suspend such a license for failure to notify the Bureau of Collection and Investigative Services of any change of address and specifies that such a license may be reinstated only upon payment of a fee, as specified

Existing law provides that licenses issued pursuant to the Private Investigator and Adjuster Act expire at 12 midnight 2 years after the date upon which they were issued or renewed

This bill would revise such provision to provide that such licenses are to expire at 12 midnight on May 31 of each even-numbered year

Existing law provides that money derived from the Private Investigator and Adjuster Act is to be deposited in the Private Investigator and Adjuster Fund which is appropriated to the Bureau of Collection and Investigative Services to carry out purposes of the act

The fees and fines provided for in this bill would result in an increase in such fund which is available for expenditure

Ch 755 (SB 1633) Nielsen Flood control Sacramento River

Under existing law, the governing bodies of local agencies responsible for maintenance and operation of the Sacramento River Flood Control Project are required to annually cause a report, as prescribed, to be prepared on the condition of project works within the jurisdiction of the agency

This bill would delete such requirement, and would generally direct the Department of Water Resources, in connection with flood control works of the project, to make inspections and prepare reports which are required because of assurances given to the Secretary of the Army pursuant to specified provisions

Ch 756 (SB 1648) Rains Vehicles quadricycles

(1) Existing law defines a motorized bicycle as a two- or three-wheeled device producing less than two horsepower and capable of less than 30 miles per hour, among other characteristics, and exempts motorized bicycles and invalid tricycles from registration as motor vehicles

This bill would extend the registration exemption to motorized quadricycles, as defined

This bill would also require motorized quadricycles, as defined in the bill, to comply with equipment requirements of motor-driven cycles, as defined in existing law.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 757 (SB 1744) Russell. Teachers' Retirement System, State· disability benefits.

(1) The State Teachers' Retirement Law presently defines the term "disability" or "disabled" as an impairment which, among other things, prevents a member from performing duties of a comparable level for which the member is qualified by education, training, and experience

This bill would revise that definition by comparing instead the level of duties to those for which the member is qualified within a reasonable time by education, training, or experience.

(2) The law presently provides that a member with a disabling impairment amenable to treatment be deemed to be under a disability if the member is undergoing prescribed treatment.

This bill would instead provide that any member with a disabling impairment amenable to treatment or having rehabilitation potential shall participate in a prescribed treatment program and would require the Teachers' Retirement Board to pay all reasonable costs of the approved program The board could only pay that cost with funds made available in the Budget Act for each fiscal year.

Ch. 758 (SB 1807) Marks. Elections.

Existing law requires the county clerk to preserve all canceled original affidavits of registration for a period of four years, after which they may be destroyed by that officer

This bill would increase the preservation period to five years

Existing law does not require the county clerk to preserve the original roster of voters for an election

This bill would require the county clerk to preserve such roster or a record thereof for a period of five years

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 759 (SB 1613) Maddy Fair political practices

Existing law, under the Political Reform Act of 1974, provides that no contribution or expenditure of $100 or more shall be made in cash, defines "late contribution" as a contribution or loan totaling in the aggregate $1,000 or more and received or made before the election date but after the last campaign statement filing date prior to the election, and requires recipients to report a late contribution within 48 hours of receipt

This bill would provide that no contribution or expenditure of $100 or more shall be made or received in cash and no expenditure of $100 or more shall be made in cash.

The bill would also provide that a cash contribution will not be deemed received if it is not negotiated or deposited and is returned to the contributor before the closing date of the campaign statement, or, if it is negotiated or deposited but is refunded within

72 hours of receipt, or, in the case of a late contribution, if it is returned to the contributor within 48 hours of receipt.

Ch 760 (SB 1569) Beverly. Savings and loan associations

Existing law specifies various fees to be paid to the Savings and Loan Commissioner in connection with the licensure and regulation of savings and loan associations.

This bill would eliminate the specified fees and instead would provide that the amount of such fees would be prescribed by the commissioner.

Existing law requires each branch office of a savings and loan association to be licensed

This bill would provide that the commissioner may prescribe the form of the license

Existing law authorizes a savings and loan association to make loans on unimproved real property not to exceed 70% of appraised value for a term not to exceed 2 years.

This bill would provide that such loan may be made for an initial or extended term which singly or in the aggregate may not exceed 2 years.

Existing law prohibits certain loans by savings and loan associations which would benefit an officer or employee, but permits a loan to the purchaser of a single-family dwelling owned and occupied by a salaried officer or employee

This bill would require the approval of the board of directors of the association in advance of making a loan to the purchaser of a salaried officer's dwelling

This bill would make related changes

Ch 761 (SB 1579) Alquist Electronic data processing procurement procedures

Existing statutes (1) prescribe procedures for and conditions upon state purchases of supplies or equipment, and (2) express state policy regarding electronic data processing

This bill would require all acquisition contracts for electronic data processing (EDP) services or EDP goods to be made by or under supervision of the Department of General Services and would do all of the following require the Department of Finance to develop and the Department of General Services to maintain in the State Administrative Manual policies and procedures governing the acquisition and disposal of EDP goods and services, as specified, require acquisition, with specified exceptions, to be by competitive means; require approval of acquisition mode and procedure by the Director of General Services; provide for contract awards based upon cost-effectiveness, as specified, provide for alternative financing proposals, delegation of acquisition authority, acquisition of additional items, protests, disposal of surplus equipment, vendor exclusion, bidding, special terms for contracts for special manufacturing or performance for the state, and other matters, provide for related annual reports to the Legislature until January 1, 1983, provide for state provision of specified services to public agencies and state purchase or lease of EDP goods and services for local entities, as specified, and exempt purchases of EDP supplies and equipment from item (1) above.

Ch 762 (SB 1610) Maddy Municipal courts. Madera County

Existing law provides for municipal courts in various counties

This bill would, contingent upon consolidation of certain judicial districts in Madera County by the board of supervisors, establish the Madera County Municipal Court consisting of 2 judges and various officers and employees, and would indicate the basis of the compensation thereof

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905.2 of the Government Code or Section 2250 of the

Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 2246 of the Revenue and Taxation Code.

Ch. 763 (SB 1694) Russell Regulated entities.

Under existing law, banks and other specified entities are authorized to invest their funds in various stocks, bonds, notes, and obligations, as specified

This bill would permit such entities to also invest in specified certificates evidencing an undivided beneficial interest in a pool of loans secured by mortgages, deeds of trust, or other instruments meeting specified conditions in an amount not exceeding 10% of each entity's shareholders' equity. The bill would provide that, effective January 1, 1983, such provision is repealed unless the Legislature, prior to such date, enacts a bill continuing in existence the repealed provisions. The bill would further provide that it is the intent of the Legislature that such repeal shall in no way affect investments which were validly made pursuant to such provision prior to its repeal

Existing law, specifically Article XV of the California Constitution which is commonly referred to as the usury law, prohibits any lender of money, other than those specifically exempted, as specified, from charging interest on specified loans at rates greater than is specified Pursuant to constitutional law theories of preemption, federal savings and loan associations are considered exempt from any state regulation, including presumably regulation under the state's usury law

This bill would specifically exempt federal savings and loan associations from regulation under the state's usury law This bill would state that such provision does not constitute a change in, but is declaratory of, the existing law

Ch. 764 (SB 1747) Ayala. Agricultural land

The existing provisions of the Williamson Act authorize a county or city to establish agricultural preserves and defines "agricultural use" as the use of land for the purpose of producing an agricultural commodity for commercial purposes There is no provision which expressly includes the use of land for housing for agricultural laborers within the meaning of agricultural use

This bill would provide that agricultural laborer housing facilities shall be determined to be a compatible use within any agricultural preserve unless the board or council finds to the contrary. It would also provide a procedure for the cancellation of any contract by the landowner if the board or council has determined that agricultural laborer housing is not a compatible use on the contracted lands

The bill would require the Controller to report to the Legislature on the amount of the claims made pursuant to Section 2229 of the Revenue and Taxation Code by county auditors for state reimbursement for property tax revenues lost by reason of this enactment

Ch 765 (SB 1752) Craven Fair political practices

Existing law, under the Political Reform Act of 1974, provides that each Conflict of Interest Code require each designated employee to file an annual statement and a statement upon leaving office disclosing reportable investments, interest in real property and income, which may foreseeably be materially affected by any decision made or participated in by a designated employee by virtue of his or her position.

This bill would rearrange and revise these provisions of existing law

Existing law, under the Political Reform Act of 1974, requires designated employees, if subject to Senate confirmation, to file a statement 10 days after being appointed or nominated

This bill would increase the filing period to 30 days

Existing law, under the Political Reform Act of 1974, does not authorize the Fair Political Practices Commission to file an action to require the adoption of a Conflict of Interest Code by a public agency nor does it allow the commission to seek review of any action of a code reviewing body

This bill would allow the commission to file an action for the adoption of a Conflict of Interest Code and to seek judicial review of actions of code reviewing bodies

Ch 766 (SB 1760) Montoya Employment and training planning

Existing federal law requires any state which desires to receive financial assistance

under the Comprehensive Employment and Training Act to establish a state employment and training council with specified duties State law contains provisions establishing a California Manpower Planning Council to formulate a state manpower and employment plan to coordinate manpower program expenditures

This bill would abolish the California Manpower Planning Council and specify requirements for an employment and training plan for operating federally funded employment and training programs in the state The state employment and training council created pursuant to the Comprehensive Employment and Training Act would participate in an advisory capacity in developing the plan

The bill would take effect immediately as an urgency statute

Ch. 767 (SB 1959) Keene Subdivision Map Act shopping centers.

The Subdivision Map Act exempts various types of actions from its provisions.

This bill would add such an exemption for the financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel unless such financing or leasing is not subject to review under other local agency ordinances regulating design or improvement The bill would also add an exemption for the financing or leasing of existing separate commercial or industrial buildings on a single parcel

Ch 768 (SB 1966) Petris Juvenile court records· misdemeanors

Existing law provides that the person himself if an adult or other persons, as specified, or the estate of a person shall be liable jointly and severally for the cost of sealing any traffic infraction records pursuant to law

This bill would include within the scope of such liability the cost of sealing traffic misdemeanor records

Ch 769 (SB 1971) Campbell Water conditioning

Existing law prohibits installation of residential water softening or conditioning appliances except as specified, which specifications require a piping system installed so that untreated water is carried to hose bibs and sill cocks which service water to the outside of the house

This bill would allow bypass valves to be installed for that specified purpose but only on homes with slab foundations constructed prior to the date of installation, or condominiums constructed prior to the date of installation, or otherwise where a piping system is physically inhibited

The bill would take effect immediately as an urgency statute

Ch 770 (SB 1985) Ayala Cities warrants and checks

(1) Existing law generally requires that the warrants and checks of a city have affixed thereto the manual signature of a designated city officer

This bill would delete the requirement that warrants and checks issued by cities pursuant to a prescribed alternative procedure contain the manual signature of a city officer

(2) Under existing law payroll warrants and warrants drawn in payment of demands certified or approved by the city clerk need not be audited by the legislative body of the city prior to payment, but the payrolls or the budget demands paid by warrant are required to be presented to the legislative body for ratification and approval at the first meeting after delivery of the warrants

This bill would make these provisions applicable also to payroll checks and checks drawn in payment of demands certified or approved by the city clerk

Ch 771 (SB 1993) Alquist Seismic safety

(1) Existing law establishes procedures for formation of a geologic hazard abatement district, which may be formed to obtain financing, as prescribed, to undertake and complete certain improvements to land and structures to make them safer from geologic hazards Earthquakes are not specifically included within the term "geologic hazard" for these purposes

This bill would make such an inclusion It would also authorize the board of directors of a geologic hazard abatement district to make improvements to public or private structures when it determines that it is in the public interest to do so

The bill would also provide that, if, in the use of the Municipal Improvement Act of 1911, the Municipal Improvement Act of 1913, or the Improvement Bond Act of 1915 to finance an improvement by a geologic hazard abatement district, there is a majority protest, the board of directors would be prohibited from using the ⅔ override provisions of those acts, but could seek to finance the improvements by the use of other specified provisions contained in AB 2155. This provision would become operative only if AB 2155 is enacted into law, as specified

(2) Existing law does not include geologic hazard abatement on public or private property or structures as a service which may be provided by a county service area.

This bill would make such inclusions, where the board of supervisors determines it is in the public interest to do so "Geologic hazard" would be defined for such purposes as described in paragraph (1).

(3) Under Chapter 39 of the Statutes of 1980, an assessment district formed pursuant to the Improvement Act of 1911 is authorized to prevent, mitigate, abate or control a geologic hazard, or to repair damages therefrom, including the taking of such measures on private property under certain conditions. Earthquakes are not specifically included within the term "geologic hazard" for such purposes

This bill would make such an inclusion

(4) This bill would also incorporate additional changes in Section 25210 4a of the Government Code made by SB 1275, to become operative only if this bill and SB 1275 are both chaptered and this bill is chaptered last

Ch. 772 (SB 1994) Johnson. Custodial officers

Existing law provides increased punishment for assault, battery, or assault with a deadly weapon or means likely to produce great bodily injury when the victim is one of specified peace officers, or, in the case of battery only, a custodial officer, as defined.

This bill would include such custodial officers in such provisions relative to such assaults.

Existing law defines and prescribes the authority of custodial officers as certain city detention facility employees who may not carry firearms and may make arrests pursuant to a warrant

This bill would separately define custodial officers as employees of a county having a population of 250,000 or less performing generally similar tasks as specified within such definition for cities, but would additionally authorize the carrying of firearms under specified circumstances, and the making of certain warrantless arrests and other specified tasks by such county employees

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 773 (SB 2046) Marks Physically handicapped persons.

Existing law prohibits the denial of equal access to housing accommodations to a totally or partially blind person, or a deaf person, on the basis that such a person uses the services of a guide dog or signal dog

This bill would extend such provisions to a physically handicapped person who uses the services of a service dog, as defined

Existing law grants a totally or partially blind person, and a deaf person, the right to be accompanied by a guide dog or signal dog in designated modes of transportation and places of public accommodation

This bill would extend such right to a physically handicapped person accompanied by a service dog

Existing law provides that expenses incurred by a visually handicapped person and a

deaf person in connection with the care and maintenance of a guide dog and a signal dog are deductible as a medical expense under the Personal Income Tax Law

This bill would extend such provision to a physically handicapped person, as defined, using the services of a service dog

Ch. 774 (SB 1640) Speraw Property tax community apartment projects and cooperative housing corporations

Under existing law, whenever real property has been divided into condominiums, the assessor is authorized to separately assess each condominium for property tax purposes There is no provision which authorizes the assessor to separately assess the individual interests in a community apartment project or a cooperative housing corporation

This bill would provide that whenever a community apartment project, stock cooperative, limited equity housing cooperative, or other housing cooperative requests a separate assessment, the assessor shall separately assess the individual interests held by the owners of the project or the shareholders of the corporation if certain conditions are met

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

This bill would incorporate additional changes in Section 66412 of the Government Code, proposed by AB 2456, to be effective only if AB 2456 and this bill are both chaptered and become effective January 1, 1981, and this bill is chaptered last

This act would become operative for assessments made on the lien date for the 1981–82 fiscal year and thereafter but would authorize the county board of supervisors to postpone the operative date of the act for the county to the lien date for the 1982–83 fiscal year.

Ch 775 (SB 1374) Marks Peace officers

Existing law makes City of Los Angeles and Contra Costa and Los Angeles County housing authority patrol officers, but not San Francisco Housing Authority police officers, peace officers

This bill would confer peace officer status upon San Francisco Housing Authority police officers

The bill would specify that its provisions shall not be operative if SB 1447 is chaptered, as specified

Ch 776 (SB 1392) Watson Diethylstilbestrol programs insurance

(1) Under existing law, there is no program for the education, identification, and screening of persons exposed to diethylstilbestrol while pregnant or prenatally

This bill would establish such a program under the authority of the State Department of Health Services The program, among other things, would require the department to identify at least one program for screening and follow-up care for each health service area, as specified It would require any state department, agency, commission or board or any political subdivision of the state to assist the department and provide necessary data

(2) Existing law does not prohibit health care service plans, disability insurance policies, and nonprofit hospital service plans or hospital service contracts, as defined, covering hospital, medical, or surgical expenses on a group or individual basis from containing provisions which exclude, reduce, or limit coverage to persons exposed to diethylstilbestrol

This bill would so prohibit such contracts and plans from containing such provisions, as specified

(3) This bill would appropriate $39,431 to the State Department of Health Services for purposes of the program for the education, identification, and screening of persons exposed to diethylstilbestrol, as discussed above The bill would state legislative intent

that the program be funded through the normal budgetary process for the 1981-82 fiscal year.

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 777 (SB 1419) Foran Transportation: Streets and Highways Code: code maintenance.

(1) The Streets and Highways Code governs laws relating to transportation.

This bill would delete obsolete provisions, correct obsolete references, and make other nonsubstantive, technical, or clarifying changes.

(2) Existing law requires the Department of Transportation to maintain highways in property of any institution receiving state support, of the California School for the Deaf, of the California School for the Blind, the state college and university system, and of National Guard camp grounds.

This bill would repeal such existing law.

(3) The California Parkway Act provides for a state parkway system, for parkway construction and maintenance, and for state cooperation in any federal parkway program

This bill would repeal such act.

(4) Under the Los Angeles County Toll Tunnel Authority Act, the Los Angeles County Toll Tunnel Authority is required to study the engineering and financial feasibility of constructing, operating, and maintaining a specified toll tunnel and to submit a report of such study to the Legislature.

This bill would repeal such act.

Ch. 778 (SB 1450) Mills. State employees.

Existing law allows state employees to voluntarily reduce their worktime whenever a reduction equivalent to 1% or more of full-time equivalent jobs is contemplated for state personnel and allows an employee who is being coerced or required to involuntarily reduce his or her worktime to file a grievance with the appropriate authority, as specified.

This bill would allow an employee who has been unreasonably denied the right to participate in this program to file a grievance.

Ch. 779 (SB 1515) Nimmo. Fair Political Practices Commission.

Existing law provides that the Fair Political Practices Commission is the code reviewing body for conflict of interest codes for state agencies, county boards of supervisors, city councils, or any other local government agencies with jurisdiction in more than one county.

This bill would provide that the commission would be the code reviewing body for conflict of interest codes for various public officers, as specified

Ch 780 (SB 1520) Nejedly Disqualification of prosecutors

Decisional law provides that it is within the trial court's discretion in appropriate circumstances to disqualify a prosecuting attorney from participation in the prosecution of criminal charges Existing statutory law permits the Attorney General, where he deems it necessary, to take full charge of the criminal prosecution of violations of law of which the superior court has jurisdiction and permits the Attorney General to employ special counsel if a district attorney is disqualified to conduct any criminal prosecution

This bill would provide that notice of any motion to disqualify a district attorney from prosecuting a criminal case shall be served on the district attorney and the Attorney

General at least 10 days before the motion is heard and would specify the contents of the notice of motion The Attorney General would be permitted to appear at the hearing on the motion and file an opinion The motion would not be granted unless the evidence shows that a conflict of interest exists such as would render it unlikely that the defendant would receive a fair trial. An order recusing the district attorney could be appealed by the district attorney or the Attorney General The order would be stayed pending any appeal.

Ch. 781 (SB 1534) Nejedly State park system general plans

Under existing law, the Department of Parks and Recreation is required to prepare or revise a general plan of development consisting of specified elements for each unit of the state park system following classification thereof by the State Park and Recreation Commission, and any improvement existing within the state park system on March 4, 1972, not complying with these provisions may not be expanded

This bill would prohibit expansion of any improvement existing on January 1, 1979, and development of any new facility within the state park system which does not comply with these provisions It would provide that the department is not required to prepare or revise a general plan for a unit if the proposed development involves only repair, replacement, or rehabilitation of an existing facility, the construction of a temporary facility, as specified, measures for the protection of public health or safety, or emergency measures for the immediate protection of natural or cultural resources, or any combination of these at a single unit It would further permit any general plan approved prior to July 1, 1972, to be used as the basis for development if the Director of Parks and Recreation finds there has been no significant change in the resources of the unit and the plan is consistent with current development policies for, and with the classification of, the unit

Ch. 782 (SB 1552) Dills Teacher preparation certificate of clearance.

Under current law, professional preparation for candidates for a teaching credential must be made available in the upper division course offerings at all California public institutions of higher learning

Existing law authorizes a candidate before admission to any professional preparation program to obtain a certificate of clearance from the Commission for Teacher Preparation and Licensing, which verifies the candidate's personal identification and health status

This bill would require a candidate before his or her admission to student teaching under a professional preparation program to obtain a certificate of clearance from the commission

Ch. 783 (SB 1875) Mills Transportation express bus or vanpool service San Diego County

Under the Mills-Alquist-Deddeh Act, a county in which there is no countywide transit district may file a claim for local transportation funds with the transportation planning agency for the purpose of construction and maintenance of multimodel transportation terminals

This bill would authorize the County of San Diego to file a claim for express bus service or vanpool service, with such service subject to specified conditions

The bill would be repealed on July 1, 1985, unless the date is extended or deleted

The bill would declare that a special law is necessary

The bill would take effect immediately as an urgency statute

Ch. 784 (SB 1863) Dills Vehicles registration tab display, axle weight limits

(1) Existing law generally requires every motor vehicle which is operated, transported, or left standing upon a highway to be registered Each vehicle registered is issued a registration card and unique license plates Registration is required to be renewed annually and, at the time of renewal, a new registration card is issued along with a tab, sticker, or other suitable device which indicates the year of registration and the month the registration will expire The tab, sticker, or other suitable device is required to be attached to the rear license plate assigned to the vehicle, except that truck tractors are required to display the tab, sticker, or other suitable device upon the

front license plate

This bill would require vehicles having an unladen weight of 10,000 pounds or more to display the tab, sticker, or other suitable device upon the front license plate

(2) Under existing law, until December 31, 1983, a vehicle with 2 consecutive sets of tandem axles on a combination of vehicles between 25 and 33 feet apart, may carry a gross weight of 64,000 pounds if the gross weight carried by each set of axles does not exceed 32,000 pounds. This provision is in addition to the authority to carry the prescribed weights

This bill would delete such additional provision

(3) Existing law establishes maximum gross weights of vehicles dependent on the number of axles and the distance between them Until December 31, 1980, the weight limits for any combination of vehicles that contains a trailer or semitrailer first registered in this state prior to April 1, 1976, are the axle weight limits that were applicable to such vehicles prior to their repeal by Chapter 651 of the Statutes of 1975. Any such trailer or semitrailer is required to have displayed thereon a certain marking showing the month and year it was first registered in this state

This bill would exempt from the requirement regarding display of the marking any combination of vehicles containing any trailer or semitrailer, regardless of its date of registration, and would make relevant portions of the axle weight limits to be repealed December 31, 1980, applicable indefinitely to any combination of vehicles containing any such trailer or semitrailer, with specified exceptions to the front axle load limits in the bill

Ch 785 (SB 1837) Marks Long-term care drug and medical supplies

(1) Nothing in present statutes expressly limits the authority of skilled nursing facilities and intermediate care facilities to require patients to make particular arrangements for purchase of drugs or rental or purchase of medical supplies and equipment

This bill would generally prohibit such facilities from requiring patients to purchase drugs or rent or purchase medical supplies or equipment from a particular pharmacy or other source However, the bill would not prohibit such a facility from requiring the patient's pharmacy to comply with its policies and procedures, as specified, or policies and procedures required to meet the intent of state or federal regulations Furthermore, this bill would not prohibit a facility from requiring the patient's pharmacy to dispense controlled substances in containers suitable for counting, if the facility performs such a count at least daily

The bill would require the State Department of Health Services to report on implementation of the bill on or before January 1, 1983

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 786 (SB 1831) Russell Controlled substance precursors reporting

(1) Present law, with certain exceptions, requires any person manufacturing, selling, transferring, or otherwise furnishing certain chemical precursors capable of being used in the manufacture of controlled substances, to report such transactions to the Department of Justice With certain exceptions, such reports are required to be submitted within 72 hours of the transaction, but such reports must be submitted at least 21 days prior to delivery with respect to N-acetylanthranilic acid

This bill would revise such provisions to require such reports for all the chemical precursors subject to the above requirements to be filed at least 21 days prior to delivery [except with respect to specified recurring transactions which could be reported monthly with the approval of the Department of Justice]*

It would require the department to grant an exemption to the reporting requirement if a supplier demonstrates to the department's satisfaction that the recipient requires the

substance for a lawful purpose and that special circumstances prevent the supplier from so reporting the transaction

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) This bill would make additional changes in Section 11100 of the Health and Safety Code proposed by AB 3476 if this bill and AB 3476 are both chaptered and this bill is chaptered last.

Ch 787 (AB 3270) Goggin Transportation: social services

Under existing provisions of the Social Service Transportation Improvement Act, the Secretary of the Business and Transportation Agency is required to contract for a study of the insurance problems of existing social service transportation services, with the report of the study to be completed by December 31, 1980

This bill would extend the date that the report of the study is to be completed to September 1, 1981

Ch 788 (AB 3091) McVittie Schools: crime and violence

Existing law requires, until January 1, 1982, that county superintendents of schools compile information relating to school crime and violence, submitted by school districts, and report such information to the Department of Education

This bill would create a School Safety and Security Resource Unit in the Department of Education. The primary functions of the unit would include identification of exemplary programs and techniques to combat crime and violence in the public schools and dissemination of such information, provision of technical assistance to county superintendents of schools and school districts on such matters, and an attempt to ascertain the underlying causes of violence and vandalism

This bill would specify that the Department of Education would not be subject to the provisions of this bill unless funds specifically appropriated for such purposes are available

Ch. 789 (AB 2825) Hannigan Community colleges· nonresident students

Under existing law, a community college district is authorized to admit and generally required to charge a tuition fee to nonresident students, as specified

This bill would revise current provisions dealing with the imposition of the nonresident tuition fee by recasting the provisions relating to such fees and by providing for increases based upon increases in the United States Consumer Price Index

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch. 790 (AB 2259) Thurman Agriculture

(1) Under existing law, the Director of Food and Agriculture may decrease specified fees relating to fertilizing materials whenever he finds that specified administrative costs can be defrayed by revenues derived from lower fees

This bill would delete such provision

(2) Existing law prohibits any person not licensed to do so, from engaging in the manufacture, freezing, or processing of imitation cheese or substitute for cheese

This bill would delete such prohibition. However, such products would remain subject to provisions regarding the manufacture of products resembling milk products

(3) Under existing law, no ingredient listing, other than the source of oil or fat other than milk fat, is required on the container of an imitation milk product

This bill would delete such provision

(4) Existing law requires the director to provide, through regularly established inspection districts and stations, sampling, grading, inspection, and certification service for specified field crop products, to issue certificates as to quality and condition of field crop and other agricultural products, as specified, to adopt necessary regulations therefor, and to fix fees therefor

This bill would require that the director also provide weighing services, include within such certificates information on the quantity of field crops and other agricultural products, adopt necessary regulations therefor, and fix fees therefor.

(5) Under existing law, the director must require from each employee who is responsible for the sampling, grading, inspection, and certification of specified products, a bond in an amount to be determined by the director

This bill would delete such provision

(6) Existing law requires each processor who crushes grapes in California to pay a specified amount to the director, and requires that a specified portion of such fee be deducted and paid by the processor from moneys owed to the producer.

This bill would exempt from such provisions processors who crush 100 tons or less of grapes, and would allow rather than require that a specified portion of such fee be deducted by the processor from moneys owed to the producer

(7) The bill would revise provisions relating to grapefruit and kiwi fruit

(8) The California Seed Law governs generally the quality, distribution, and use of agricultural or vegetable seed

This bill would, for purposes of such law, redefine a "processor" as a "conditioner" and define the term "process" The bill would make related and conforming changes

(9) Existing law requires that a distributor of commercial feed pay a specified inspection tonnage tax to the director, and requires that such persons make reports and payments in the manner prescribed by the director

This bill would require the distributor to pay an inspection tonnage tax for purchased commercial feed fed to his own animals, and would impose a specified penalty for delinquent reports or payments

(10) Existing law defines and prescribes standards for extra grade edible dry whey The director has, by regulation pursuant to statutory authority, established a temporary definition and standards and labeling requirements for modified dry whey

This bill would define and prescribe statutory standards and labeling requirements for modified dry whey

(11) Existing law specifies standards for butter

This bill would provide that flavored butter may be sold if the product meets specified requirements

(12) Under existing law, the county agricultural commissioner or the sheriff of a county subject to specified provisions of law relating to desert native plants is required to issue permits, wood receipts, tags, and seals for specified fees

This bill would provide that the fee shall not be less than $3 per ton in the case of Yucca schidigera used for commercial harvesting

(13) Under existing law, the base salary of the Director of Food and Agriculture is set at $30,000

This bill would delete such provision and provide instead that the director shall receive the same salary as persons designated in a specified provision of law whose base annual salary under the statutory salary equalization plan is set at $35,000

(14) The bill would make additional and technical changes in existing law

(15) The bill would make an appropriation by requiring that moneys be paid into the Department of Agriculture Fund, a continuously appropriated fund

Ch. 791 (AB 2821) Hallett Vehicles: farm vehicles

Existing state law exempts from registration various specified types of farm vehicles, provided such vehicles display an identification plate and meet all equipment and device requirements

This bill would include within such exemption a water tank truck which is used exclusively for sprinkling water on dirt roads providing access to agricultural fields and which is only incidentally operated or moved on a highway

Ch. 792 (AB 2720) Tucker Teachers' Retirement System, State· tax-sheltered annuities

The State Teachers' Retirement Law presently permits the operation of a tax-sheltered annuity program for members

This bill would appropriate $21,199 from the Teacher Tax-Sheltered Annuity Fund to be transferred to Item 135 of the Budget Act of 1979 to operate the program

The bill would take effect immediately as an urgency statute

Ch 793 (AB 2683) Alatorre. Healing arts. podiatry and acupuncture

Existing law provides that all fees collected by the Board of Medical Quality Assurance, including fees relating to the practice of podiatry, are to be deposited in the Contingency Fund of the Board of Medical Quality Assurance and are to be used by the board to publish a directory, as specified, and to carry out the purposes of the Medical Practice Act

This bill would exclude fees derived from podiatrists and acupuncturists from such depositing requirement and would make the publishing of such a directory discretionary rather than mandatory

This bill would create a separate fund for podiatry known as the Podiatry Fund and would provide that, on and after July 1, 1981, collections from persons licensed as podiatrists are to be deposited in such fund. The bill would transfer funds in the Contingency Fund of the Board of Medical Quality Assurance derived from podiatric licenses to such fund on and after July 1, 1981 The bill would provide that all the money in such fund is continuously appropriated to the Podiatry Examining Committee to carry out purposes of the Medical Practice Act, which relate to podiatry

Ch 794 (AB 2646) Bates Pollution control financing: projects

Under existing provisions of the California Pollution Control Financing Authority Act, the California Pollution Control Financing Authority is authorized to issue revenue bonds for financing projects or pollution control facilities for participating parties who own or operate facilities requiring pollution control equipment

This bill would include, in the definition of a project which could be financed under the act, the use of renewable energy resource devices or the development of an energy conservation program where such action is designed to reduce onsite emissions or pollutants The bill would, for the purposes of the act, define "renewable energy resource device" and an "energy conservation program "

Ch 795 (AB 2576) Bannai. Maintenance gardener pest control operators

(1) Under existing law, it is unlawful for any person to engage for hire in the business of pest control unless such person has an agricultural pest control license for the then current year issued by the Director of Food and Agriculture and has registered with the county agricultural commissioner The county board of supervisors may establish reasonable fees for such registration

This bill would provide for the licensing of maintenance gardener pest control operators, as specified The bill would provide for license application and renewal fees and a late renewal application penalty in prescribed amounts to be paid into the Department of Agriculture Fund, a continuously appropriated fund

The bill would limit county registration fees for such licensees to that amount necessary to cover the costs of registration, but not to exceed $25

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch 796 (AB 2226) Goggin Pharmacy

Existing law authorizes a pharmacist to substitute a generic drug for a drug prescribed by its trade or brand name under specified conditions including, among other things, that the selected drug substitute will cost the patient less than the prescribed drug The law also requires the pharmacist to pass on to the purchaser the difference in acquisition cost between the drug prescribed and the drug dispensed and prohibits the pharmacist from charging a higher or different professional fee when dispensing a generic drug product than that charged for dispensing a brand name product

This bill would delete the requirement that the pharmacist pass on the difference in acquisition cost, would delete the prohibition against charging a higher or different professional fee when dispensing a generic drug product, and would state that cost, for purposes of the requirement of selecting a drug that will cost the patient less, shall include any professional fee which may be charged by the pharmacist

Existing law regulates the sale of prophylactics by the California State Board of Pharmacy, which board issues wholesale and retail licenses to qualified persons, as specified, authorizing the sale of prophylactics

This bill would delete such provisions

Ch 797 (SB 1870) Rodda Special education

(1) Under existing law, special education is provided under either the so-called Master Plan for Special Education or under provisions that are categorized according to the type of handicap Existing law calls for the gradual statewide implementation of the Master Plan

This bill would repeal such categorical provisions, would appropriate special education moneys only for the Master Plan, and would thereby complete the statewide implementation of the Master Plan This bill would state a legislative intent that the Master Plan be implemented by all school districts during a 2-year transitional period commencing with fiscal year 1980–81 This bill would make special provision, during the 2-year transitional period, for the administration of special education programs and services by districts which are already operating under the Master Plan and those districts scheduled to implement the Master Plan during fiscal years 1980–81 and 1981–82, whose plans were elected and approved in accordance with existing law

(2) Under existing law, special education is administered by the State Board of Education, the Superintendent of Public Instruction, county superintendents of schools, and school district governing boards

This bill would recast provisions relating to the responsibilities of such officers and entities

This bill would delete the requirement that the State Board of Education adopt standards for the use of substitute teachers in special education programs and would, instead, codify provisions relating to these teachers

(3) Under existing law, the county superintendent submits a description of how school districts in the county intend to develop local comprehensive plans and coordinates the development of local comprehensive plans in the county

This bill would require, instead, that the county office, defined to be the office of the county superintendent of schools, submit to the Superintendent of Public Instruction a countywide plan for special education

(4) Existing law requires each school district governing board to submit a local comprehensive plan for special education to the county superintendent for subsequent approval by the Superintendent of Public Instruction Existing law requires each governing board to elect from alternative manners of providing such plan, including a single district plan, a multidistrict plan, or a plan in conjunction with the county office

This bill would designate entities that join together under the multidistrict plan as a special education services region and would require such entities to enter into specified joint powers agreements or other contractual agreements

This bill would require the county superintendent to coordinate the implementation of plans adopted in conjunction with the county office and would require participating entities to enter into specified contractual agreements

(5) Existing law specifies the elements of the local comprehensive plan

This bill would eliminate the concept of a local comprehensive plan, and would, instead, require local plans

This bill would recast the majority of these elements within provisions dealing with local plans or with identification and referral, assessment, instructional planning, implementation, and review

This bill would eliminate the requirement that the plan designate a responsible local agency to coordinate administration of the plan and to assist the superintendent in apportioning funds to districts and county offices This bill would require, instead, that the plan describe governance and administration for its implementation, including the designation of a specified entity, to perform specified administrative functions.

This bill would add additional elements to the local plan and distinguish those elements that must be included in the plan submitted to the county superintendent and subsequently to the Superintendent of Public Instruction from those for which special education services regions and certain county offices must enter into specified agreements and those for which local policies must be adopted

This bill would require that the plan submitted to the county superintendent and subsequently to the Superintendent of Public Instruction include an annual budget plan for the allocation of state aid apportionments, adopted at a public hearing, and provide for the establishment of a community advisory committee whose membership includes parents of individuals with exceptional needs who are enrolled in private schools.

(6) Existing law provides for the identification of, assessment of, and instructional programming for, handicapped children

This bill would recast and clarify the provisions

This bill would designate a group of multidisciplinary persons to perform the assessment

This bill would specify criteria to be used to determine eligibility for special education programs and related services for pupils with speech and language impairment, and specific learning disabilities.

This bill would require that whenever an assessment is to be conducted, a copy of the notice of parent rights be attached to the proposed assessment plan

This bill would prohibit the referral of a pupil for special educational programs until after regular education program resources had been considered and, if appropriate, utilized

(7) Under existing law, no pupil may be required to participate in any special education class or program unless the parent consents, in writing, to participation

This bill would provide, instead, that no pupil be required to participate in all or part of any special education program unless the parent consents, in writing, to all or part of the pupil's individualized education program

This bill would specify that if a parent consents to less than all of the components of the individualized education program, those components to which the parent has consented may be implemented and those to which the parent has not consented may be the basis for a due process hearing

This bill would specify that parental consent would not be needed as to those matters to which the parent did not consent if a public education agency prevailed in a due process hearing relating to those matters

(8) Existing law authorizes contracting for nonpublic, nonsectarian school services, including services by public and private agencies, when such agencies can more appropriately meet the needs of the pupil

This bill would, instead, specify that such contract be secured when no appropriate public education program is available

(9) Existing law requires two levels of teams for review and decisions on eligibility, individualized education programs, and placement of handicapped children They are the appraisal team, at the school level, and the education assessment team, at the regional level

This bill would, alternatively, designate the individualized education program team to perform certain functions, otherwise performed by such teams

This bill would recast and clarify provisions regarding the individualized education program

(10) Under existing law, special education that is provided under the so-called Master

Plan includes a resource specialist program that is under the direction of a resource specialist. The resource specialist must have at least 3 years of full-time teaching experience and have completed, or be enrolled in, an advanced preparation program in special education

This bill would require, instead, 3 years of teaching experience, including regular and special education teaching experience, and the demonstration of specified competencies

This bill would, in addition, require the Commission for Teacher Preparation and Licensing to adopt specified rules and regulations relating to a resource specialist certificate of competence

(11) Existing provisions relating to mandatory procedural safeguards are operative only until July 1, 1982 Existing procedural safeguards include an informal review followed by either a hearing at the local level, subject to review by the Superintendent of Public Instruction, or a hearing at the state level before a hearing officer under contract with the Department of Education

This bill would delete the termination date and would provide, instead, for an optional mediation conference followed by a hearing at the state level before a hearing officer knowledgeable in the laws governing special education and administrative hearings under contract with the Department of Education

(12) This bill would recast and clarify existing provisions on evaluation, audits, and information This bill would include in the annual evaluation an examination of program costs

This bill would require the Legislative Analyst to submit a specified report to the Legislature

(13) Under existing law, funding for special education is determined pursuant to a services-based apportionment formula, not to exceed a specified per capita dollar amount Funds are channeled through the responsible local agency to the district or county office

Under existing law, the Superintendent of Public Instruction determines revenue limits for special education programs operated by county superintendents of schools as part of the computations necessary to determine state aid to county superintendents of schools

This bill would repeal these provisions

This bill would provide funding pursuant to services-based apportionment formulas

This bill would apportion state aid for instructional personnel services, support services, nonpublic, nonsectarian school services, and special transportation services, according to specified formulas, directly to the district or county office, as appropriate The state aid apportionment would be reduced for specified revenue limits, applicable federal funds, a local general fund contribution, and specified property tax revenues Funding for specified instructional personnel services, other than nonpublic, nonsectarian school services, would be based on a local cost unit rate, to be adjusted by specified factors This state aid would be apportioned as part of the principal apportionment

This bill would apportion state aid for regionalized services, as specified, according to a specified formula, to the district, special education services region, county office or specified administrative entity

This bill would prohibit state aid apportionments to fund actual instructional personnel service units in excess of authorized units This bill would prescribe a method for computing authorized units based on specified maximum ratios of pupils per special education instructional setting to total enrollment in kindergarten and grades 1 to 12 and on maximum number of pupils per instructional setting

This bill would prohibit state aid apportionment to fund special education programs and services for more than 10% of the statewide enrollment in kindergarten and grades 1 to 12 for any one given fiscal year

This bill would require that funds apportioned pursuant to its provisions be expended exclusively for programs operated under its authorization

This bill would recast certain existing provisions on special education funding

(14) Under existing law, the county auditor allocates to local agencies and school entities, including county superintendents of schools, their share of property tax revenues No provision of existing law prescribes the allocation of such revenues by the county superintendents of schools

This bill would require the county superintendents to allocate a specified amount of such revenues to special education programs

(15) Existing law does not specifically provide for apportionment of state aid for programs for pregnant minors or for home and hospital instruction for pupils with temporary physical disabilities.

This bill would require a specified amount of state aid to be apportioned to county superintendents of schools and school districts that provide such programs and instruction

(16) Existing law provides, until June 30, 1981, for funding special education for specified children who reside in a regularly established children's institution, a licensed foster home, a hospital operated by a county, or a nonprofit tax exempt hospital

This bill would repeal these provisions

This bill would provide for special education for specified children residing in licensed children's institutions, funding of such education, and allocation of residential and noneducational costs incurred for these children

(17) Under existing law, the Legislature is required to conduct a comprehensive study of certain education programs Such programs, as presently maintained, terminate on various specified dates, unless the Legislature enacts legislation providing otherwise If the Legislature does not enact such legislation, funding for the general purposes of the program continues after the termination date, but relevant statutes and regulations are not operative Special education is one of these educational programs subject to review and is to terminate on June 30, 1981

This bill would postpone termination until June 30, 1985

(18) This bill would appropriate $625,000,000 from the General Fund to Section A of the State School Fund to be allocated, as specified, for special education

This bill would appropriate $500,000 from the General Fund to the Department of Education for management and administration of state aid for special education

This bill would appropriate $300,000 to the State Controller for specified audits.

This bill would, on its operative date, transfer $59,800,000 of the funds appropriated in Item 352 of the Budget Act of 1980 to the unappropriated surplus of the General Fund

This bill would, on its operative date, require that the unencumbered balance of funds appropriated by Item 335 of the Budget Act of 1980 revert to the unappropriated surplus of the General Fund and that appropriations for state aid for special education under this bill be reduced by any amounts encumbered under Item 335 or under any other appropriation for special education during the 1980–81 fiscal year.

(19) This bill would incorporate changes proposed by AB 1265 to be effective only if both this bill and AB 1265 are chaptered, and this bill is chaptered last

(20) This bill would take effect immediately as an urgency statute.

Ch. 798 (SB 863) Sieroty Child care and development.

(1) Under existing law, several child development programs are administered by the State Department of Education and the Superintendent of Public Instruction.

This bill would revise and expand the provision of child development programs, including the specification of minimum standards of program quality for all child care and development programs, establishing certain eligibility and priorities, providing resource and referral programs, alternative payment programs, and reimbursement rates, and providing for start-up, close-down and carry-over funds. The bill would also require the Superintendent of Public Instruction to submit every third year a report to the Joint Legislative Budget Committee

The bill would also appropriate for expenditure $9,000,000 for the 1980–81 fiscal year for child care and development services in augmentation of the base allocation for such services and $4,000,000 from the Special Account for Capital Outlay for the purposes of capital outlay, as defined, for the 1980–81 fiscal year to support services as provided in the act Any unexpended balance of the $9,000,000 appropriation would be available for expenditure during the 1981–82 fiscal year

(2) Under existing law, only a person holding a permit can be employed in child development programs and a person holding a teaching credential is deemed to hold regular child development permits.

This bill would, instead, provide that only a person holding a regular child care and development permit can be employed in such programs and any person holding an early

childhood specialist credential, or holding a multiple subject credential with specified training or experience, is deemed to hold such a permit

(3) Under existing law, the Department of Education, as a condition to any contract with a private agency for educational services, must require an annual audit of state and federal funds to be conducted by specified professionals.

This bill would require that such audit be periodic and authorize departmental staff auditors or such other specified professionals to conduct the audit

The bill would also require the Department of Education to implement a plan to use certain reimbursement funds for child development programs in the 1980 Budget Act for partial equalization purposes as specified

This bill would also repeal alternative child care provisions

(4) The bill would take effect immediately as an urgency statute

Ch 799 (SB 162) Alquist. Public Employees' Retirement System: death benefits

(1) The Public Employees' Retirement Law presently requires $500 to be paid to the estate or beneficiary upon the death of any person retired under the Public Employees' Retirement System.

This bill would increase that amount to $600 and require increased contributions by the state and school employers to pay the cost of the increased benefit and prescribe the method of determining the required amount of additional employer contributions which are appropriated monthly by statute The increased benefit would be applicable to school members and other school district employees and would not be applicable to members employed by contracting agencies unless their employer elected to be subject thereto.

(2) Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state. The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year.

This bill would appropriate $122,500 to the Controller for allocation and disbursement to local agencies and school districts for costs incurred by them pursuant to this act

(3) The provisions of the bill would not become operative if the initiative constitutional amendment which limits personal income tax rates is approved by the voters at the direct primary election to be held on Tuesday, June 3, 1980.

Ch. 800 (SB 1300) Nejedly Surface mining and reclamation

(1) The Surface Mining and Reclamation Act of 1975 provides for the regulation of the conduct of surface mining operations by the granting of a permit. The city or county which has principal responsibility for approving a surface mining operation is defined in the act to be the "lead agency."

This bill would make clarifying changes as to the designation of lead agencies. The bill would also require lead agency land use decisions involving areas designated as being of regional or statewide significance to consider specified matters

(2) Under existing law, every lead agency is required to adopt ordinances, which are in accordance with state policy for the reclamation of mined lands, establishing procedures for the review and approval of reclamation plans and the issuance of a permit to conduct surface mining operations

This bill would require the State Mining and Geology Board to review, by January 1, 1982, lead agency ordinances adopted prior to November 1, 1981, to determine, as prescribed, whether each such ordinance is in accordance with state policy The bill would prohibit lead agency ordinances adopted on or after November 1, 1981, from taking effect until the board certifies that the ordinance is in accordance with state policy

The bill would prescribe the procedure for revising any ordinance which is determined not to be in accordance with state policy, and would require the board, under specified circumstances, to assume full authority for reviewing and approving reclamation plans submitted to the lead agency until such time as the lead agency's ordinances are revised in accordance with state policy

The bill would prohibit the initiation by any person of a surface mining operation after November 1, 1981, in any jurisdiction in which the lead agency does not have a certified ordinance unless a reclamation plan has been approved by the board.

The bill would also allow any lead agency without an active surface mining operation in its jurisdiction to defer adopting an implementing ordinance until the filing of a permit application, and would make other changes.

(3) The bill would create the Surface Mining and Reclamation Account in the General Fund, would require the first $1,100,000 of moneys from mining activities on federal lands disbursed by the United States each fiscal year to this state pursuant to specified provisions of federal law to be deposited in such account for expenditure upon appropriation by the Legislature as specified, provided, that any portion of such funds for a fiscal year which is not appropriated by June 30 of that year would be transferred to the unappropriated surplus of the General Fund The bill would also transfer, subject to a specified court order, $1,100,000 of such funds received on or about May 14, 1980, to the account and would appropriate those funds for the purposes of the Surface Mining and Reclamation Act of 1975 The bill would subject $530,000 of the amount appropriated to specified conditions The bill would also provide that on July 1, 1980, $570,000 appropriated in Item 218 of the Budget Act of 1980 to the Department of Conservation shall revert to the unappropriated surplus of the General Fund upon transfer of the $1,100,000 to the account

(4) Chapter 139 of the Statutes of 1980 (AB 1905) added provisions creating the Geothermal Resources Development Account in the General Fund and governing the allocation of revenues received by the state with respect to activities of the United States Bureau of Land Management under the federal Geothermal Steam Act of 1970.

This bill makes those provisions applicable to the activities of all federal agencies with respect to the Geothermal Steam Act The bill also provides that designated federal funds received by the state on or about May 14, 1980, with respect to geothermal leases be deposited in the Geothermal Resources Development Account, a continuously appropriated account in the General Fund

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would provide that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(6) The bill would take effect immediately as an urgency statute

Ch 801 (SB 180) Marks Local agencies. state funding

Under existing law, cities, counties, and special districts fund all or a portion of the services which they provide from revenue received from taxation of real property Proposition 13 on the ballot for the Direct Primary Election held on Tuesday, June 6, 1978, added Article XIII A to the California Constitution to place various limitations on the taxing power of state and local governments Chapters 282 and 1161 of the Statutes of 1979 were enacted to implement such proposition and, among other things, these statutes provided for a distribution of state funds to local agencies

This bill would revise and clarify various provisions contained in Chapters 282 and 1161 of the Statutes of 1979 It would, in this regard, revise the manner in which the change in taxable assessed value between the 1980–81 fiscal year and the 1981–82 fiscal year would be calculated It would also revise provisions in existing law relative to tax rate reduction used on the 1981–82 fiscal year unsecured roll, as specified

Chapters 282 and 1161 of the Statutes of 1979 authorized local agencies to exchange property tax revenues where such local agencies' service area or service responsibility is altered as a result of a jurisdictional change However, there are no specific time deadlines as to when such exchange shall occur In addition, there are no specific provisions specifying whether the exchange would include an exchange of the annual tax increment as well as an exchange of the tax base, except provisions requiring the impounding of this tax increment revenue by the auditor until an agreement is reached

This bill would establish deadlines when such exchange has to occur, would provide that the exchange may include an exchange of the annual tax increment, and would make additional related changes, including making special districts independent nego-

tiating agents for purposes of determining the ultimate exchange It would also revise the manner in which such exchanges are made between a local school district, community college district, or county superintendent of schools and require these entities to make certain determinations

Chapter 282 of the Statutes of 1979 specified that excess tax revenues, as defined, shall be transferred to the State School Building [Lease-Purchase]* Fund

This bill would provide that such provision shall have no force or effect if the provisions of the deflator reducing the amount of local assistance is implemented It would also revise the manner in which the amount of funds so transferred would be calculated in the 1981–82 fiscal year and thereafter

Under existing law, there is in the State Treasury the Local Agency Indebtedness Fund which is available for loans made by the Pooled Money Investment Board to local agencies for a maximum period of 3 years for the purpose of making payments due on certain nonvoter approved bonds during the 1978–79 fiscal year

This bill would permit the Pooled Money Investment Board to also make such loans during the 1979–80 and 1980–81 fiscal years and would revise the maximum period to 20 years

Existing law requires certain local agencies to adopt budgets and set tax rates on specified dates

This bill would permit these local agencies to extend these deadlines 30 days

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

The bill would take effect immediately as an urgency statute

Ch. 802 (SB 164) Maddy Taxation open-space land

For purposes of property tax assessments under existing law, open-space land subject to a wildlife habitat contract, as defined, which restricts the use of the land to wildlife habitat and native pasture is valued by using the average current per-acre value of such lands sold within the same county

This bill would provide that unless a party to an instrument which creates the enforceable restriction expressly prohibits such a valuation, the valuation resulting from using the current per-acre value of lands sold within the same county shall not exceed the valuation that would have resulted by calculation under Section 110.1 of the Revenue and Taxation Code, as though such property was not subject to an enforceable restriction in the base year

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to this bill for a specified reason

Ch. 803 (AB 2604) Thurman Fuel· state set-aside program alternative motor vehicle fuel

(1) The federal law provides for allocation of various refined petroleum products by the state under a prescribed set-aside program The State Energy Resources Conservation and Development Commission has numerous powers and responsibilities with respect to the energy resources in this state Presently, the State Office of Fuel Allocation, created pursuant to executive order within the commission, administers this state set-aside program

This bill would require the commission to establish a fuel allocation office to administer the state set-aside program, which would include the responsibilities described under designated federal regulations It would direct the commission to distribute information regarding the state set-aside program, to adopt audit procedures, and to report to the

Legislature on the administration of the program The bill would require the commission to establish an advisory committee, with prescribed membership, to advise it in the administration and operation of the fuel allocation office

(2) The bill would appropriate $640,727 from the State Energy Resources Conservation and Development Special Account, of which $250.727 would be allocated to the commission for purposes of carrying out the provisions of the bill specified in (1) above and $390,000 would be allocated to the Fuel Allocation Revenue Account, which would be created by the bill, for use during periods of significant fuel shortages in the state, as prescribed.

(3) The bill would transfer $3,800,000 of the appropriation to the Secretary of the Business and Transportation Agency for an alternative motor vehicle fuel program made by Chapter 161 of the Statutes of 1979 to the State Agricultural and Forestry Residue Utilization Account and another $2,000,000 of such appropriations to the Ethanol Fuel Revolving Account in the Department of Agriculture Fund The Ethanol Fuel Revolving Account would be created by the bill and continuously appropriated to the Department of Food and Agriculture to carry out a loan program, which the bill would authorize, for the development of ethanol fuel plants as prescribed

(4) The bill would provide that its provisions on the state set-aside program are to remain in effect only until the date that federal law no longer authorizes a state set-aside program, or until January 1, 1982, whichever occurs first, and that on such date they are repealed.

(5) The bill would take effect immediately as an urgency statute

Ch 804 (AB 2408) Tanner Hazardous waste. fees

(1) Existing law requires haulers of hazardous waste to pay specified fees for registration, which fees are deposited in the Hazardous Waste Control Account in the General Fund.

This bill would make a technical change in such provisions

(2) Existing law authorizes certain district attorneys or the Attorney General to apply for injunction orders when requested by the State Department of Health Services relating to violations of certain hazardous waste control laws

This bill would also authorize certain city attorneys to bring such actions and would make other technical changes in such provisions

(3) Existing law requires penalties collected for violation of specified hazardous waste control law to be deposited in the Hazardous Waste Control Account in the General Fund, a continuously appropriated fund

This bill would restate the existing continuous appropriation of such fund The bill would require, upon payment of the penalty, that the State Department of Health Services pay half of the penalty awarded to the city if the action for recovery is brought by the city attorney or to the county if the action for recovery is brought by the district attorney, or the actual costs of prosecuting the case in which the penalty was awarded, whichever is less The bill would also provide that if no penalty is awarded or paid, or both, the state is under no obligation to pay the city or county The bill would also require, if the costs are less than half of the penalty awarded, that the department use the difference between such costs and half of the penalty to partially fund local enforcement, as specified

Ch 805 (SB 183) Nejedly Toxic disasters

Existing law does not require the establishment of a state toxic disaster contingency plan

This bill would require the Governor to establish such a plan, as specified and would designate certain responsibilities for the Office of Emergency Services and the Department of the California Highway Patrol It would also define the terms "toxic disaster" and "toxic substances "

This bill would appropriate $55,322 to the Office of Emergency Services for purposes of its provisions

Ch 806 (SB 1467) Garamendi Waste disposal

(1) Existing law requires each operator of any site at which hazardous wastes, as defined, are disposed to pay a fee to the State Director of Health Services for each

specified list or other document provided to the person transporting a hazardous waste which such operator receives, and for the director to adopt a schedule of fees to be paid by the operator for each disposal of hazardous waste listed in such list or document.

This bill would delete the requirement to pay a fee for the specified list or documents and instead require a fee for disposal of hazardous waste, as defined

The bill would declare that the changes made by the bill are declaratory of preexisting law

(2) This bill would affect the amounts of fees deposited to the continuously appropriated Hazardous Waste Control Account in the General Fund, and, thereby, makes an appropriation

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 807 (SB 1465) Garamendi. Water quality penalties

(1) Under existing law, it is a misdemeanor for any person to fail to furnish a report of a waste discharge required pursuant to specified provisions when so requested by a regional water quality control board or to fail or refuse to furnish technical or monitoring program reports required pursuant to specified provisions or to falsify any information provided therein

This bill would make it a misdemeanor, and would permit civil penalties to be assessed in a sum of not to exceed $25,000, for any person discharging or proposing to discharge hazardous waste, as defined, to knowingly furnish a false report of a waste discharge or to either willfully fail to furnish a report or willfully withhold material information despite actual knowledge of such requirement The bill would also make it a misdemeanor, and would permit civil penalties to be assessed in a sum of not to exceed $5,000 for each day of violation, for any person discharging hazardous waste to knowingly fail or refuse to furnish technical or monitoring program reports or to knowingly falsify any information provided therein. The bill would not be applicable to any waste discharge which is subject to specified provisions enacted to authorize the state to implement the Federal Water Pollution Control Act.

This bill would make an appropriation, since civil penalties collected for water quality violations are paid into the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund and are available without regard to fiscal years for expenditure by the State Water Resources Control Board for purposes of water pollution cleanup and abatement

(2) Under existing law, it is a misdemeanor for any person to discharge waste in violation of specified requirements after such violation has been called to his attention in writing by the regional board

This bill would make it a misdemeanor to discharge hazardous waste, as defined, in violation of such specified requirements, without requiring specified administrative notice, and would permit civil penalties to be assessed for such discharges of hazardous waste in a sum of not to exceed $25,000 for each day in which such violation occurs, but would prohibit imposition of such liability if the discharger is not negligent and immediately files a report of the discharge or if the regional board determines that the violation is insubstantial The bill would not be applicable to any waste discharge which is subject to specified provisions enacted to authorize the state to implement the Federal Water Pollution Control Act

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the

State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made for such purpose and no reimbursement is required by this act for a specified reason

Ch. 808 (AB 2700) McCarthy Hazardous waste control and cleanup

(1) Existing law authorizes the State Director of Health Services to issue an order specifying a schedule for compliance or correction for a violation of certain hazardous waste control law provisions.

This bill would specify that such order may be issued to a person who has violated as well as one who is violating such provisions The bill provides that the contents of such order may include remedial action The bill would also specify that persons subject to the order include present or prior owners, lessees, or operators of the property where the hazardous waste is located and producers, transporters, or disposers of the hazardous waste The bill would authorize the State Department of Health Services to take, or contract without approval from the Department of General Services for, corrective action and to pay for such corrective action from available moneys in the Hazardous Waste Control Account in the General Fund, limited to $100,000 in a 12-month period. The bill would also authorize the department to recover the costs and specified administrative costs in addition to other fees and penalties from any person whose violation resulted in the health or environmental danger The bill would not impose new liability under the provisions of the bill for acts prior to January 1, 1981, for those acts not in violation of existing law or regulations at the time they occurred.

Funds in the Hazardous Waste Control Account in the General Fund are continuously appropriated to the department for specified purposes, to which purposes would be added the expenditure for corrective action, and, therefore, the bill would make an appropriation

(2) Existing law authorizes a regional water quality control board to specify conditions or areas where the discharge of waste, or certain types of waste, will not be permitted Existing law also authorizes a regional water quality control board to order cleanup of waste which creates or threatens to create a condition of pollution or nuisance, as specified, or to expend available moneys to take remedial action and recover reasonable costs actually incurred in such remedial action

This bill would, additionally, authorize a regional water quality control board to order cleanup or remedial action for past discharge or deposit of waste, as specified. The bill would authorize the regional board to expend available moneys to remedy such conditions, as specified, and to recover all reasonable costs incurred from any person who caused or threatened the discharge of waste, as specified The bill would not impose new liability under the provisions of the bill for acts prior to January 1, 1981, for those acts not in violation of existing law or regulations at the time they occurred

Ch 809 (AB 990) Kapiloff Natural resources projects parks and recreation.

(1) The Budget Bill for the 1980–81 fiscal year does not contain an appropriation from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for specified real property as an addition to Wildcat Canyon Regional Park

This bill would, operative July 1, 1980, amend and supplement the Budget Act of 1980 by appropriating $800,000 from that fund to the Department of Parks and Recreation for grants to counties, cities, or cities and counties for the acquisition of specified real property as an addition to Wildcat Canyon Regional Park, subject to specified provisos. The bill would provide that any deficiency in such fund shall be made up by appropriation of the necessary amount from the Energy and Resources Fund conditioned upon the prior enactment of AB 2973, or, if this bill is first enacted, by transfer from the Capital Outlay Fund for Public Higher Education, conditioned on there being an unencumbered balance of $150,000,000 in that fund on June 30, 1980, to the State Parks and Recreation Fund and appropriation of the necessary amount from the State Parks and Recreation Fund

(2) Existing law establishes the state park system administered by the Department of Parks and Recreation

This bill would require, if on June 30, 1980, there is an unencumbered balance in the

Capital Outlay Fund for Public Higher Education of $150,000,000, that the unencumbered balance up to $47,915,000††† be transferred from such fund to the State Parks and Recreation Fund or, in the alternative, conditioned upon the prior enactment of AB 2973, require that $47,915,000 be transferred from the Energy and Resources Fund to the State Parks and Recreation Fund The bill would appropriate $46,185,000† from the State Parks and Recreation Fund to the Department of Parks and Recreation for specified state park system acquisition and development projects, subject to provisos.

(3) The bill would appropriate $1,650,000,†† or so much thereof as may be necessary, from the State Parks and Recreation Fund to the Department of Parks and Recreation for grants to the East Bay Regional Park District for specified acquisition and development projects

(4) The bill would appropriate $610,000 from the Off-Highway Vehicle Fund to the Department of Parks and Recreation for the Auburn Reservoir Off-Highway Vehicle Project and the California Off-Highway Vehicle Recreation and Trail Study, as specified

(5) The bill would appropriate $80,000 from the State Parks and Recreation Fund to the State Coastal Conservancy for the San Diequito Lagoon resource enhancement program, subject to a proviso.

(6) The bill would require the Department of Parks and Recreation to accept a grant of the Mojave River Forks Park from the County of San Bernardino to be administered as an addition to, and part of, the Silverwood Lake State Recreation Area

(7) The bill would require that acquisitions funded by the bill be subject to the provisions of the Property Acquisition Law, and would prohibit the expenditure of such funds until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims

(8) The bill would provide that moneys appropriated pursuant to a specified item in the Budget Act of 1977 shall be available to augment the Santa Susana Mountains Phase 2 acquisition, as specified.

(9) The bill would provide, if Proposition 9 on the ballot for the statewide election on June 3, 1980, is adopted, that this bill shall be inoperative from June 4, 1980, until the date the Budget Bill of 1980 is chaptered, and shall be repealed on that date, unless the Budget Act of 1980, as chaptered, appropriates or reappropriates funds for the purposes of the bill

(10) The bill would take effect immediately as an urgency statute.

Ch 810 (AB 754) Wray Handicapped transportation loans.

The Department of Rehabilitation is authorized to provide vocational rehabilitation services to handicapped persons In accordance with a state plan adopted pursuant to the federal Rehabilitation Act of 1973, these services include, under specified conditions, the purchase of vans

This bill would require the department to provide guarantees for loans for the purchase of vans, automobiles and other special equipment. The guarantees would apply to loans made by eligible lenders, as defined, to specified parents of handicapped children who are living in the home and who, as certified by a physician, need a wheelchair for mobility The department would be required to make related reports to the Legislature, as specified

This bill would also set guidelines for determining the eligibility of parents for such loans

The bill would also establish the Rehabilitation Revolving Loan Guarantee Fund to be administered by the department. The department would be empowered to prioritize loans if the amount of the loans applied for exceeds the amount of the loans that may be guaranteed.

This bill would appropriate the sum of $300,000 from the General Fund to the Rehabilitation Revolving Loan Guarantee Fund

Ch 811 (SB 2005) Foran. Insurers. investments

Existing law provides that insurers may invest in notes or bonds secured by guaran-

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†††Moneys deposited to State Parks and Recreation Fund reduced to $35,415,000 by action of the Governor

†Appropriation reduced to $35,185,000 by action of the Governor

††Appropriation reduced to $150,000 by action of the Governor

teed mortgages, and mortgage participation certificates

This bill would permit an insurer, except an insurer authorized to transact mortgage guarantee insurance, to invest in, purchase, or hold a mortgage or a mortgage participation, pass-through, conventional pass-through, or trust certificate which represents an undivided beneficial interest in a pool of loans secured by mortgages, deeds of trust, or other instruments constituting a first lien or charge on real property, as specified.

Under existing law, domestic incorporated insurers are authorized to invest in specified types of obligations, including obligations of the Federal Home Loan Bank Board.

This bill would authorize domestic incorporated insurers to invest in mortgage, mortgage participation, pass-through or trust certificates or obligations or other securities issued or guaranteed by the Federal Home Loan Mortgage Corporation, the Government National Mortgage Corporation, or the Federal National Mortgage Association.

This bill would take effect immediately as an urgency statute.

Ch. 812 (SB 2006) Foran. Insurers. loans and investments.

Existing law prohibits an admitted insurer from making any loan, other than a policy loan, to any officer or other person having authority in the management of its funds.

This bill would permit the insurer, in connection with relocations at the insurer's request, to make a loan for the purchase of a principal residence by, and to acquire a principal residence from, an officer of the insurer or person having authority in the management of the insurer's funds

Ch 813 (SB 2007) Foran. Insurers.

Under existing law, excess fund investments may be made by a life insurer in real estate and leases thereof in specified percentages of the insurer's assets.

This bill would provide that in computing the value of such real estate the insurer shall add the net equity of such real estate to the amount of encumbrances and liens against the property for which the insurer could be held liable for any deficiency in event of foreclosure or other action

Ch. 814 (SB 2010) Foran. Insurers: excess fund investments

Under existing law, an insurer may invest excess funds in certain specified loans and securities.

This bill would permit insurers to invest excess funds in the purchase and sale of exchange traded call options on common stock.

Ch 815 (AB 2612) Chappie. Horseracing.

(1) Under existing law, until January 1, 1987, all breakage deducted by an association licensed to conduct harness racing is required to be used to fund the California Standardbred Sires Stakes Program and to increase purses. On January 1, 1987, and thereafter, one-half of the breakage will be used for such purposes and the remaining one-half will be distributed for state license fees and other purposes.

This bill would abolish the California Standardbred Sires Stakes Fund and instead would establish in the State Treasury a trust account with funds which would be continuously appropriated to the California Horse Racing Board for carrying out the purposes of the California Standardbred Sires Stakes Program.

(2) Under existing law, the responsibility for administration of the California Standardbred Sires Stakes Program is with the California Horse Racing Board which is advised by a Standardbred Sires Stakes Committee.

This bill would require that the administration of the California Standardbred Sires Stakes Program be mutually carried out by the harness horsemen's organization contracting with the associations and the organization responsible for the registration of California-bred harness horses, would set limits on the amount which could be spent for administration expenses, and would abolish the Standardbred Sires Stakes Committee

Ch 816 (SB 2030) Rodda Public school employer-employee relations· organizational security.

Existing law permits a public school employer and the exclusive representative to agree to an organizational security arrangement that requires an employee, as a condition of continued employment, either to join the employee organization, or to pay the organization a service fee in an amount not to exceed the standard initiation fee,

periodic dues, and general assessments of such organization for the duration of the agreement, or a period of 3 years from the effective date of such agreement, whichever comes first.

This bill would, in addition, provide that an employee who is a member of a religious body whose traditional tenets or teachings include objections to supporting employee organizations shall not be required to join, maintain membership in, or financially support any employee organization as a condition of employment. Such employee could be required to pay sums equal to the service fee to a nonreligious, nonlabor organization, charitable fund exempt from federal income tax, pursuant to specified procedures If such employee requests the employee organization to represent the employee in a grievance or in arbitration, the employee organization could charge the employee for the reasonable costs of such procedure

Ch. 817 (SB 1859) Rains. State employees: reduced worktime

Existing law provides for a permissible reduced worktime program whenever a reduction equivalent to 1% or more of full-time equivalent jobs is contemplated in the personnel of state agencies or departments

This bill would enact a reduced worktime program, defined as employment of less than 40 hours of work per week, for those individuals unable or not desiring a standard worktime. It would prohibit the impairment of employment rights or benefits of any employee and provide that the reduced worktime employees shall have the same rights during layoff as full-time employees This bill would not apply to full-time state peace officers unless approved by the peace officers' appointing power

This bill would require that the State Personnel Board and the Trustees of the California State University and Colleges system adopt rules and guidelines relating to reduced worktime implementation It would allow employees forced or coerced into a reduced worktime or employees unreasonably denied the right to participate in the program to file employee grievances

Ch 818 (AB 1992) Fenton. Property taxation. business inventories

Chapter 1150 of the Statutes of 1979, among other things, exempted 100% of the assessed value of business inventories from property taxation for the 1980–81 fiscal year and fiscal years thereafter. It required the state to reimburse local governmental agencies for revenue loss by reason of such exemption pursuant to a specified formula. Chapter 1150 took effect immediately as an urgency statute

This bill would add an amount for the Pico Rivera Redevelopment Agency, in the fiscal year 1981–82, in a sum equal to the amount of estimated increase in the assessed value of business inventories in the new shopping center, reduced by a specified increment

This bill further provides that this act shall be operative only for years in which the state makes inventory reimbursement payments pursuant to Section 16113 of the Government Code.

Ch 819 (SB 16) Roberti. Energy

No provision of existing law provides for a State Assistance Fund for Energy

This bill would provide for the creation, on January 1, 1981, organization, and operation of a nonprofit corporation to be known as the State Assistance Fund for Energy, California Business and Industrial Development Corporation

The purpose of the corporation would be to provide financing assistance only to qualified alternative energy business firms or to small businesses for the purpose of purchasing, installing, replacing or implementing an alternative energy system, as defined. The members of the board of directors would be the Secretary of the Business and Transportation Agency, the State Controller, the president of the corporation and 6 other appointees

This bill would create a State Energy Loan Fund in the General Fund which would loan money to the corporation under specified conditions

This bill would also appropriate $750,000 from the Energy Resources Conservation and Development Reserve Account to the State Assistance Fund for Energy for the purposes of its provisions.

Ch 820 (AB 2515) Thurman County agricultural commissioners· local administration of enforcement programs

(1) Existing law provides that, where laws are required to be jointly enforced by the Director of Food and Agriculture and a county agricultural commissioner, the director shall issue instructions and recommendations to be followed by the commissioner in the discharge of his duties, and requires that the director furnish assistance in developing a county enforcement program.

This bill would require such instructions and recommendations to include a cost analysis, as specified, of the local administration of such a program, would require the director to develop, jointly with the commissioners, county priorities for enforcement programs and activities, and would require the director to annually report specified findings and a listing of priorities to the Legislature

The bill would also authorize the director to allocate annually to each county from specified moneys an amount not exceeding ⅓ of the amount expended by the county during the previous fiscal year for specified programs of joint responsibility, provided that no county shall receive less than the amount provided in the Budget Act of 1980 for any such program

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 821 (AB 2514) Thurman Fruit, nut, and vegetable standards: enforcement.

(1) Existing law, generally, prescribes standards for the marketing of fruit, nuts, and vegetables, requires the Director of Food and Agriculture and county agricultural commissioners to enforce such standards, and provides that the refusal of specified officers to carry out the orders and directions of the director in enforcement of such standards is neglect of duty

This bill would provide that the failure of any such officer to carry out such orders and directions is not neglect of duty if funds necessary to carry out such orders and directions are not provided.

(2) Item 378 of the Budget Act of 1979 appropriated moneys from the General Fund for support of the Department of Food and Agriculture.

This bill would, on the effective date of the Budget Act of 1980, reappropriate the unencumbered balance of the Item 378 appropriation to the department for allocation to counties for the purposes of Item 378 pursuant to specified proposed provisions of law The bill would provide that such moneys are available for expenditure until June 30, 1981.

(3) The bill would take effect immediately as an urgency statute.

Ch 822 (SB 1878) Presley Narcotic addict commitment and treatment

(1) Under existing law a petition may be filed for involuntary commitment of a defendant in a narcotic rehabilitation facility upon conviction of a crime in the superior court or upon revocation of probation, whether or not sentence has been imposed These provisions do not apply to persons convicted of certain enumerated crimes except in unusual cases the judge may order commitment with the concurrence of the district attorney and the defendant. Such concurrences have been held invalid by a court.

This bill would require sentence to be imposed and the execution of the sentence suspended prior to the filing of such petition and delete provisions authorizing commitment in unusual cases of persons convicted of certain enumerated crimes

The bill would also revise the provisions excluding from the narcotics rehabilitation program violators who have been convicted of enumerated crimes It would also expressly authorize the court to, unless otherwise prohibited by law, modify the sentence imposed or suspend the imposition of the sentence

(2) Under existing law a subsequent conviction of a person committed in proceedings

not relative to criminal conduct, would terminate such a commitment.

This bill would require a person sentenced as a criminal defendant pursuant to the Determinate Sentencing Act, but whose sentence was suspended pending commitment to a rehabilitation facility to be discharged and returned to court for the execution of the sentence

(3) Under existing law certain persons committed to a narcotic rehabilitation program may upon being released receive a payment for rehabilitation, except if released to the custody of another state or to the federal government

This bill would prohibit payment to persons discharged and committed to state prison

(4) Under existing law the Narcotic Addict Evaluation Authority may discharge certain persons that have been released in outpatient status and abstained from the use of narcotics for specified periods of time

This bill would reduce such time period, as specified, and make other conforming changes

(5) Under existing law a committed person that has not been discharged prior to expiration of 7 years must be returned to the committing court to be discharged and returned to the criminal court for imposition of a suspended sentence or, under certain circumstances, the committing court may extend the commitment to run up to 10 years from the original commitment

This bill would require the committed defendant to be returned to the court for such disposition at the expiration of 16 months or 12 months in the case of a commitment of a noncriminal The bill would require a defendant to be discharged from the narcotic rehabilitation program when he or she has served time equal to his or her sentence under the Determinate Sentencing Act, if his or her sentence had been executed, and returned to the criminal court for his or her discharge or execution of sentence which is deemed served. The bill would authorize the court to impose parole on such defendant

The bill would require the provisions of the act relating to a person convicted of a crime to apply prospectively to a person who commits a crime on or after the effective date of the act The bill would require that a person not convicted of a crime be discharged if such person has already served 12 months from the date of commitment, or if not, then 12 months from the date of commitment

This bill would become effective immediately as an urgency statute

Ch 823 (SB 1656) Foran. Housing local general plans

Existing law requires the planning agency of each county and city to adopt a general plan consisting of various elements, including enumerated mandatory elements

Existing law also requires a county or city to consider the effect of any action with respect to zoning laws and ordinances and subdivision approvals on the housing needs of the region and to balance such needs against the public service needs of the residents and available fiscal and environmental resources Where a county or city ordinance limits construction of housing units, it is required to contain specified findings as to the public health, safety, or welfare justifying its adoption, and justifying housing opportunities of the region.

This bill would include mandatory elements of local general plans, in addition to zoning laws and ordinances and subdivision approvals, within such requirements It would revise the current required findings and require, instead, certain findings which justify reduction of the housing opportunities of the region, including a description of the city's or county's appropriate share of the regional need for housing, a description of specified housing programs and activities to fulfill requirements of the entity's housing element, and the fiscal and environmental resources available, as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school

districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 824 (SB 1290) Rodda Claims

The bill would appropriate $434,342 60 to the State Board of Control to pay the claims of the secretary of the board.

The bill would take effect immediately as an urgency statute.

Ch. 825 (SB 1503) Stiern Municipal courts. Kern County.

Existing law specifies the number, classification, and compensation of municipal court personnel in Kern and Tulare Counties

This bill would revise the number, classification and compensation of municipal court personnel in Kern and Tulare Counties

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, nor the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act since, as provided for in Section 6(a) of Article XIII B of the California Constitution, this act is requested by the local agency affected. Moreover, there shall be no claim considered with respect to this act by the State Board of Control pursuant to Section 905 2 of the Government Code or Section 2250 of the Revenue and Taxation Code, and the Department of Finance shall not review or report on this act pursuant to Section 2246 of the Revenue and Taxation Code.

Ch. 826 (SB 1504) Foran Industrial loan companies.

Existing law specifies the maximum charges which may be levied by an industrial loan company on any loan, forbearance of money, credit, goods, or things in action.

This bill would as an alternative to such maximum charges, with specified exception, permit the contracting for and receipt of charges at a rate of not exceeding ⅚ of 1% per month plus a percentage per month equal to $\frac{1}{12}$ of the annual rate prevailing on the 25th day of the second month of the quarter preceding the quarter in which the loan is made as established by the Federal Reserve Bank of San Francisco on advances to member banks pursuant to specified sections of the Federal Reserve Act, or if there is no such single determinable rate for advances, the closest counterpart of such rate as designated by the Superintendent of Banks of the State of California This provision would remain in effect only until January 1, 1983

Ch 827 (SB 1582) Dills Alcoholic beverages

Under existing law, new club licenses for the sale of alcoholic beverages may not be issued to any club which is not a nonprofit organization

This bill would provide an exception for clubs operated by common carriers by air at airport terminals, and would permit the issuance of a license to an acquiring or surviving corporation when a corporation holding a license pursuant to this section is an acquired or constituent corporation in a corporate reorganization

Ch 828 (SB 1753) Craven Local agencies state funds: law enforcement

Existing law provides for the distribution of state funds, appropriated pursuant to specified provisions of law relating to subventions to local agencies, for the purpose of implementing Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978, ballot)

This bill would appropriate $870,410 to the State Controller for allocation to local agencies in the 1980–81 fiscal year for purposes of reimbursing them for extraordinary costs, as defined, incurred by them to meet the added burdens of providing law enforcement protection under extraordinary circumstances, as defined, in the fiscal year 1978–79

This bill would take effect immediately as an urgency statute

Ch 829 (SB 1987) Garamendi Courts San Joaquin County

Existing law sets forth the number, compensation, and classification of municipal court personnel in San Joaquin County

This bill would revise the number, compensation, and classification of municipal court personnel in San Joaquin County

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 830 (SB 2049) Beverly Subpoenas· business records

Existing law provides for the subpoena of business records, and the payment of related witness fees and mileage

This bill would provide that reasonable costs incurred by a business which is not a party nor the place where a cause of action is alleged to have arisen may be charged against the party requesting the issuance of the subpoena for the production of records of the business The bill would provide that the custodian of the records, upon demand, shall be paid such costs before being required to deliver the records. The bill would define reasonable costs

Ch 831 (AB 2302) Hayes State lands.

(1) Existing law authorizes the State Lands Commission to make various surveys of lands under its jurisdiction

This bill would require the commission to prepare and annually update a master plan for all state school and lieu lands under its jurisdiction, including uses for such lands, as specified

(2) The bill would require the commission, the Attorney General, the Office of Planning and Research, and the Department of Fish and Game jointly to conduct a study of lands in California which are currently managed by the Bureau of Land Management Department of the Interior, to address specified questions, and would require that a report on such study and recommendations be submitted to the Governor and the Legislature by January 1, 1982.

The bill would require the Attorney General to take specified legal action if the study indicates that such action is necessary

The bill would appropriate $25,000 from the Off-Highway Vehicle Fund to such agencies, as specified, for purposes of carrying out such study.

Ch. 832 (SB 1161) Holmdahl. Fire protection districts· binding arbitration.

There is no present statutory provision of existing law that authorizes the board of directors of a fire protection district to call an election for the purpose of submitting to the electors the question of whether the district board may provide for a system of binding arbitration for the resolution of impasses in employer-employee relations

This bill would permit the board of directors of a fire protection district in Santa Clara County to call such an election, if the board of directors of the district is composed of the county board of supervisors. Where the district has created fire zones, the election would be held only in those fire zones in which the district provides direct fire protection, and not in those fire zones in which fire protection is provided by contract with other agencies.

This bill would take effect immediately as an urgency statute.

Ch. 833 (AB 2873) Imbrecht. Lake Tahoe land purchase study

Chapter 253 of the Statutes of 1980 requires the Secretary of State to submit to the people at the November 4, 1980, general election, the Lake Tahoe Acquisitions Bond Act of 1980. Chapter 253 also specifies the language to appear in the ballot title

This bill would clarify the language which shall appear in the ballot title to accurately reflect the bond act

Under existing law, there is no specific requirement for a study of a state land purchase program for the Lake Tahoe region

This bill would create the Tahoe Area Land Acquisition Commission to study all aspects of a state land purchase program for the Lake Tahoe region, as defined The bill would prescribe the membership of the commission, would require the commission to study and make recommendations concerning the use of funds which may become available pursuant to the Lake Tahoe Acquisitions Bond Act of 1980, would require the commission to specifically direct itself to specified questions, and would provide for the organization and support of the commission.

The bill would provide for specified reports of the commission to be transmitted to the Legislature by specified dates, and would terminate the existence of the commission not later than 6 months after transmittal of its final report.

The bill would appropriate $50,000 from the California Environmental License Plate Fund to the Resources Agency for support of the commission Such appropriation, however, would not become operative if $50,000 is appropriated, pursuant to this bill, to the commission from the Lake Tahoe Acquisitions Bond Act of 1980.

This bill would take effect immediately as an urgency statute

Ch 834 (AB 3274) Ingalls Elections county board of education, constitutional amendments.

(1) Under existing law, every measure proposed by the Legislature must appear on the ballot of the first statewide election occurring after the 131st day of its adoption.

This bill would require the submission of SCA 17 to the voters at the November 4, 1980, General Election if such measure is passed after June 26, 1980, and on or before August 31, 1980. It would also require the submission of SCA 37 to the voters if S B 2060 is enacted

This bill would require all arguments with respect to such amendment to be delivered to the Secretary of State within specified time periods

(2) Existing law provides that if only one person has been nominated to the governing board of a school district or community college district, or if an insufficient number of persons have been nominated, or if no person has been nominated, the governing board is required to appoint the qualified nominee or other qualified person, as the case may be, and no election is held unless a prescribed petition is filed. In connection with such procedure certain notices are required to be made

The law governing the election of members of county boards of education provides that such members must be elected on the date and in the manner prescribed for the election of members of governing boards of school districts, provided such elections are held throughout the county on the same date; otherwise the election must be consolidated with the direct primary election.

This bill would specifically provide that the provisions above relating to school district and community college district elections must apply to all county board of education members' elections

The bill would take effect immediately as an urgency statute.

Ch. 835 (SB 2060) Robbins Judges. salaries

Existing law specifies the salaries of municipal and superior court judges, and provides for cost-of-living increases in their salaries. Under the Constitution, laws setting such salaries are appropriations As a result of the California Supreme Court decision in Olson v. Cory, 27 Cal 3d 203 (L.A 31142) invalidating limitations on cost-of-living increases as to certain judges, judges of the same court will now receive different aggregate salaries

This bill would set the salaries for municipal and superior court judges beginning January 5, 1981, at the average amount paid to sitting judges of such courts as of December 31, 1980

The bill would provide that its provisions shall become operative only if SCA 37 is submitted to the voters at the November 4, 1980, General Election

Ch 836 (AB 1023) Elder Hughes Flying Boat "H-4 Seaplane"

Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment Specified projects are exempt from such

requirements

This bill would exempt the construction of a temporary and permanent facility in the City of Long Beach to accommodate the Hughes Flying Boat "H-4 Seaplane" from the California Environmental Quality Act until May 1, 1981

The bill would take effect immediately as an urgency measure

Ch 837 (SB 1448) Ayala. Cities and counties· general plan.

(1) Existing law requires each city and each county to adopt general plans for conservation and development of the territory within such city or county, and prescribes various specified elements to be included within each general plan

Existing law requires the Director of Planning and Research to grant a reasonable extension of time, not to exceed 1 year, from the date of the application, for the adoption of 1 or more general plan elements, if the legislative body of a city, county, or city and county applying for such extension makes 1 or more specified findings

This bill would specify that the 1-year period of an extension of time be measured from the date of issuance of the extension, rather than 1 year from the date of application for an extension

The bill would also make the California Environmental Quality Act inapplicable to such a granting of extension of time.

(2) Existing law requires each county and city to adopt a general plan consisting of prescribed elements

This bill would expressly provide that adoption or amendment of a general plan is subject to judicial review under the standard of review applicable to legislative acts. The bill would, until January 1, 1986, require the general plan to address each element to the extent the subject of the element exists in any planning area, and would require the specificity and detail of the plan to reflect local conditions and circumstances, and would require the Office of Planning and Research to report to the Legislature on the effectiveness of such requirement

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 838 (AB 556) Roos Elections.

Existing law requires candidates seeking election to office by virtue of the independent nomination procedure to submit their nomination paper with the county clerk for examination no earlier than 148 days before the election and no later than 88 days before the election

This bill would revise the dates with respect to the procedures for conducting the verification, circulation, examination, and filing of the nomination papers to coincide with existing law.

Existing law requires ballots to be printed in a prescribed form. Among other things, ballots are required to contain certain caption headings for prescribed offices.

This bill would revise the ballot form and caption headings for federal offices and legislative offices

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitu-

tional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch 839 (SB 2068) Alquist Construction· capital outlay

Existing law requires the State Lands Commission to deposit in the State Treasury all revenues, moneys, and remittances, as specified, and to apply such moneys to specified obligations in a specified order.

This bill would require the commission to deposit, subject to provisions, $3,872,470 of specified revenues, moneys, and remittances received from oil, gas, and mineral leases into the General Fund and appropriate such sum to the Department of General Services for construction of new state office buildings in San Jose. This bill would also provide that if a special account for capital outlay is created by legislation enacted during the 1979–80 Regular Session of the Legislature, as specified, the $3,872,470 is to be appropriated from this fund, as specified

This bill would take effect immediately as an urgency statute

Ch 840 (SB 435) Holmdahl Vehicles registration

(1) Under existing law, vehicles, including those owned or operated under lease by the United States government, the state, any city, county, or political subdivision of the state, certain ambulances, and firefighting vehicles, and certain vehicles operated by the Civil Air Patrol, are subject to registration with the Department of Motor Vehicles

This bill would authorize the Reciprocity Commission to enter into pilot program agreements with other jurisdictions to provide for proportionate registration and licensing of vehicles, as specified The bill would prohibit any such program which may result in a loss of revenue, as specified Such provisions of the bill would be repealed on July 1, 1983

The bill would take effect immediately as an urgency statute

Ch 841 (SB 1563) Ayala Local assistance grant· County of San Bernardino

The Budget Bill for the 1980-81 fiscal year does not contain an appropriation from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for construction of visitor serving facilities in the Wrightwood county service area of San Bernardino County

This bill would amend and supplement the Budget Act of 1980 by appropriating $31,500 from the fund to the Department of Parks and Recreation for a grant to the county for such purpose, subject to provisos

Ch 842 (SB 1728) Nejedly Counties legal officers

(1) Under existing law there is in each county a district attorney who is declared by statute to be the legal adviser of the board of supervisors Additionally, the county board of supervisors may appoint a county counsel The county counsel, where one has been appointed, is directed to discharge all duties vested by law in the district attorney, other than those of public prosecutor, and to perform certain other functions specifically assigned, by statute, to the district attorney

This bill would designate the county counsel, in counties having one, as legal adviser to the county board of supervisors

(2) Existing law requires public entities to provide legal defense in actions brought against their employees on account of an act or omission in the scope of employment, and provides in the case of counties and districts that such defense shall be provided by the county counsel, unless the county or district provides other counsel

This bill would delete the statutory duty of the county counsel to provide such defense in the case of districts, which would mean that the districts would be required to provide such counsel

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reim-

bursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 843 (AB 432) Mori Joint Legislative Audit Committee

Existing law provides that the Joint Legislative Audit Committee shall consist of 3 Members of the Senate and 3 Members of the Assembly

This bill would increase the membership to 4 members each from both the Senate and Assembly.

Ch. 844 (AB 1250) McCarthy. Controlled substances.

(1) Existing law requires that a written prescription for a controlled substance classified in Schedule II which is a narcotic drug be on a triplicate form issued by the Department of Justice Such forms are required to contain specified information, required to be provided free of charge, and required to be processed in a specified manner.

This bill would modify these requirements and, as modified, make the requirements applicable to all controlled substances classified in Schedule II and make related changes.

The bill would require the triplicate prescription blanks to have the name of the practitioner to whom they are issued and certain other personalized information preprinted, and would authorize the Department of Justice to charge a fee for issuing the triplicate prescription blanks, except as to any nonpersonalized prescription blanks still in the department's possession on January 1, 1981, which the bill authorizes to be distributed without charge.

(2) Existing law authorizes oral prescriptions for controlled substances classified in Schedule II in the event of an epidemic, accident, or calamity, if failure to issue the prescription might result in loss of life or intense suffering In such cases, the precriber is required to submit a written triplicate prescription to the dispensing pharmacy or pharmacist within 72 hours

This bill would additionally authorize oral prescriptions for controlled substances classified in Schedule II for patients in skilled nursing facilities and intermediate care facilities, when failure to issue the prescription would, in the prescriber's opinion, present an immediate hazard to the patient's health and welfare or result in intense suffering. In such cases the dispensing pharmacist would be required to prepare a triplicate record of the prescription, as specified, but the prescriber would not be required to submit a written prescription Upon request, a skilled nursing facility or intermediate care facility would be required to make available to the dispensing pharmacist copies of signed telephone orders, chart orders, or related documentation substantiating an oral prescription transaction

(3) The bill would require the Board of Medical Quality Assurance, with the assistance of the Department of Justice, to report, as specified, to the Legislature not later than February 1, 1982.

(4) The bill would appropriate $140,000 from the General Fund to the Department of Justice for the purposes of the bill

Ch 845 (AB 1811) Leonard Mobilehome parks

Existing law prohibits the management from charging a fee to a tenant based on the number of members in the tenant's immediate family, as defined

This bill would include parents within the definition of immediate family

Existing law prohibits the management from charging a fee to a tenant for specified services, including entry, installation, hookup or landscaping

This bill, in addition, would prohibit park management from requiring a tenant or prospective tenant to purchase, rent, or lease goods or services for landscaping from any person or entity

Ch 846 (AB 2111) Chappie Off-highway vehicles· parks and recreation

Under existing law, applicants for issuance or renewal of identification of off-highway motor vehicles are required to pay a $5 service fee and a special fee of $6. These fees, all fees paid for use of designated off-highway state recreation areas, and specified revenue from the Motor Vehicle Fuel Account in the Transportation Tax Fund are deposited in the Off-Highway Vehicle Fund, which is a continuously appropriated fund The money in the fund is used, as prescribed, by the Department of Parks and Recreation to acquire, develop, construct, maintain, administer, and conserve trails, areas, and other facilities for the use of off-highway motor vehicles and for allocations to cities, counties, and districts for off-highway motor vehicle recreation projects

This bill would transfer the funding of, and jurisdiction over, off-highway motor vehicle areas to the Office of Off-Highway Motor Vehicle Recreation, which would be created by the bill in the department, under the direction of the Chief of Off-Highway Recreation to be appointed by the Director of Parks and Recreation The bill would also make other technical and conforming changes

The bill would make an appropriation by authorizing new use of money in a continuously appropriated fund

Ch. 847 (AB 2130) Young. Bikeways projects, vehicles· length limitation

(1) Existing provisions of the California Bikeways Act require the Department of Transportation to adhere to specified priorities in allocating and disbursing money for bikeways projects, giving first priority to bikeways projects which provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians that will serve the greatest volume of commuters Other, lower, priorities include elimination of hazards to bicyclists and provision of bicycle parking facilities

This bill would delete all of these priorities and instead direct the department to fund projects that serve the functional needs of commuting bicyclists including new bikeways, parking at employment centers, park-and-ride lots, and transit terminals, bicycle-carrying facilities on public transit vehicles, traffic control devices, and elimination of hazards, with consideration to the cost-effectiveness of a particular project.

(2) Existing law generally prohibits vehicles from being more than 40 feet in length, but provides certain exemptions to this limit

This bill would exempt a bus when the excess length is caused by the attachment of a bicycle carrier to the rear of the bus, provided the device, in addition to any other device exempted from such provisions, does not cause the overall length of the bus to exceed 50 feet

Ch 848 (AB 2140) Torres Hazardous waste

(1) Existing law requires any person who hauls hazardous waste, with specified exceptions, to be registered with the State Department of Health Services

This bill would provide that such registration is not transferable

(2) Existing law provides for revocation of any permit issued to a person for the handling as defined, processing as defined, use as defined, storage, or disposal as defined, of hazardous or extremely hazardous wastes, as defined, after public hearing based upon specified acts

This bill would, additionally, provide for revocation of any registration for persons for such purposes after public hearings based upon such specified acts

The bill would provide for temporary suspension prior to hearing of any certification of specified vehicles and containers used to transport hazardous waste and of any registration of a hazardous waste hauler issued by the department, as specified

(3) This bill would also make additional changes in Section 25163 of the Health and Safety Code proposed by SB 1918 if both this bill and SB 1918 are chaptered and this bill is chaptered last

Ch 849 (AB 2232) Knox Sales and use tax monetized bullion

The existing Sales and Use Tax Law exempts from the sales and use taxes the gross receipts from the sale in bulk of monetized bullion Such sale is required to be made by or through a person who is licensed and authorized to conduct his business as a commodity exchange, commodity adviser, commodity salesman, commodity solicitor, or floor broker, or who is exempted from being licensed under the California Commodity Law Chapter 452 of the Statutes of 1979 repealed the California Commodity Law and provided that any reference to persons licensed pursuant to the California Commodity Law

shall be construed to refer to persons registered pursuant to the Commodity Exchange Act.

This bill would conform the exemption for the sale of monetized bullion to the provisions of Chapter 452 of the Statutes of 1979 to provide that such sales shall be made by persons registered pursuant to the Commodity Exchange Act or who are not required to be registered under the Commodity Exchange Act.

The provisions of this bill would apply to all sales in bulk of monetized bullion occurring on and after January 1, 1980.

This act would take effect immediately as an urgency measure.

Ch 850 (AB 2335) Kapiloff. Fish and game fees and taxes. James V. Fitzgerald Marine Reserve

(1) Under existing law, the fee for a license to cultivate oysters is $25

This bill would raise such fee to $30

(2) Under existing law, the fee for a kelp harvesting license, and privilege taxes for persons operating under a fish canners and processors license, a wholesale fish dealers and preservers license, and fishermen, as specified, are set at specified amounts, until January 1, 1981, at which time such fee and taxes revert to lesser amounts.

This bill would extend indefinitely the amount of the existing fee and taxes.

(3) Under existing law, fees for a commercial fishing license, a certificate of boat registration, and a commercial passenger fishing boat license are set at specified amounts, until April 1, 1981, at which time they revert to lesser amounts

This bill would extend indefinitely the existing amount of such fees

(4) Under existing law, fees for a mariculture license, a fish canners and processors license, a wholesale fish dealers and preservers license, a fish broker and importer's license, and a lobster permit are set at specified amounts, until July 1, 1981, at which time they revert to lesser amounts

This bill would extend indefinitely the existing amount of such fees

(5) Under existing law, the fee for a domesticated fish breeder's license is $15

This bill would raise such fee to $30

(6) Existing law authorizes the taking of specified fish and mollusks in the James V Fitzgerald Marine Reserve.

This bill would also authorize the taking of cabezon, kelp greenling, sea urchins, and rock crab in the reserve.

(7) The bill would make an appropriation since such fees and taxes are required by law to be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

Ch 851 (AB 2365) Nolan. Community colleges· district advisory committees.

(1) Existing law authorizes the governing board of any community college district to appoint an advisory committee to advise the board in the development of districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes. In addition, existing law requires that each district, prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, appoint such an advisory committee A district advisory committee is required to consist of not less than 7 nor more than 11 members

Also under existing provisions, a district advisory committee must be representative of the following groups (1) the ethnic, age group and socioeconomic composition of the district; (2) the business community, such as store owners, managers or supervisors; (3) landowners and renters; (4) instructors and administrators, (5) parents of students; and (6) persons with expertise in environmental impact, legal contracts, building codes, and land use planning

This bill would authorize the governing board of any community college district to appoint an advisory committee to advise the board in the development of districtwide policies and procedures governing the use or disposition of community college buildings or space in community college buildings which is not needed for community college purposes. This bill would delete the provision that no more than 11 members shall serve on a district advisory committee Furthermore, this bill would delete the provision that a district advisory committee be representative of parents of students and would require that such a committee be representative of community college students and classified

school employees

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 852 (AB 2368) Tanner Workers' compensation· uninsured employers

Existing law requires every private employer to secure the payment of workers' compensation by obtaining insurance or becoming self-insured Where an employer fails to secure such payment, the Director of Industrial Relations is required to issue a stop order prohibiting the use of labor by such employer and to assess monetary penalties

This bill would revise and make more specific the procedures governing notice, hearings, appeals of stop orders, and collection of penalty assessments. It would specifically authorize the Director of Industrial Relations to adopt rules and regulations to implement the statutory workers' compensation provisions relating to uninsured employers

Existing law requires each employer subject to the workers' compensation law to give oral or written notice to employees of workers' compensation benefits and to post at his headquarters or one of his places of employment a notice of his workers' compensation insurance coverage

This bill would instead require such employer to give written notice of such benefits and to post such notice of coverage, including who is responsible for claims adjustment, in a location frequented by employees and where it may be easily read by employees during the course of the workday

This bill would incorporate changes proposed by SB 1823 to Section 3715 of the Labor Code, to become operative only if this bill and SB 1823 are both chaptered and this bill is chaptered last

Ch 853 (AB 2388) Kapiloff Motor vehicles housecars sales

(1) Existing law defines a housecar as a motor vehicle originally designed or permanently altered and equipped for human habitation or to which a camper is permanently attached

This bill would, upon sale of any new housecar, require the dealer to provide the purchaser with a list of all express warranties issued by any party which the dealer has notice, and would also ~~request~~ [require]* the dealer to provide the purchaser a copy of those warranties Violation of these provisions would be an infraction

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 854 (AB 2486) McAlister Unemployment compensation benefits employer liability

Existing law permits employers who are nonprofit organizations to finance their liability for unemployment compensation benefits, extended duration benefits, and federal-state extended benefits coverage by electing from among specified alternatives to required employer contributions to the Unemployment Fund With the written approval of the Director of Employment Development, any such election takes effect from and after the first day of the calendar quarter in which the election is filed

This bill would permit such employers which the department has assessed for unpaid

employer contributions to finance their coverage by electing among the specified alternatives if the employer meets specified conditions. Such election would become effective when the assessment was made and would satisfy any employer liability for the amount assessed.

The bill would take effect immediately as an urgency statute and remain in effect only until December 31, 1981.

Ch. 855 (AB 2497) Moorhead. Child abuse

Under existing law, if a minor is brought to a member of certain classes of health or counseling professionals (e g physicians or psychologists) for treatment, or is under such a professional's care, or where a minor is observed by a member of certain other designated classes of professional persons (e g. teachers), and it appears to such professional that the minor appears to have been physically or sexually abused, as specified, the professional must report such fact, as designated.

This bill instead would require a report when any such person acquires in his or her professional capacity reasonable cause to believe that such circumstances exist It would also expand the classes of persons required to make such reports.

Existing law provides that no person shall incur any civil or criminal liability as a result of making a required report unless it can be proven that a false report was made and the person knew or should have known that the report was false

This bill would instead provide that no person required to make a report shall incur any civil or criminal liability as a result of making the report and that no other person making a report of child abuse or molestation shall incur such liability unless it can be proven that a false report was made and that the person knew or should have known that the report was false

It would also make technical changes.

This bill would incorporate additional changes in Section 11161 5 of the Penal Code proposed by Assembly Bill 781 to be operative only if Assembly Bill 781 and this bill are both chaptered and become effective on or before January 1, 1981

Ch 856 (AB 2554) Bane. Vehicle registration card contents.

(1) Existing law specifies the contents of the registration card for motor vehicles issued by the Department of Motor Vehicles

This bill would require the department to indicate on the registration card, when they are able to ascertain, that a motor vehicle has been rebuilt and restored to operation after having previously been declared to be a total loss salvage vehicle or a motor vehicle was previously reported to be dismantled, a motor vehicle was previously registered to a law enforcement agency and operated in law enforcement work, or a motor vehicle was formerly operated as a taxicab The bill would require a $2 service fee to be paid to the department upon initial issuance of the registration card so identifying the vehicle. These provisions would become operative on October 1, 1981

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 857 (AB 2581) Hallett Wildlife management: private lands

Existing law does not provide for the licensing of private wildlife management areas

This bill would so provide, pursuant to specified conditions, and would authorize by permit the taking of game birds and mammals pursuant to commission regulations. The bill would require that the Fish and Game Commission establish annual permit fees, and tag and seal fees, to be paid into the Fish and Game Preservation Fund, which is a continuously appropriated fund

Ch 858 (AB 2627) Moore Community colleges auxiliary organizations

Existing law provides for the establishment of auxiliary organizations by the governing board of a community college district

This bill would repeal the existing provisions and redefine auxiliary organizations which may be established

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch 859 (AB 3079) Bates Developmentally disabled or retarded persons: commitment procedures

(1) Existing law prescribes various procedures for determination of mental competency of a developmentally disabled defendant in a criminal action, including placement in a state hospital or other residential facility for examination

This bill would require that a court consider the recommendations of the director of a regional center for the developmentally disabled, or his or her designee, prior to issuing an order in this regard It would also require that defendants placed for examination receive necessary care and treatment

(2) Under existing law, the time of a hearing for involuntary commitment of a mentally retarded person is at a time the court deems proper

This bill would revise such provision to prescribe the time of hearing as 60 days after the filing of the commitment petition, with continuances granted only for good cause

(3) Current commitment procedures authorize a mentally retarded person to be placed by the court in the custody of his or her parent, guardian, or conservator, or other suitable person, or placed in a state hospital for the developmentally disabled or a county psychiatric hospital

This bill would limit such procedure to dangerous mentally retarded persons, and require prior recommendations of a regional center director as to suitable prehearing placement of the person It would authorize the court to order prehearing habilitation, care and treatment, and provide that any order under these procedures expire at the time set for hearing, unless a continuance is granted for good cause

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(5) This bill would, if AB 2751 or SB 579, or both, are chaptered, and this bill is chaptered last, incorporate the changes made in Section 1370 1 of the Penal Code by each of these bills which is chaptered

Ch 860 (AB 3232) Vasconcellos Postsecondary education financial aid

(1) Existing law provides for specified numbers of new Cal Grants in the 1977–78 and 1978–79 fiscal years and each fiscal year thereafter, and provides for certain exceptions to such numbers dependent upon the availability of federal funds

This bill would delete references to the 1977–78 and 1978–79 fiscal years, and instead would provide that specified numbers of new Cal Grants be awarded in the 1980–81 fiscal year, and each fiscal year thereafter This bill would also delete the provision relating

to the exceptions. This bill would require that the Governor's Budget take into consideration the amount of federal funds available through State Student Incentive Grants for Cal Grant awards.

(2) Existing law prescribes eligibility requirements for the receipt of a Cal Grant award.

This bill would provide that no more than 2% of new recipients enrolling for the first time in an institution of postsecondary education would be eligible for tuition payments in their first academic year of attendance

(3) Current law provides for the continuation of the grant when an eligible student transfers from a public community college to another eligible college.

This bill would delete that provision and instead would provide that a grant be held in trust for a student when certain conditions are met This bill also requires that all authorized awards be continually utilized.

(4) Current law provides that Cal Grant awards may not be utilized by a student enrolled in an instructional program of less than 9 months and that on or after June 30, 1980, the awards may be utilized by a student enrolled in an instructional program of not less than 2 academic years.

This bill would provide that such award may not be utilized by a student enrolled in an instructional program of less than one academic year

(5) Current law specifies that Cal Grant awards may be used in institutions or programs eligible to participate in the Federal Basic Educational Opportunity Grant Program or any institution recognized as a candidate for accreditation or approved pursuant to a specified provision.

This bill would provide instead that Cal Grant awards may be used in an institution or program which participates in 2 of the 3 federal campus-based student aid programs and whose students participate in the Federal Basic Educational Opportunity Grant Program

(6) Existing law authorizes the renewal for 4 years of full-time attendance, as specified, of Cal Grants for tuition, and student fees, and for tuition, student fees, and subsistence costs for disadvantaged students

This bill would authorize the renewal of such grants for 5 years of full-time attendance, under a specified circumstance

Ch 861 (AB 3150) Hughes. County and city property· housing

Present law contains various authorizations for counties and cities to transfer property for, among other things, development of housing

This bill would authorize counties and cities to resell, lease, or otherwise transfer county or city property for development of affordable housing for persons and families of low or moderate income, as defined, upon such terms and conditions as the county determines The bill would require that at least 80% of the area of any parcel transferred under the bill be used for development of housing, with at least 40% of the housing to be affordable to persons and families of low or moderate income, at least half of which would be affordable to persons of low income Dwelling units produced pursuant to the bill would be required to be restricted in such a manner as to remain continually affordable to such persons and families, as determined by the county or city, for not less than 30, nor more than 40, years. The bill provides that it would apply to charter cities, notwithstanding charter provisions to the contrary

Ch 862 (AB 3246) Ingalls Telephone information libraries

Existing law provides immunity from liability for damages to a professional society or its members, or any nonprofit corporation authorized by such society to operate a referral service, or their agents on account of a referral made at no charge by the society as part of a public service referral system in certain circumstances

This bill would provide that there would be no liability on the part of, and no cause of action against, a professional society or nonprofit corporation authorized by such society for providing a telephone information library available for use by the general public without charge

This bill would incorporate additional changes proposed by AB 3335 to become operative if both bills are chaptered and this bill is chaptered last

Ch 863 (AB 3311) McVittie. Trials. child custody

Existing law grants preference to the trial of certain specified actions, not including cases involving a contested issue of child custody

This bill would require that cases involving the sole contested issue of custody of a minor child shall be given preference over other civil cases for trial dates, except as specified.

The bill also would require, as to other cases involving more than one contested issue where one of the issues is custody of a minor child, a separate trial as to that issue and the trial would be given preference over other civil cases, except as specified.

Ch 864 (AB 3462) Frazee Mobilehome parks.

Existing law regulates the landlord and tenant relationship between the management of a mobilehome park and the owner of a mobilehome situated therein, but does not require the disclosure of information concerning the nature of the zoning permit under which the park operates, except in the case of a tenancy termination due to a change of use, as specified, nor of the duration of a lease of the mobilehome park in which the management is a lessee.

This bill would require written notice thereof, within specified time periods, to all tenants and prospective tenants, and additional written notice of any change in either the zoning permit provisions or lease duration

Ch. 865 (AB 3104) Ellis. Contractors

Existing law requires all accusations against licensed contractors to be filed within 3 years after the act or omission alleged as grounds for disciplinary action

This bill would require accusations regarding an alleged breach of an express, written warranty issued by a contractor to be filed within the duration of that warranty.

This bill would also declare that its provisions shall not be construed to affect the liability of a surety or the period of limitations prescribed by law for the commencement of actions against a surety or cash deposit

Ch. 866 (AB 3050) Moorhead. Spousal support

Under existing law, in a judgment for the dissolution of a marriage or a legal separation the court may order a party to pay spousal support

Existing law provides for the enforcement of such orders by execution or contempt proceedings, but unlike orders for child support, does not provide for orders to assign wages.

This bill would enact provisions authorizing orders for the assignment of wages to the person to whom spousal support is owed, or in certain instances, to the county clerk, a county officer, or other officer designated by the court

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 867 (AB 2883) McAlister Local Public Entity Employees Fund

Under existing law, local government entities pay into the Local Public Entity Employees Fund to finance unemployment insurance coverage of their employees If the unencumbered balance of interest deposited in or earned by the fund exceeds $1,000,000 at the close of a fiscal year, such balance is credited to the account of each local public entity participating in the fund in the proportion that the interest earned on the reserve in its account bears to the total interest earned on the total reserve in the fund

This bill would provide that if the unencumbered balance of interest exceeds $250,000 at the close of a fiscal year, such balance shall be credited to the account of each local public entity which has a positive account balance in the proportion that each entity's positive account balance bears to the total of all positive account balances in the fund

Existing law generally provides that for the 1980–81 fiscal year local government entities shall pay into the Local Public Entity Employees Fund at the tax rate of $^{9}/_{10}$ of 1% of total wages paid

This bill would provide that if a local public entity's net balance of reserve exceeds ½ of 1% of its 1978–79 fiscal year payroll, the local public entity's tax rate for the 1980–81 fiscal year is ⅒ of 1%

Existing law authorizes the administrator of the Local Public Entity Employees Fund to increase the tax rate for the 1980–81 fiscal year if he finds that the ability of the fund to meet its estimated obligations promptly, when due, will become endangered

This bill would make such authority applicable to any fiscal year

The bill would take effect immediately as an urgency statute.

Ch 868 (AB 2807) Costa Cattle inspection

Under existing law, cattle inspection is not required, as specified, when cattle are shipped for pasture or feeding purposes and there is no change of ownership

This bill would, until January 1, 1983, exempt cattle from inspection under such circumstances when moved across a modified point-of-origin inspection area boundary in accordance with regulations adopted by the Director of Food and Agriculture which specifically allow such cattle to move under a permit for a distance not to exceed 40 miles from loading point to destination The director would be authorized to establish a fee for such a permit on a graduated scale based on the number of head of cattle moved in a 12-month period, but not to exceed $200

The bill would require the director to report to the Assembly Committee on Agriculture and the Senate Committee on Agriculture and Water Resources on or before January 1, 1983, on the operation of the permit program

The bill would make an appropriation by authorizing moneys to be paid into the Department of Agriculture Fund, which is a continuously appropriated fund

Ch. 869 (AB 2685) Gage State employer-employee relations

Existing law provides that in any case where specified provisions of law are in conflict with the provisions of a memorandum of understanding reached pursuant to the State Employer-Employee Relations Act (SEERA), the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act

This bill would add to those provisions specified to be superseded by the memorandum of understanding provisions which

(1) Require the State Personnel Board to establish and adjust the salaries of the superintendent, members of the teaching staff, officers, and employees of the California Maritime Academy in the same manner and following the same procedures as in the establishment and adjustment of state civil service salaries

(2) Permit any state officer or employee when working overtime at his headquarters on state business to receive his actual and necessary expenses, during his regular work week, subject to rules and regulations adopted by the State Board of Control

Ch 870 (SB 1486) Craven Subdivisions telephone service

Existing law requires tentative subdivision maps to meet specified design requirements and requires the denial of the approval by the city or county legislative body of any tentative map not meeting those design requirements

This bill would authorize city and county legislative bodies to require such maps to provide for the availability of individual household telephone service to each residential parcel in the subdivision

Ch 871 (AB 3487) Papan California State Police Division employees dispatchers

Existing statutes prescribe the categories of members and employees of the California State Police Division

This bill would include dispatchers within the specified categories of employees, establish a minimum of 8 dispatcher positions in the division, as specified, require appointment of employees to such positions, and express related legislative intent

This bill would take effect immediately as an urgency statute

Ch 872 (SB 82) Garamendi Tahoe regional planning

Existing law provides that the Lake Tahoe region is experiencing problems of resource use and deficiencies of environmental control and recognizes that for the purpose of

enhancing the efficiency and governmental effectiveness of the region, it is imperative that there be established an areawide planning agency with specified powers

This bill would provide that the agency is the Tahoe Regional Planning Agency and that it has the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain those capacities, while providing opportunities for orderly growth and development consistent with those capacities. This bill would also set forth the responsibilities of the agency in carrying out the policies set forth.

Existing law, contained in the Tahoe Regional Planning Compact, defines the term "region" as used in the compact

This bill would revise the definition of that term, would delete the definition of the term "interim plan" and references to the same throughout the compact, would add the definitions of "environmental threshold carrying capacity," "feasible," "areas open to public use," "areas devoted to private use of guests," "nonrestricted license," and make other revisions in the compact's definitions.

Existing law, contained in the Tahoe Regional Planning Compact, provides that the governing body of the bi-state Tahoe Regional Planning Agency shall be composed of 10 members consisting of 6 representatives of local governments in the Tahoe basin, as specified, 2 gubernatorial appointees, and 2 department directors

This bill would increase the membership of the governing body to 14 members, as specified

Existing law provides for the filling of vacancies by gubernatorial appointment should any appointing authority fail to make an appointment within a specified time

Existing law provides that a person appointed to the board shall disclose all his economic interests in the region before taking his seat on the governing body and thereafter disclose any further economic interest which he acquires

This bill would, in addition, extend such provision to employees of the agency, define the term "economic interest," as specified, and provide for their disqualification from decision making under specified circumstances.

Existing law requires that a majority of the members of the governing body from each state shall constitute a quorum for the transaction of agency business, and that a majority vote of the members present representing each state is required to take action with respect to any matter. Existing law also provides that whenever the agency is required to review or approve any proposal the agency must take final action to approve, modify, or reject such proposal within 60 days after such proposal is delivered to the agency, and if the agency does not take final action within 60 days, the proposal is deemed to be approved.

This bill would provide that 4 of the members of the governing body from each state shall constitute a quorum for the transaction of agency business, and that the vote of at least 4 of the members from each state agreeing with the vote of 4 members from the other state is required to take action with respect to the adoption, amendment, or repeal of environmental threshold carrying capacities, the regional plan and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, and specifies the vote with respect to the approval of a project, routine business and for directing the agency's staff on litigation and enforcement, and would specify when a final action of rejection of the matter is deemed to have been taken

Existing law provides for an advisory planning commission to be appointed by the agency and specifies its membership

This bill would revise the composition of the advisory agency and add, in addition to local governmental officials, the Administrator of the Division of Environmental Protection in the State Department of Conservation and Natural Resources of the State of Nevada and the administrator of the Lake Tahoe Management Unit of the United States Forest Service

This bill would also provide for the filling of vacancies on the advisory planning commission and it would provide procedures for the transaction of the commission's business

Existing law provides that each state may provide by law for the disclosure or elimination of conflicts of interest on the part of members of the governing body.

This bill would delete this provision

Under existing law, if a request for an amendment of the agency's regional plan is

made by a political subdivision or an affected property owner, the governing body must complete its action on the amendment within 60 days of the request

This bill would instead require the agency to complete its action within 180 days after such request is accepted as complete according to the ordinances of the agency This bill would also require, within 18 months of the effective date of these amendments to the compact, the adoption of environmental threshold carrying capacities for the region, would provide that the agency should request assistance from the President's Council on Environmental Quality, the United States Forest Service, and other appropriate agencies for the development of such capacities and would require the subsequent amendment of the regional plan to achieve such threshold carrying capacities

Existing law does not require that each element of the regional plan contain implementation provisions and time schedules for such implementation by agency ordinance

This bill would so provide This bill would also provide that the regional plan must attain and maintain federal, state, or local air and water quality standards for the region, whichever are strictest, in the respective portions of the regions for which the standards are applicable This bill would also provide that the agency may adopt air or water quality standards more stringent than the applicable state implementation plan or the applicable federal, state, or local standards for the region under specified conditions

This bill would also provide that the regional plan shall be a single enforceable plan

Existing law provides that the governing body of the Tahoe Regional Planning Agency shall adopt all necessary ordinances, rules and regulations establishing minimum standards throughout the basin to effectuate the adopted regional plan, but that any political subdivision may adopt and enforce an equal or higher standard applicable to the same subject in its territory

This bill would provide that, with the exception of the Regional Transportation Plan of the California Tahoe Regional Planning Agency, the plans, ordinances, rules and regulations of the Tahoe Regional Planning Agency that do not conflict with, or are not addressed by, the California Tahoe Regional Planning Agency plans, ordinances, rules and regulations shall continue to be applicable unless amended or repealed by the governing body of the agency, however, no provision of the California Tahoe Regional Planning Agency's regional plan, ordinances, rules or regulations are to apply to that part of the Tahoe region within Nevada unless the governing body of the agency so provides This bill would also provide that the regional plan, ordinances, rules and regulations of the agency apply to that portion of the region within Nevada and that the agency shall adopt specified written findings which the agency must make prior to approving any project in the region

Existing law provides that all provisions of the regional general plan shall be enforced by the agency and by the states, counties and cities in the region

This bill would delete this provision

This bill would provide that, except for the projects to be reviewed under the special provisions related to gaming, no project shall be developed in the region without the review and approval of the agency and in accordance with the regional plan and ordinances meeting the requirements of the compact

This bill also provides that prior to the adoption of written findings relating to environmental threshold carrying capacities, as specified, a project may be approved only after specified written findings have been made by the agency

Existing law requires the agency to recognize as a permitted and conforming use any business or recreational establishment meeting certain requirements which is required by the state in which it is located to be individually licensed by the state

This bill would delete this exception and would instead provide that the agency shall recognize certain structures, establishments, and gaming as a permitted or conforming use, as specified

Existing law provides that the agency shall police the region, as specified

This bill would provide that the agency shall monitor activities in the region, as specified

Existing law makes violation of an agency ordinance a misdemeanor

This bill would delete this provision and would instead subject a person who violates any provision of the compact or of any ordinance or any regulation of the agency or of any condition of approval to a civil penalty not to exceed $5,000 per day for each day

which the violation persists, and the bill would allow the court to impose greater penalties if the violation arose out of willful or gross negligence

Existing law provides for additional representation on the agency board whenever a new city is formed within the region

This bill would delete the provision for such additional representation

Existing law makes records of the agency open to the Fiscal Analyst of the State of Nevada and to the Legislative Analyst of the State of California

This bill would instead make the records of the agency open to the Legislative Auditor of the State of Nevada and the Legislature and the Controller of the State of California

This bill would provide that agency approval of a project expires within 3 years, unless construction has begun or the use or activity has commenced

This bill would provide that the governing body shall maintain a current list of real property available for exchange

Existing law does not require the agency to prepare and consider a detailed environmental impact statement before it decides to approve or carry out any project

This bill would so provide and would specify the procedures involved in the preparation of such reports This bill would authorize the agency to charge project applicants a reasonable fee in order to recover the estimated costs incurred by the agency and the commission in preparing an environmental impact report This bill would require the agency to adopt a list of classes of projects to be exempt from the environmental impact report requirement.

Existing law provides that the agency shall establish the amount of money necessary to support its yearly activities and apportion not more than $150,000 of this amount among the counties in the region according to a specified formula

This bill would revise the date on which such amount of support must be established and would provide that the agency shall apportion no more than $75,000 of such amount among the counties in the region This bill would delete the authority of the California counties to levy a property tax to pay such amount and would delete the requirement that each county in Nevada pay such amounts from its General Fund or other available moneys

This bill, in addition, would require the California and Nevada counties within the region to pay specified sums to the agency from any available funds and would provide that the State of California and the State of Nevada may give such additional support to the agency as is necessary to support the operations of the agency This bill would also require the agency to submit an itemized budget to the states with any request for state funds

Existing law authorizes the agency to own property

This bill would provide that the agency may own property only for the purpose of maintaining an office.

This bill would also establish the Tahoe Transportation District The district would be managed by a board of directors, as specified, and would set forth the powers and responsibilities of the district

Existing law provides that no provision of the Tahoe Regional Planning Compact shall have any effect upon the allocation or distribution of interstate waters or upon any appropriative water right

This bill would, in addition, provide that no provision of the compact shall have any effect upon the allocation, distribution, or storage of interstate waters or upon any appropriative water right

This bill would become effective only upon the adoption by the State of Nevada of the same amendments to the Tahoe Regional Planning Compact, ratification by the Congress, and approval by the President

This bill would repeal the provisions of Chapter 1329 of the Statutes of 1976

Ch 873 (AB 3114) Felando Hazardous waste

(1) Existing law regulates the use, handling, transport, and disposal of hazardous wastes Violations of such provisions of law is a misdemeanor of specified penalties

This bill would make violations of such provisions of law a felony of specified penalties and provides for increased penalties for a second or subsequent conviction

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs man-

dated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 874 (SB 1874) Nejedly Toxic substances

(1) Existing law provides for regulation of safety and health in places of employment Existing law does not require preparation and furnishing of information on hazardous substances by manufacturers and employers.

This bill would require the Director of Industrial Relations to establish a list of hazardous substances in a specified manner, and to submit the list to the Occupational Safety and Health Standards Board for possible modification and approval, as specified The director would be required to adopt the approved list, as modified, as a regulation, as specified.

This bill would require a manufacturer, as defined, and any person other than a manufacturer who sells a hazardous substance, excepting specified laboratories, to prepare and provide a material safety data sheet (MSDS), as defined, containing specified information, or the specified information, to persons who have purchased the listed hazardous substances directly from the manufacturer, except as specified, to revise an MSDS, as specified, and to provide new information on such hazardous substances in certain specified circumstances to persons who have purchased the product directly from the manufacturer within the last year, as specified

The bill would also require the Occupational Safety and Health Standards Board to adopt specified standards, including a requirement for employers to make such information on hazardous substances in the workplace and new, revised, or later information on such substances, available to employees, as specified

The foregoing provisions would be repealed January 1, 1986, unless a later enacted statute which is chaptered before January 1, 1986, deletes or extends such date

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 875 (AB 2747) Wray Radioactive materials

(1) Under existing law, the State Department of Health Services is required to maintain surveillance over the storage, packaging, transporting, and loading of radioactive waste within the state

This bill would instead require the department to maintain such surveillance over radioactive material within the state, except licensees and facilities of specified federal agencies

(2) Under existing law, the State Department of Health Services is required to adopt rules and regulations on the safe transportation of radioactive materials, which could include the designation of routes in the state used for transportation of hazardous radioactive materials and the manner in which notice to appropriate authorities of the shipment shall be given by the shipper

This bill would require the State Department of Health Services to adopt such regulations, excepting regulations specifying the time of shipments and routes used for transportation, in cooperation with the Department of the California Highway Patrol and to review regulations relating to radioactive material cargo and make them compatible with specified federal regulations within 60 days of the effective date of the federal

regulations.

This bill would require the State Department of Health Services, with the assistance of the Office of Emergency Services, the State Energy Resources Conservation and Development Commission, and the Department of the California Highway Patrol to make specified studies relating to designated types of radioactive materials and to report its recommendations for changes in transportation regulations to the Legislature by July 1, 1982 It would require the State Department of Health Services to extend the nuclear threat emergency response plan to include radioactive materials in transit and provide training for law enforcement officers in dealing with such threats. The bill would require the Department of the California Highway Patrol to adopt regulations to designate the time and routes for transportation of hazardous radioactive materials after consulting with the State Department of Health Services and to review regulations relating to radioactive material cargo and make them compatible with specified federal regulations within 60 days of the effective date of the federal regulations The bill would require the Department of the California Highway Patrol to be notified 72 hours prior to the transportation of hazardous radioactive materials containing commercially produced, spent radioactive fuel

(3) Existing law requires vehicles transporting radioactive material to display placards or markings in accord with certain state statutes

This bill would, instead, require such placards or markings to comply with regulations of the United States Department of Transportation

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 876 (AB 3132) Egeland Hazardous waste enforcement.

(1) Existing law provides for criminal fines and imprisonment for knowing, unauthorized disposal of hazardous waste, as specified, for fines for failure to comply with schedules of compliance issued for violation of hazardous waste control provisions and for civil penalties for unpermitted disposal of extremely hazardous waste, as defined, specified false statements, and violation of specified hazardous waste control regulations Existing law also imposes civil penalties for knowing disposal of hazardous waste at an unauthorized point.

This bill would revise and recast such civil penalties, and would impose civil penalties for failure to comply with such schedules of compliance, would delete the separate express provision of civil penalties for unpermitted disposal of extremely hazardous waste, and would make each intentional or negligent violation, as specified, of hazardous waste control law subject to specified civil penalties The bill would also provide for civil penalties for intentional or negligent disposal of any hazardous waste at an unauthorized point and each day such deposit remains and the depositor knows that it remains would be a separate violation unless specified acts are performed by the disposer The bill would provide that the civil penalties for each violation are separate and in addition to other civil penalties

This bill would change the criminal sanctions to make any violation of specified transport, treatment, documenting, and response requirements subject to specified punishment and would provide for increased punishment for second and subsequent convictions, as specified

The bill would provide that such remedies are cumulative, are not abated by sale of the property or processing facility, as defined in existing law, and that actions on the application for a permit for a facility that has treated, stored, or disposed of hazardous waste, or for discipline of a permit holder, may be continued after withdrawal of an application for such a permit or surrender of a permit

(2) Existing law requires penalties recovered pursuant to such enforcement provisions to be deposited to the continuously appropriated Hazardous Waste Control Ac-

count in the General Fund, which funds may be expended by the State Department of Health Services for the purposes of administering specified hazardous waste control statutes Therefore, the bill would make an appropriation

(3) The bill would provide for continued use or operation of a hazardous waste facility pending permit application review on specified conditions

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(5) This bill would take effect immediately as an urgency statute.

Ch 877 (AB 2823) Berman. Water quality· civil liability

(1) Under existing law, any person who intentionally or negligently violates specified orders or discharges waste or petroleum under specified circumstances may be liable civilly in a sum of not to exceed $6,000 for each day in which such violation or deposit occurs

This bill would provide that any person who, without regard to intent or negligence, causes or permits any hazardous substance, as defined, to be discharged in or on any of the waters of the state where it creates a condition of pollution or nuisance shall be strictly liable civilly in an amount not to exceed $6,000 per day of discharge. The bill would provide that there shall be no liability under such provisions if the discharge is caused by specified acts, and would entitle a person who pays any liability to contribution from third parties in accordance with the principles of comparative fault The bill would require any person who causes or permits any discharge of a hazardous substance, as defined, to notify, as prescribed, the Office of Emergency Services of the discharge in accordance with the reporting provision of the state toxic disaster contingency plan, except where there is immediate notification of an appropriate federal agency or the appropriate regional water quality control board The bill would prescribe criminal penalties for failure to provide such notice and would specify related matters.

(2) Under existing law, the operator of a hazardous waste facility may be required to obtain a permit from the State Department of Health Services

This bill would prohibit any state agency from refusing to issue a permit or license for a hazardous waste facility on the grounds that the applicant has not been granted a local land use permit, but would permit the agency to provide that the permit or license shall not become effective until the applicant is granted a local land use permit

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 878 (AB 2691) Tucker Hazardous waste

(1) Existing law defines handling of hazardous waste to exclude storage on the contiguous property of the producer of the waste Existing law also requires any person who handles, as defined, hazardous waste to pay a registration fee to the department which is deposited in a continuously appropriated fund

This bill would delete such exclusion, and, to the extent producers of the waste previously exempt would be required to register, the bill would make an appropriation of registration fees from such producers.

(2) Existing law defines waste, use, and processing facility for purposes of certain laws relating to hazardous waste

This bill would redefine waste for such purposes to include any recyclable material, as defined in the bill, and, to the extent waste producers and processors previously exempt would be required to register, the bill would make an appropriation of registration fees from such producers and processors of waste

The bill would declare that such redefinition is intended to clarify existing law and is not a change in that definition

The bill would also delete the special definition of use and processing facility

(3) Existing law authorizes the State Director of Health Services or a duly authorized representative of the department to enter specified facilities and places

This bill would add transfer stations to such places and add representatives of the local health officer to such persons who may enter such facilities and places The bill would define "local health officer" for such purposes

The bill would also authorize such persons to obtain samples, stop and inspect specified suspected vehicles, inspect and copy records, and photograph specified objects and places or a violation found during an inspection.

The bill would specify limitations, report requirements, and notice of photographs taken in such inspections

The bill would make willful interference with representatives of the department, as specified, a misdemeanor

(4) Existing law prohibits operators of specified facilities from accepting or disposing of hazardous waste without a specified permit, and requires payment of fees for such permits, which fees are continuously appropriated to the department

This bill would also prohibit such operators from treating, or storing for more than 60 days, hazardous waste without such permit To the extent that persons treating hazardous waste, or storing it for more than 60 days, would be required to pay a permit fee by the bill, the bill would make an appropriation of such permit fees

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 879 (AB 2234) Wray Condominium conversions and conversions to other uses mobilehome parks

(1) Existing law requires the inclusion of specified information within a rental agreement of a mobilehome park, but does not currently require inclusion of notice as to the park's zoning and use permit status

This bill would require that the rental agreement contain notice as to the nature of the zoning under which the park operates, and the date of expiration of the current conditional use permit under which the park operates It would also require the management of a park to notify all tenants of any change in such zoning or use permit status, including any application for a change in zoning or use

(2) There are currently no requirements that a subdivider file a report with the local jurisdiction indicating the impact upon displaced tenants of a proposed conversion of residential real property to another use.

This bill would require, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a mobilehome park to another use, or if no map is involved prior to the conversion to another use, that the subdivider also file a report on the impact of the conversion upon the displaced residents of the mobilehome park to be converted. The bill would further require that, in determining the impact of the conversion on displaced mobilehome park residents, the report address the availability of adequate replacement space in mobilehome parks The subdivider would be required to make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the hearing on the map or the impact report by the local advisory agency or, if there is no advisory agency, by the legislative body, city, county, or city and county.

The legislative body, or an advisory agency which is authorized by local ordinance to

approve, conditionally approve, or disapprove the map or use, would be authorized to require the subdivider to take steps to mitigate any adverse impact of the conversion on the ability of displaced mobilehome park residents to find adequate space in a mobilehome park.

This bill would also declare that it establishes a minimum standard for local regulation with respect to mobilehome park conversions and does not prevent the enactment by a local agencies of more stringent measures

Ch 880 (SB 1440) Wilson Polygraph examinations.

Existing law does not prohibit governmental agencies involved in the investigation or prosecution of crimes from requiring or requesting a complaining witness to take a polygraph examination as a prerequisite to filing an accusatory pleading.

This bill would make such a prohibition as to a complaining witness in cases involving the use of force in the commission of any sex offense. The complaining witness would be authorized to bring an action for specified damages against a violator of the prohibition.

Ch. 881 (AB 3422) Knox. Vessel registration fees.

Under existing law, specified fees are required to be paid in connection with the registration of undocumented vessels with the Department of Motor Vehicles. Such fees are deposited in the Harbors and Watercraft Revolving Fund and are continuously appropriated for specified purposes

The bill would increase such fees by specified amounts, thereby making an appropriation. The bill would continuously appropriate the amount derived from the increase in such fees by this bill for support of local boating safety and enforcement programs pursuant to specified provisions, and would make technical changes.

The increased fees proposed by this bill would remain in effect until January 1, 1983

Ch. 882 (SB 1454) Alquist. Carpooling.

Existing law does not require the Department of General Services to conduct a study regarding the effectiveness of carpooling

This bill would require the department, in consultation with the Department of Transportation, to study situations in which multiple occupancy in passenger vehicles owned, operated, or maintained by the state can be promoted or facilitated or in which mass transportation can be utilized It would require the department to determine the number of vehicles now assigned to specific state agencies that can be returned to service in state carpools and report its findings and recommendations to the Legislature within 90 days of the effective date of the act

Existing statutes authorize any state agency to permit motor vehicle parking upon state property under its jurisdiction or control and to impose, with the approval of the Director of General Services, related parking fees, as specified, and authorize the Department of General Services to operate motor vehicle parking facilities and to impose related parking fees, as specified

This bill would specify that in such cases, different rates of parking fees, based upon the number of riders in each vehicle, may be charged.

This bill would take effect immediately as an urgency statute

Ch 883 (AB 2962) Young. Shorthand reporters· licensing fees

Existing law establishes various fees and penalties payable to the Certified Shorthand Reporters Board with respect to the licensing of shorthand reporters. Such fees and penalties are deposited in the Shorthand Reporters' Fund which is continuously appropriated.

This bill would increase various such fees and penalties and add a penalty for failure to notify the board of a change of address within 30 days

The bill would take effect immediately as an urgency statute

Ch 884 (AB 2628) Vasconcellos Community colleges: California State University and Colleges: finance

(1) Existing law prescribes standards for the formation of community college districts

This bill would require, with respect to a portion of territory of a community college

district which becomes a part of another district, that the assessed valuation and taxes levied on such territory be transferred to the acquiring district

(2) Existing law provides, for the 1979–80 and 1980–81 fiscal years, for the allocation of state support for community college districts from Section B of the State School Fund based on a calculation of actual district expenditures in the 1977–78 school years, and a base amount per unit of average daily attendance as adjusted for various factors It also provides for the allocation of property tax revenues among local agencies, including community colleges

This bill would make various supplemental changes in these community college finance and allocation provisions

(3) Under existing law, in effect only until June 30, 1981, the deadline for taking various actions involving budgets of community college districts is a specified day following the chaptering of either (1) the Budget Act, or (2) an act providing for the appropriation and allocation of a substantial portion of the state's share of financial support for community colleges, whichever is later, but in no event later than a specified date

This bill would delete language repealing those provisions, and, instead, would provide that such provisions are operative only in a fiscal year in which the Budget Act, or any other act providing for the allocation and apportionment of a substantial portion of the state's share of financial support for community colleges is chaptered after July 1 of the fiscal year for which funding is provided

(4) Under existing law, all income accruing to a community college district in excess of the amounts required to finance the total proposed expenditures as shown in the budget of the district must be added to the general reserve of the district Such moneys are not available for appropriation by a district for the current fiscal year unless a specified procedure is followed.

This bill would modify the procedure for appropriating such excess income and would also delete language expressly providing that such provisions shall not be construed to authorize the appropriation for current year purposes of income which would deplete the general reserve for the next succeeding fiscal year as provided in the budget of the district

(5) Existing law sets forth provisions concerning the academic calendar and student measurement in the community colleges These provisions will remain in effect only until July 1, 1981

This bill would extend the date until July 1, 1982

(6) This bill would make findings and declarations concerning the need for safety at the campuses of the California State University and Colleges and would appropriate to the Trustees of the California State University and Colleges $199,690 from the General Fund and $307,606 from the Capital Outlay Fund for Public Higher Education for specified matters relating to safety

(7) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(8) This bill would take effect immediately as an urgency statute

Ch 885 (AB 1972) Knox California Health Facilities Authority composition

Under existing law, which took effect on January 1, 1980, there is a state agency known as the California Health Facilities Authority composed of 7 members Existing law prescribes that the authority membership consist of the Treasurer, the Controller, the Director of Finance, 2 members appointed by the Senate Rules Committee, as specified, and 2 members appointed by the Speaker of the Assembly, as specified Existing law prescribes that members of the authority serve without compensation, but authorizes the authority to reimburse its members for necessary expenses incurred in the discharge

of their duties.

This bill would revise the membership of the authority by adding 2 members representative of the general public appointed by the Governor, subject to confirmation by a majority vote of the Senate It would also delete the requirement in existing law that the appointments of the Senate Rules Committee and the Speaker of the Assembly be confirmed by votes of their respective houses

Ch 886 (AB 2564) Kapiloff Gill nets.

(1) Existing law provides generally that gill nets may be used to take fish in specified areas.

This bill would provide that gill nets may only be used pursuant to a permit issued by the Department of Fish and Game, would require that the Fish and Game Commission establish regulations for the issuance of such permits as necessary to establish an orderly gill net fishery, would require that such regulations include a requirement that persons being granted a permit have had previous experience as a crewmember of a vessel using gill nets or have successfully passed a proficiency test, would require the Director of Fish and Game to establish a permit fee, as specified; would require the director to establish an advisory committee to advise the department in developing regulations to be proposed to the commission governing the use of gill nets; would require, except as specified, that any swordfish or marlin caught incidentally be delivered to the department; and would require revocation of a gill net permit for the violation of such provision.

Additionally, the bill would, until January 1, 1983, prohibit the use of gill nets to take rockfish within 3 miles of Santa Catalina Island (District 20A), and prohibit the use of gill nets to take rockfish and lingcod in waters south of Point Sal (part of District 18) and District 19 of less than 50 or 70 fathoms, as specified ~~The department would be required to report to the Legislature on the impact of specified depth restrictions on the taking of rockfish and lingcod on or before January 1, 1983.~~

(2) Existing law does not require that sportfishermen report the taking of marlin to the department

This bill would, until 2 years from the effective date of the bill, require such reports subject to regulations the commission may prescribe

(3) Existing law requires persons in the business of buying or processing fish or manufacturing fish products, as specified, to keep specified receipts

This bill would, until 2 years from the effective date of the bill, require any person who receives swordfish from fishermen to record the aggregate weight and total number of all swordfish received on such receipt

(4) Under existing law, persons licensed as dealers, packers, or processors of fish are required to pay a specified privilege tax for each pound of fish taken, purchased, or received by them

This bill would, until 2 years from the effective date of the bill, require that such persons pay an additional privilege tax of one cent for each pound, or fraction thereof, of thresher shark or bonito shark purchased, received, or taken by them

(5) Existing law provides that swordfish may be taken only pursuant to a permit

This bill would, until 2 years from the effective date of the bill, provide that the fee for such permit is $150

(6) Existing law does not require a special permit for the taking of shark by drift gill net

This bill would, until 2 years from the effective date of the bill, establish a season for the taking of shark with drift gill nets, and would require that shark be so taken only under a permit issued by the department to qualified individuals, as defined The fee for such permits would be $150 and the bill would require that such moneys be used for specified purposes The bill would also provide for the taking of incidental amounts of swordfish and marlin, as specified, and would require that the shark gill net fishery be closed when specified incidental amounts of marlin or swordfish have been taken The bill would require the department to prescribe notification procedures to ensure that observers are on vessels where there is a person operating under both a permit to take shark by the use of drift gill nets and a permit for the taking of swordfish The bill would require such person to comply with the notification procedures before fishing, and would require the department to insure against the liability of owners or operators of

vessels boarded by observers in the event of injury to or death of an observer in the course and scope of employment as an observer It would require the department to revoke both permits for a violation of the notification requirements.

(7) This bill would require the department to develop a voluntary participation program for the use of departmental observers on board vessels to monitor the taking of marlin by sportfishermen, and would require the department to insure against the liability of owners or operators of vessels boarded by observers in the event of injury to or death of an observer in the course and scope of employment as an observer

(8) The bill would appropriate $200,000 from the Fish and Game Preservation Fund to the department for expenditure during the 1980–81 fiscal year to conduct a study to determine the effects of the use of drift gill nets on the California swordfish and marlin fisheries and to finance departmental observers on board drift gill net vessels, including the costs of insurance The bill would express the legislative intent that the fund be reimbursed by the assessment of specified privilege taxes and permit fees

(9) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made for such purpose and no reimbursement is required by this act for a specified reason

(10) The bill would take effect immediately as an urgency statute

Ch 887 (AB 2209) Hallett Health facilities and clinics: philanthropic support

(1) Present law does not directly regulate health facility or clinic budgets, rates, or revenues, but does require uniform accounting and specified fiscal reporting to the California Health Facilities Commission

This bill would require, for purposes of state laws enacted before or on or after January 1, 1980, that specified grants, gifts, or payments to a health facility or clinic, moneys received from the sale of capital assets acquired through a gift or grant, and prescribed depreciation funds not be treated as revenues allocable to the cost of care provided by the health facility or clinic Such principle would be applicable to all state laws that provide for regulation, review, or reporting of the budget, rates, or revenues of health facilities and clinics This bill would declare the intent of the Legislature to encourage philanthropic support of health facilities and clinics, and would direct that state laws be interpreted consistent with such purpose, as prescribed

(2) The Medi-Cal Act, the Waxman-Duffy Prepaid Health Plan Act, and the Adult Day Health Medi-Cal Act require the State Department of Health Services (or its director) to establish rates to be paid for services provided Medi-Cal beneficiaries respectively thereunder, and specify the bases for such rates However, existing law does not indicate whether, or how, gifts, grants, endowments, and income therefrom are to be considered in establishing such rates

This bill would require that, in establishing such rates, any gifts, grants, endowments, or income therefrom not be deducted from operating costs, to the extent permitted by federal law

Ch 888 (SB 1309) Rains Portable fire extinguishers

Existing law requires any person engaged in the business of servicing, changing, or testing of any portable fire extinguisher to obtain a current license from the State Fire Marshal Existing law also requires any person servicing, charging, or testing any portable fire extinguisher to obtain a current certificate of registration from the State Fire Marshal Existing law additionally prescribes the amount of original and annual renewal fees for these licenses and certificates of registration

This bill would increase the amount of these fees for the 1981 calendar year and thereafter, as specified This bill would declare that it is the intent of the Legislature that the revenues derived from the increased fees be used as a source of funding to add additional personnel to the Office of the State Fire Marshal to perform field enforcement and inspections, as prescribed

This bill would appropriate $43,000 to the Office of the State Fire Marshal for the above described purposes.

This bill would take effect immediately as an urgency statute.

Ch 889 (SB 1615) Sieroty Perjury

Existing California law does not specifically consider the punishment for perjury committed outside the state when oaths, statements, declarations, and similar acts which may be proven or verified by a certification or declaration that the oath, statement, declaration or other similar act is made under penalty of perjury are made outside the state

This bill would expressly provide that such perjury committed outside of California is punishable in California if the person making the certification or declaration under penalty of perjury indicates that the certification or declaration is made under the laws of the State of California and, commencing on July 1, 1981, would provide that the certification or declaration may be made substantially in a specified form.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 890 (SB 1635) Garamendi Medi-Cal: prepaid health plans

Under existing law, the State Department of Health Services pays prepaid health plans in accordance with a prospective per capita rate of payment for services provided to Medi-Cal beneficiaries enrolled in the plans Rates of payment are to be determined annually, are to be effective no later than July 1, and are not to exceed the total per capita amount as set forth In the event of a delay in payment, continued payment to the plan is considered interim in nature and is subject to increase or decrease to the level of new annual rates effective on July 1 A prepaid health plan contract is required to provide the specific sums which the state is to pay the plan each month for each beneficiary enrolled in the plan and is required also to provide a detailed description of the specific actuarial methods and assumptions used in determining per capita rates and a summary of the data base used to determine such rates

This bill would provide that in the event that a contract amendment providing for the new annual rates has been executed by the department and a prepaid health plan, but has not yet received the approval of all required control agencies and departments by September 1, payment of the new annual rates is to begin no later than that date. In accepting payment of the new annual rates prior to final approval, a prepaid health plan contractor would stipulate to a confession of judgment for any amounts received in excess of the final approved rate The bill sets forth a procedure to be followed in order to adjust the final approved rate if it differs from the rates set forth in the amendments.

Ch 891 (SB 1650) Nielsen. Health facilities

(1) Existing law does not expressly require the licensee of each skilled nursing or intermediate care facility to notify in writing all patients for whom the facility's services are not reimbursed pursuant to the Medi-Cal Act, or such patient's responsible agent, of any scheduled room rate increase at least 30 calendar days in advance of the increase

This bill would so require, but would make such requirement inapplicable to the extent it would prevent a facility from taking advantage of increased Medi-Cal rates, as specified

(2) Under existing law a violation of the provision of this bill would be a misdemeanor.

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require

the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 892 (SB 1699) Wilson Coastal zone: vernal pools City of San Diego

The California Coastal Act of 1976, generally, provides for the planning and regulation of development, as defined, within a designated area of the state's coastline, defined as the coastal zone. With prescribed exceptions, the act requires any person wishing to perform any development within such an area to obtain a coastal development permit from an appropriate regional coastal commission, the California Coastal Commission, or local government under designated conditions Any such permit, or any development or action approved on appeal under designated provisions, is subject to reasonable terms and conditions in order to ensure that such development or action will be in accordance with the act.

The act requires that a permit be obtained from a regional coastal commission or the commission in addition to receiving a permit from a local government for developments located on designated lands within prescribed distance of any wetland, estuary, stream, or coastal bluff.

This bill would prohibit the commission from imposing or adopting any requirements, within the City of San Diego, in conflict with the provisions of a plan for the protection of vernal pools approved and adopted by the City of San Diego on June 17, 1980, in consultation with state and federal agencies, and approved and adopted by the United States Army Corps of Engineers in coordination with the United States Fish and Wildlife Service

Ch 893 (SB 1717) Mills Transportation. project approval: Amtrak. interface projects

(1) Under existing law, money may be provided from the Transportation Planning and Development Account in the State Transportation Fund, from the State Highway Account in the State Transportation Fund, and from local transportation funds for certain transportation projects

This bill would prohibit the budgeting, allocation, or expenditure of such moneys for any project which calls for any change in passenger train stations or loading platforms used by the National Railroad Passenger Corporation unless the change has been submitted to the corporation for review and comment which may include a recommendation for modification If an agency elects not to accept a recommendation, it would be required to submit the matter to the Secretary of the Business and Transportation Agency who would determine whether the agency shall follow the recommendation

(2) Under existing law, funds allocated from the Transportation Planning and Development Account for a public transportation interface project may not exceed 25% of its cost

This bill would delete the 25% limitation and would specify that priority shall be given to projects for which local funds have been committed

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 894 (SB 1715) Nielsen Agricultural pest control advisers.

Existing law requires that agricultural pest control advisers be licensed by the Director of Food and Agriculture, and specifies reasons for which such license may be refused, revoked, or suspended.

This bill would provide that cause for refusal, revocation, or suspension includes unprofessional conduct which is defined to mean repeated acts of recommending the clearly excessive use of a pesticide or any method or device for the control of plant, animal, or any other pests or repeated acts of recommending the use of any ineffective method or device for the control of plant, animal, or any other pests.

Ch 895 (SB 1716) Nielsen. Tidelands City of Vallejo

Under existing law, certain tide and submerged lands have been granted in trust to the City of Vallejo.

This bill would declare certain of such lands to be free of the public trust and the terms, trusts, and restrictions imposed by the grant, subject to an exchange for lands of equal or greater value upon which the trust and grant terms, trusts, and restrictions would be imposed, and would make findings and determinations in such connection The State Lands Commission would be required to negotiate such exchange with the City of Vallejo.

Ch. 896 (SB 1730) Roberti Community care facilities.

Under existing law, community care facilities are licensed by the State Department of Social Services. Persons coming within the jurisdiction of, or adjudged wards of, the juvenile court on the basis of either noncriminal or criminal conduct may be placed in such facilities.

Existing law, for Los Angeles County, Santa Clara County, and Riverside County only, authorizes each county or any city in the county to require the local planning director to make a finding, as a precondition of licensure of a proposed community care facility for such wards, as to whether the proposed facility violates certain provisions The bill also requires denial of a license for a proposed community care facility for such wards if such proposed facility is located within 300 feet, as specified, of an existing community care facility for such wards, authorizes adoption of an ordinance requiring a greater distance of separation, but not to exceed one mile, as specified, deems approved, any related application not acted upon within 60 days of filing, and requires each city and each county to notify the State Department of Social Services of each such approval and disapproval Existing law would also authorize the county or city in the county to require existing licensed facilities for juvenile court wards to obtain local zoning approval, if it has not already done so, from the local planning director by September 19, 1979. The foregoing provisions are effective only until September 19, 1980.

This bill would continue these provisions in effect until January 1, 1982 The bill would also authorize the county or a city in the county to require existing licensed facilities for juvenile court wards to obtain such local zoning approval within a reasonable time, as determined by the State Department of Social Services

Existing law, for Los Angeles County, Santa Clara County, and Riverside County only, requires that, whether or not unrelated persons are living together, such a facility which serves 6 or fewer persons be considered a residential use of property for the purposes of all local zoning ordinances and requires that the residents and operators of such a facility be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property. Existing law also prohibits, for the purposes of all local ordinances, such a facility which serves 6 or fewer persons from being included in any term which implies that such a facility is a business run for a profit or differs in any other way from a single family residence, makes, with certain prescribed exceptions, any local ordinance which distinguishes or has the effect of distinguishing such a facility which serves 6 or fewer persons from other single family dwellings void and of no effect as applied to such facilities, and prohibits any conditional use permit, zoning variance, or other zoning clearance from being required of such a facility serving 6 or fewer persons which is not required of a single family residence in the same zone. The foregoing provisions are effective only until September 19, 1980

This bill would continue these provisions in effect until January 1, 1982

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes dis-

claiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as an urgency statute

Ch 897 (SB 1741) Speraw Guide dogs for the blind.

Existing law prohibits the sale, giving, hiring, furnishing or training of any guide dog or seeing-eye dog by any person not licensed by the state. Pursuant to such provisions guide dog training schools, instructors, and trainers are licensed. Violations of the rules and regulations of the State Board of Guide Dogs for the Blind may be punished by license revocation.

This bill would permit guide dog training schools to transfer title of a guide dog to the dog user subject to specified conditions

The bill would require each dog training school to report specified information to the board at the end of each calendar year. The bill would require the board to forward a copy of the reports to the Governor and the Legislature on or before March 1 of each year along with the board's analysis and comments relative to such reports.

Ch. 898 (SB 1755) Rodda. Transportation. public mass transit guideways.

Existing law requires the California Transportation Commission to allocate funds appropriated from the Transportation Planning and Development Account in the State Transportation Fund for expenditure for exclusive public mass transit guideway projects. In allocating the funds, the commission is required to take into consideration, among other things, the equitable distribution of funds among areas of the state, whether the public entity has utilized the maximum available funds from the State Highway Account in the State Transportation Fund, and the availability of federal funds.

This bill would require the commission to allocate funds transferred to the Transportation Planning and Development Account, other than as a result of the imposition of sales and use tax on motor vehicle fuel, for guideway projects included in the appropriate regional transportation improvement program and the state transportation improvement program The bill would authorize the commission to advance, or set aside, funds for guideway projects under the terms and conditions established by the commission. In determining priorities for allocation, the commission would be required to consider, among other criteria, project readiness and whether federal funds are available in a county as a result of a deletion of a segment from the National System of Interstate and Defense Highways in the county.

This bill would take effect immediately as an urgency statute.

Ch. 899 (AB 2973) Vasconcellos Capital outlay· tideland revenues

(1) Under existing law, the State Lands Commission is required, with certain exceptions, to deposit revenues, moneys, and remittances in the State Treasury, and to apply such moneys to specified obligations in a specified order The balance of state lands revenues, moneys, and remittances in excess of that distributed for specified obligations is allocated to the Capital Outlay Fund for Public Higher Education.

This bill would, instead, allocate to the Capital Outlay Fund for Public Higher Education the amount necessary to provide for an unencumbered balance of $125,000,000 for the fiscal year 1980–81 and an amount necessary to raise the balance to $125,000,000 on July 1 of each subsequent fiscal year, and, would until the operative date of the Budget Act of 1984 or the operative date of a subsequent Budget Act, as specified, (a) allocate to the State School Building Lease-Purchase Fund, a continuously appropriated fund, the amount of $100,000,000 for fiscal year 1980–81, and the amount of $200,000,000 for each subsequent fiscal year, (b) allocate to the Energy and Resources Fund, which the bill would create, the amount of $120,000,000 for fiscal year 1980–81 and an amount necessary to bring the balance to $120,000,000 on July 1 of each subsequent fiscal year, provided that after December 31, 1981, no funds would be transferred to the Energy

Account created by this bill in the fund, unless a Department of Energy has been created or a reorganization of the State Energy Resources Conservation and Development Commission occurs either by legislative enactment or by a Governor's reorganization plan which is not disapproved by the Legislature, (c) allocate to the State Parks and Recreation Fund the amount of $35,000,000 for fiscal year 1980–81 and an amount equal to $35,000,000 for each fiscal year thereafter, and (d) allocate to the Transportation Planning and Development Account in the State Transportation Fund for capital outlay costs of exclusive public mass transit guideway projects the amount of $25,000,000 for fiscal year 1981–82 and for each fiscal year thereafter The balance of state lands revenues, moneys, and remittances in excess of the specified obligations would be allocated to the Special Account for Capital Outlay, which the bill would create in the General Fund The bill would specify purposes for which moneys may be appropriated from the Special Account for Capital Outlay The bill would specify criteria for programs and projects funded by appropriations from the Energy and Resources Fund

The bill would also provide that, if the Capital Outlay Fund for Public Higher Education has a balance in excess of $125,000,000 on June 30, 1980, the excess would be transferred to the State School Building Lease-Purchase Fund, the Energy and Resources Fund, the State Parks and Recreation Fund, and the Transportation Planning and Development Account, as specified

(2) Existing law requires the transfer of funds from the General Fund to the State School Building Lease-Purchase Fund according to a specified formula

This bill would delete those provisions.

(3) The bill would also make a technical, nonsubstantive change by reducing an appropriation in subdivision (d) of Section 6217 of the Public Resources Code to conform to the Governor's reduction of that appropriation in his approval of SB 1660 (Ch 1255, Stats. 1978)

(4) This bill would impose a 10% matching requirement on capital outlay projects financed through the State School Building Lease-Purchase Fund, which requirement could be waived in cases of hardship The bill would also prohibit allocations from the State School Building Lease-Purchase Fund to a school district with unjustified surplus school sites. The bill would impose similar requirements on community college capital outlay projects

(5) Chapter 288 of the Statutes of 1980 appropriated specified sums from the General Fund to Section A of the State School Fund for the purpose of making up a deficit in state apportionments to school districts, and for making adjustments to state apportionments for certain mandated costs, in the 1979–80 fiscal year

This bill would reappropriate the unapportioned balance of the funds so appropriated to the Special Account for Capital Outlay for allocation to school districts for capital outlay in the 1980–81 fiscal year.

(6) The bill would require the Legislative Analyst to conduct studies and submit reports, as specified

(7) Under existing law, the Emergency School Classroom Law of 1979 authorizes the State Allocation Board, from funds appropriated to the State School Building Aid Fund for such purpose, to acquire portable classrooms for lease to qualifying school districts and county superintendents of schools

This bill would, if AB 2196 is not chaptered, appropriate $15,000,000 from the Special Account for Capital Outlay to the State School Building Aid Fund for purposes of the Emergency School Classroom Law of 1979.

(8) Various provisions of the bill would be repealed on the operative date of the Budget Act of 1984 or the operative date of a subsequent Budget Act not containing certain provisions, as specified.

(9) The bill would take effect immediately as an urgency statute

Ch. 900 (SB 1367) Vuich. Investment tax credits

Under existing law a taxpayer is allowed a credit against tax owed in an amount of 10% of the cost of water application or distribution equipment utilized on agricultural land. Such a credit is repealed as of December 31, 1980, unless a new statute is enacted prior to such date.

This bill would specify that a husband and wife filing separate returns may claim a specified amount of the tax credit This bill would require that the Legislative Analyst

report to the Legislature as specified, and would extend such tax credit to taxable years ending on or before December 31, 1985 This bill would take effect immediately as a tax levy.

This bill would transfer the revenues lost as a result of this act to the General Fund from the Energy and Resources Fund, if created, and if that fund is not created from tidelands revenues prior to COFPHE allocations pursuant to Section 6217 of the Public Resources Code

Ch. 901 (SB 2050) Johnson Open-space and recreation facilities assistance

(1) Under the Roberti-Z'berg Urban Open-Space and Recreation Program Act, grant moneys are required to be encumbered by the recipient within 3 years of the date of approval by the Director of Parks and Recreation of the grant application.

This bill would permit specified appropriations of grant moneys, if the grant application is approved prior to the effective date of the bill, to be encumbered within 3 years of the date of approval or by December 31, 1981, whichever date is later.

(2) Existing law (Chapter 1023 of the Statutes of 1976) authorized the Department of Water Resources to construct, subject to specified conditions, a recreation project in the vicinity of the City of Oroville along the Feather River and appropriated funds for such purpose.

This bill would appropriate $141,000 from the Energy and Resources Fund to the department for the repair of flood damage to such recreation facilities, including any necessary redesign or relocation of facilities, conditioned on an act creating that fund being chaptered before this bill, and if not, from state lands revenues, moneys, and remittances, as specified, subject to reimbursement from that fund if an act creating the fund is chaptered after this bill

(3) The bill would take effect immediately as an urgency statute.

Ch. 902 (SB 1723) Petris Energy conservation.

(1) Under existing law, the State Energy Resources Conservation and Development Commission is authorized to make loans until January 1, 1991, to schools, hospitals, public care institutions, and local governments which apply for such loans for financing energy conservation related projects, as defined, from the State Energy Conservation Assistance Account in the General Fund when funds from that account are appropriated

This bill would, in addition, authorize such loans to local governments owning, or leasing from entities other than privately owned electrical utilities, street lighting systems for conversion of such systems from incandescent or mercury vapor lighting to sodium vapor lighting or another lighting system of equivalent energy efficiency, if the conversion results in comparable illumination, and would appropriate $8,000,000 from the Energy and Resources Fund to the account for expenditure by the commission for those purposes. These provisions of the bill would become operative only if AB 2973 is enacted and creates the Energy and Resources Fund.

The bill would also continuously appropriate account moneys for use by the commission without regard to fiscal year

Ch 903 (AB 2036) Hart Solar energy and antipollution facilities.

Existing State Personal Income Tax Law and Bank and Corporation Tax Law authorize each taxpayer to deduct from the taxes imposed by such laws a credit equal to a specified percentage of the acquisition cost of a solar energy system, as defined, until January 1, 1981, and as of such date would be repealed, unless a later enacted statute deletes or extends such date

This bill would revise such laws with respect to, among other things, specified credits for solar energy swimming pool heating systems and to allow the credit to be claimed in subsequent years, so long as the credits claimed do not exceed $3,000, to allow taxpayers whose credits exceed their liability, as specified, to receive a credit or combined credit and refund equal to the credit and to allow a depreciation deduction in lieu of the credit or for otherwise qualified costs in excess of the claimed tax credit.

This bill would extend the date on which the credit authorization would be repealed from January 1, 1981 to January 1, 1984, would have no force or effect in the computation of taxes for taxable years and income years beginning after December 31, 1983, and would take effect immediately as a tax levy.

The bill would transfer $15,000,000 from the Energy and Resources Fund to the General Fund to replace revenues which will not be collected as a result of the bill

This bill would appropriate $1,500,000 from the General Fund to the Controller for the purposes of making the refunds provided by this act

Ch. 904 (AB 2030) Levine. Energy conservation.

Existing State Personal Income Tax Law and Bank and Corporation Tax Law authorize every taxpayer to deduct from such taxes a credit of an amount equal to 55% of the acquisition cost of a solar energy system, within specified limits, including certain energy conservation measures in conjunction with the system, such credit to remain in effect until January 1, 1981, and as of such date is repealed, unless a later enacted statute deletes or extends such date

This bill would authorize a credit of an amount equal to 40% of the cost of energy conservation measures not applied in conjunction with a solar energy system.

The bill would transfer, for fiscal year 1981–82, up to $42,000,000 from the Energy and Resources Fund to the General Fund to replace revenues which will not be collected as a result of the act From July 1, 1982, to July 1, 1986, the State Treasurer shall transfer up to $42,000,000 from the Special Account for Capital Outlay to the General Fund to replace revenues not collected as a result of this act However, if certain events occur, such amounts shall come from alternative specified sources.

The bill would require that the Energy Resources Conservation and Redevelopment Commission shall establish standards with respect to energy conservation, as specified.

This bill would further require the Franchise Tax Board to report to the Legislature on the effects of its provisions

The bill would take effect immediately as a tax levy and the energy conservation tax credit provisions would remain in effect until January 1, 1987, and as of such date would be repealed, unless a later enacted statute deletes or extends such date.

Ch 905 (SB 1611) Maddy Solar design competition· agriculture.

Under existing law, the State Energy Resources Conservation and Development Commission is required, generally, to develop and coordinate a program of research and development of energy supply, consumption, and conservation

This bill would make certain legislative declarations as to the utilization of solar energy in agriculture, and would require the commission to conduct a statewide solar design competition to select outstanding designs of agricultural applications of solar energy in order to demonstrate the technical and economic feasibility of solar energy in agricultural applications, to speed its commercialization, and to promote its use by the agricultural industry. It would create a judging panel, with prescribed membership, to evaluate the submitted designs The bill would provide for making cash awards for the winning designs The bill would specify that such provisions shall remain in effect only until January 1, 1982, and as of such date are repealed

The bill would appropriate $99,000 from the Energy and Resources Fund to carry out the purposes of the bill, to be allocated as prescribed

Ch 906 (SB 1687) Maddy Taxation. solar pumps

The existing Personal Income Tax Law and Bank and Corporation Tax Law authorize specified credits against the taxes imposed

This bill would authorize a credit against taxes under the Personal Income Tax Law and the Bank and Corporation Tax Law in an amount equal to 50% of the cost incurred for the acquisition of solar pumping systems used in agricultural irrigation not to exceed $75,000 for each solar pumping system

This bill would require the Legislative Analyst to report to the Legislature by March 30, 1984, on the economic impact of this act

This bill would provide for a tax levy to take effect immediately, however, certain provisions would go into effect in the computation of taxes for taxable and income years which begin after January 1, 1981, and would remain in effect as specified

The bill would transfer the revenues lost as a result of this act from the Energy and Resources Fund, if created, to the General Fund, and if that fund is not created from tidelands revenues prior to COFPHE allocations pursuant to Section 6217 of the Public Resources Code.

Ch 907 (SB 912) Greene. Biomass farming

Existing law does not require the Department of Food and Agriculture to implement a program of biomass farming demonstration projects.

This bill would make legislative findings and declarations regarding alternative sources of energy and biomass farming, as defined. The bill would require the department, in cooperation with the Department of Forestry, after consultation with the State Energy Resources Conservation and Development Commission and the University of California, to implement a program of a prescribed number of such demonstration projects in the state. The department would be required to submit interim progress reports on the program's results to the Legislature, on or before January 1, 1982, and January 1, 1984, and to submit a final report on or before January 1, 1986, containing specified information

The bill would, if legislation enacted during the 1979–80 Regular Session creates the Energy and Resources Fund, appropriate $500,000 from the fund to the department for carrying out the purposes of the bill

Ch 908 (AB 2324) Hayes California Alternative Energy Source Financing Authority.

The State Energy Resources Conservation and Development Commission is required to develop and coordinate an energy research and development program which includes, among other things, the expansion and development of alternative sources of energy. Neither the commission nor any other agency in state government is authorized to issue revenue bonds for financing projects utilizing alternative sources of energy.

This bill would create the California Alternative Energy Source Financing Authority and would specify its organization and its powers and duties. The authority would be authorized to issue up to $200,000,000 in revenue bonds and bond anticipation notes for financing projects utilizing alternative sources, as defined, of energy. It would provide that the Legislature may, by statute, authorize the authority to issue bonds in excess of such an amount

The bill would authorize the authority to contract with a participating party, as defined, for the construction of a project utilizing alternative sources of energy

The bill would require the authority to make an annual determination of an amount which would be transferred to the General Fund to restore the General Fund revenue loss occasioned by the purchase of bonds issued by the authority If AB 2973 is chaptered and creates the Energy and Resources Fund, on May 15, 1982, and every May 15 thereafter, the Controller would be required to transfer the determined amount to the General Fund from the Energy and Resources Fund. If AB 2973 is not chaptered or does not create the Energy and Resources Fund, the Controller would be required to transfer the determined amount from revenues, moneys, and remittances received by the State Lands Commission and allocated under the provisions of Section 6217 of the Public Resources Code

The bill would appropriate $200,000 to the authority from the State Energy Resources Conservation and Development Special Account for purposes of carrying out designated provisions of the bill.

Ch 909 (SB 2064) Holmdahl California Conservation Corps· support.

This bill would appropriate $2,250,000 from the Energy and Resources Fund for the support of the California Conservation Corps during the 1980–81 fiscal year, subject to specified provisos The bill would provide that if the Energy and Resources Fund is not in existence on the effective date of this act or if there is insufficient moneys in that fund for the appropriation under this bill that the deficiency be made up, as specified, from the revenues, moneys, and remittances received and deposited in the State Treasury by the State Lands Commission.

This bill would also declare the intent of the Legislature that the corps provide the same level of service in the 1980–81 fiscal year as that provided by the Budget Act of 1980

The bill would take effect immediately as an urgency statute

Ch. 910 (AB 1171) Mori. Community colleges: construction projects

Existing law provides comprehensive regulation of community college construction projects, including a procedure by which the Chancellor of the California Community Colleges determines the relative share of the state and the district in financing the project. One element of the determination is the "relative district ability" according to a formula involving district assessed valuation Existing law also specifies certain circumstances in which a different formula is used. Existing law also requires the written approval of the chancellor of certain plans for which the contract or contracts total $20,000, or more

This bill would repeal the Community College Construction Act of 1967 and add the Community College Construction Act of 1980, making various changes in connection therewith. This bill would eliminate the calculation of the "relative district ability" and would require the chancellor to determine respective state and district shares, as prescribed. This bill would also delete the $20,000 limit on contracts which require written approval of the chancellor and instead would provide that contracts totaling $100,000, or more, for a construction project require written approval of the chancellor The bill would repeal the Community College Construction Act of 1980 on July 1, 1982

This bill would appropriate $4,473,250 from the Capital Outlay Fund for Public Higher Education to the Board of Governors of the California Community Colleges to be allocated, subject to the approval of the State Public Works Board, by the board of governors to community college districts, as specified

This bill would also appropriate $50,000 from the Energy and Resources Fund, if such fund is created, to the Chancellor's office for energy conservation projects.

This bill would take effect immediately as an urgency statute.

Ch. 911 (AB 2992) Mello. Adult day care matching fund grants

Present law, in the California Adult Day Health Care Act, authorizes the State Department of Health to license adult day health centers to provide outpatient health, rehabilitative, and social services to specified older persons.

This bill would include these centers under the coverage of the California Health Facility Loan Insurance Law, under which the Office of Statewide Health Planning and Development is authorized to guarantee the repayment of loans to health facilities under certain conditions. Adult day health centers would also be included within the loan program of the California Health Facilities Authority, under which loans may be made to nonprofit corporations or associations on behalf of covered facilities.

The bill would appropriate $500,000 for purposes of contracting on a one-time funding basis with community organizations for specified expenses incurred in initial operation of licensed adult day health centers. The center would be required to match a portion of the total funding, as specified, and adult day health centers so assisted would be established primarily to serve prescribed recipients of Medi-Cal benefits.

This bill would make additional changes in Section 15432 of the Government Code as proposed by AB 3245, to be operative only if this bill and AB 3245 are chaptered and this bill is chaptered after AB 3245

This bill would take effect immediately as an urgency statute

Ch. 912 (AB 2975) McCarthy Older Americans

Existing law provides for various programs for senior citizens

This bill would provide for the enactment of the Older Californians Act, in order to define the functions which government will play in helping elderly persons and to set forth numerous types of services which the state shall seek to have provided either by itself, by its political subdivisions, or through contracts with other entities, to elderly persons

Existing law defines older person as someone 60 years or older

This bill would provide that this definition would not apply where there would be conflict with federal law

Existing law provides that the California Commission on Aging consists of 25 members

This bill would provide that the commission would have 25 members appointed in the following manner: 19 would be appointed by the Governor, with 9 of these appointments to be made from nominations by the advisory councils for the area agencies on aging, 3 each would be appointed by the Senate Rules Committee and the Speaker of the Assembly and a majority of the members shall be consumers of services under the Older Americans Act

Existing law provides that the Department of Aging shall consist of a director and necessary staff

This bill would provide that the department shall also have a deputy director.

Existing law does not provide that the Director of the Department of Aging shall be chosen with advice from the Commission on Aging.

This bill would provide that the Commission on Aging shall offer advice on choosing a director

Existing law provides that the Director of the Department of Aging shall have training in the field of aging

This bill specifies various fields in which the director could be trained in order to fulfill this qualification.

Existing law specifies various duties of the Director of the Department of Aging.

This bill would, in addition, provide that the director shall advise the Governor and the Secretary of Health and Welfare Agency on new legislation and policy initiatives concerning older persons, that the director shall serve as chairperson on the California Interdepartmental Committee on Aging, and serve or designate other persons to serve on other boards or panels which deal with matters concerning older persons, and request the advice of the Commission on Aging concerning matters within the department's jurisdiction

The department shall establish seven specialized positions, as specified, to provide technical assistance to area agencies on aging, to act as liaisons with appropriate state and federal agencies, and to be responsible for being currently informed on grants, programs, and services available to older persons in California

The bill would further provide that the Department of Aging shall be the sole agency to receive funds received under the federal Older Americans Act, that the department shall establish a process allowing local input for development of the state plan on aging as required by the federal Older Americans Act, and give priority to agencies who have programs which support independent living.

The bill would further provide for new duties to be performed by the Department of Aging including the assessment of the state's delivery system of services to elderly persons, and the establishment of a data base for service utilization patterns in order to provide planning information.

The bill would further provide that the department shall encourage the use of volunteers in service to older persons and seek ways to utilize private industry in meeting the needs of the elderly.

The bill would further provide that the department shall be responsible for activities which promote the development, coordination, and utilization of resources to meet the long-term care needs of older persons

The bill would further provide that the department shall establish criteria for the designation, sanctioning, and defunding of area agencies on aging.

The bill would further provide that specified agencies and departments including the State Departments of Health Services, Mental Health, and Developmental Services, and the Departments of Education, Transportation, and others shall have specified duties in providing and helping other agencies with the provision and planning of services to senior citizens The bill would provide that all departments and agencies shall consult with the Department of Aging when promulgating policies which impact upon older Americans

The bill would provide for the creation of the California Interdepartmental Committee on Aging. The bill would specify that directors of all agencies which impact upon older persons shall be members of this committee

The bill would further specify that this committee is to develop policies for older persons, and the bill would provide specific functions for this committee

The bill would further provide that the Department of Aging shall provide staffing and assistance to the committee

The bill would further provide that the area agencies on aging would be the local unit on aging, and the bill specifies duties for such agencies

The bill would also specify that each area agency on aging would be headed by a director and have other necessary staff

The bill would also provide for the creation of area agency on aging advisory councils, with such councils to be advocate bodies, in a nonpartisan manner within planning areas

on behalf of older persons.

The bill would further specify the duties of the advisory councils

The bill would further provide that the area agencies on aging should provide staff assistance to such councils

The bill would further provide that such advisory councils shall prepare annual reports concerning their recommendations regarding older persons.

The bill would further provide that bylaws concerning specified matters should be adopted by such advisory councils

Ch 913 (SB 764) Watson. State buildings: child care facilities.

Existing law provides for the construction, acquisition, or receipt as a gift of buildings for use by the state.

This bill would provide that such buildings or state buildings which are added to, altered or repaired, which can accommodate 700 or more state employees, under specified circumstances, shall have designated therein adequate space for child care needs of the employees, if a sufficient need for child care services for 30 or more children is shown. It would require notice to employees of the availability of such space for child care purposes and would allow flexible use of the space, as specified The bill would restrict the use of the child care facility to children of whom at least 1 parent or guardian is a state employee. Child care facilities for employees of the California State University and Colleges and the University of California would be required to be incorporated into campus master plans and be constructed subject to legislative appropriations, as specified. The bill would not apply to any state office building where the Public Works Board, prior to the effective date of this bill, has approved the commencement of the working drawing phase of the building

Ch. 914 (SB 1478) Watson. Business relationships.

Existing law contains various provisions prohibiting discrimination

This bill would enact the California Fair Dealership Law which, on and after January 1, 1981, would prohibit various acts of discrimination based on race, color, religion, national ancestry, or sex, with regard to the granting of dealerships, as defined

Ch 915 (SB 1930) Watson Sexual assault.

Existing law provides that unlawful sodomy and unlawful oral copulation occur, among other ways, when the person's participation is compelled by force, violence, duress, menace, or threat of great bodily harm or when the act is committed voluntarily in concert by force or violence and against the will of the victim

This bill would instead provide that unlawful sodomy or unlawful oral copulation is committed when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person or when the act is accomplished voluntarily in concert against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person.

Existing law punishes by imprisonment in the state prison for 3, 4, or 5 years every person who causes the penetration of the genital or anal openings by any foreign object by use of force, violence, duress, menace, or threat of great bodily harm, and against the will of the victim for the purpose of sexual arousal, gratification, or abuse

This bill would instead provide that the offense is committed when the penetration by such objects is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person and would increase the terms of imprisonment for such offense to 3, 6, or 8 years

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 916 (SB 1893) Roberti Physicians and surgeons

Existing law provides that a physician and surgeon may be disciplined for conduct which constitutes unprofessional conduct and specifies the grounds for unprofessional conduct

This bill would add to the grounds for unprofessional conduct the failure of a physician and surgeon to inform a patient, by means of a standardized written summary to be developed by the State Department of Health Services on the recommendation of the Cancer Advisory Council in layman's language and in a language understood by the patient, of alternative efficacious methods of treatment which may be medically viable, as specified, when the patient is being treated for any form of breast cancer

Ch. 917 (SB 862) Robbins Victims of crimes.

Existing law provides evidentiary privileges for confidential communications between a psychotherapist and a patient, between a physician and a patient, and for penitential communications between a clergyman and a penitent, but does not provide for an evidentiary privilege for communications between a sexual assault counselor and a victim of a sexual assault

This bill would provide for a sexual assault counselor-victim privilege A confidential communication between a victim of a sexual assault who consults with a sexual assault counselor at what is commonly known as a rape crisis center would be privileged A victim of a sexual assault would have a privilege to refuse to disclose and to prevent other persons from disclosing a confidential communication between the victim and the counselor The term sexual assault victim counselor would be defined to mean a person engaged in a rape crisis center and registered as a sexual assault victim counselor with the Division of Allied Health Professions of the Board of Medical Quality Assurance

Existing law provides for optional training of specialists in sexual assault case investigation which is implemented by the Commission on Peace Officer Standards and Training and for reimbursement to local agencies for basic peace officer training, and provides for grants by the Department of Social Services to rape crisis centers

This bill would require specified peace officer participation in sexual assault case investigation training The bill would provide for establishment of an advisory committee by the Office of Criminal Justice Planning to perform specified functions relative to sexual assault investigation training for district attorneys and to perform specified functions relative to grants to rape crisis centers The bill would also require the Office of Criminal Justice Planning, rather than the State Department of Social Services, to make the grants to the rape crisis centers

The bill would provide that funds appropriated by the 1980 Budget Act to the State Department of Social Services for grants to rape crisis centers shall be appropriated to the Office of Criminal Justice Planning and would also appropriate $412,500 for purposes of replacing Law Enforcement Assistance Administration funds for grants by the department, and $150,000 for the district attorneys' sexual assault case investigation training

Ch 918 (SB 1476) Garamendi Public social services employment preparation program

Existing law requires the Employment Development Department in cooperation with the State Department of Social Services, to report to the Legislature on the Work Incentive Program by the 5th calendar day of each year

This bill would require that such report be provided by February 1 of each year

Under existing law, public social services are provided by various local and state departments and agencies with local, state and federal funds under various statutory requirements The purpose of the system is to provide for protection, care, and assistance to needy and distressed persons by providing appropriate aid and services

This bill would recognize the need for a public assistance system which assists two types of persons the employable who are in need of assistance because, although they are able to work, they lack the skills to do so or are unable to find employment, and others who are in need of assistance because they cannot work due to circumstances beyond their control

This bill would establish the Employment Preparation Program, to be administered by the Employment Development Department, for the purpose of providing applicants for or recipients of AFDC job search assistance for employment in unsubsidized jobs, and for those persons unable to obtain unsubsidized jobs, links to employment and training agencies which have subsidized employment or training The bill would provide that

AFDC applicants and recipients who would be required to register in the Work Incentive Program shall also be required to participate in the Employment Preparation Program, and that AFDC applicants and recipients who are exempt from participation in the Work Incentive Program may volunteer to participate in the Employment Preparation Program. If such applicants or recipients do not register, all legal sanctions may be used.

The bill would provide that the Employment Development Department would use the resources of all existing local state and federal welfare programs to provide support services, such as child care services, and job search assistance, in order to assist persons to enter the job market

This bill would require the department to establish two programs designed in a manner as specified to test the feasibility of separating entirely the delivery of subsistence and employment assistance to nonexempt AFDC applicants and recipients, and volunteers, from assistance provided to exempt AFDC applicants and recipients

The Auditor General would be required to submit a report evaluating the results of the two programs by December 1, 1984

This bill would provide that by February 1 of each year, a report on the Employment Preparation Program shall be submitted to the Legislative Analyst by the Employment Development Department The Legislative Analyst shall critique the report and submit his findings to the Legislature on or before April 1 of each year The Director of Employment Development is authorized to seek necessary federal waivers

This bill would require that commencing with the 1981–82 fiscal year the Governor's Budget would report savings, if any exist, which are attributable to the programs under this article, and that the budget contain recommendations that at least a portion of such savings be used to further the programs set forth in this act.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 919 (SB 2063) Keene Elections. reapportionment

Currently, the California Constitution requires the Legislature to undertake the reapportionment of legislative, congressional, and State Board of Equalization districts every 10 years. In order to accomplish such task, an existing statute requires the county clerk of each county to compile and make available to the Legislature or any appropriate committee of the Legislature such information and statistics as may be necessary for use in connection with the reapportionment of legislative districts, including, but not limited to, lists showing the election returns for each precinct in the county at the last 4 statewide elections held prior to reapportionment

This bill would specifically require each county clerk to provide the Legislature or an appropriate committee of the Legislature upon the request of the Legislature or such committee and by January 1, 1981, a tally of the number of voters affiliated with each qualified political party who voted in each precinct at the November 4, 1980, General Election

This bill would be operative only until July 1, 1981, and as of such date would be repealed

The bill would also take effect immediately as an urgency statute

Ch 920 (SB 2025) Holmdahl Special taxes fire protection and prevention services and police protection.

Under existing law certain local agencies are authorized to adopt an ordinance for approval by the voters imposing a special tax for funding fire protection and prevention services and police protection, correspondingly Existing law requires that the ordinance

specify the amount of the tax.

This bill would prescribe that an ordinance which sets a maximum amount of the tax to be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, and which permits the local agency proposing the tax to determine the amount to be levied, annually, within the maximum amount, satisfies the requirements of existing law, as specified

It would declare that the provisions described in the preceding paragraph are declaratory of existing law

It would also prescribe that any such ordinance adopted by a local agency, as defined, and approved by the voters, as specified, which otherwise meets the requirements of existing law, but which sets a maximum amount of the tax to be levied, as described above, is deemed to satisfy the requirements of existing law

This bill would take effect immediately as an urgency statute

Ch 921 (AB 1950) Elder Food· hamburger, chopped or ground beef.

Present law requires that chopped or ground beef or hamburger be labeled and advertised in a specified manner when such food is represented as being of certain quality or relative leanness or fat content.

Present law makes it a misdemeanor for a person to label or advertise chopped or ground beef or hamburger without complying with the provisions described above

This bill would exempt chopped or ground beef or hamburger which is processed from primal cuts of round or sirloin from such labeling and advertising requirements if there is no reference to leanness or other quality designation relating to fat content other than the primal cut from which the product is derived. This bill would require the labeling and advertising of chopped or ground beef or hamburger processed from the primal cut of chuck to disclose the maximum fat weight designation as not exceeding 26 percent fat.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 922 (AB 2109) Ingalls Highways safety

(1) Under existing law, the Department of the California Highway Patrol is required to adopt regulations for the transportation of hazardous materials, as defined

This bill would require the department to serve as statewide information, assistance, and notification coordinator for all highway spill incidents of hazardous substances, as defined, and to establish a specified notification mechanism for a hazardous substances spill response system The bill would vest authority for management of the scene of a hazardous substance spill or disaster on a highway in the law enforcement agency having primary traffic investigative authority on the highway.

(2) Under existing law, the department is required to regulate the safe operation of specified types of vehicles

This bill would require the department to also regulate hours of service and logbooks of drivers of motortrucks regulated by the Public Utilities Commission or the Interstate Commerce Commission

Ch 923 (AB 2135) Bates Mentally disordered persons. independent living

Existing law authorizes the State Department of Mental Health, among other things, to provide, directly, or through the county, protective social services for the care of mentally disordered persons, including the cost of providing care in a private home It authorizes the department to provide for persons without public or private financial resources, who are placed in private homes at state expense, from local assistance budget funds, at a rate to be determined by the Secretary of the Health and Welfare Agency, moneys necessary to furnish clothing and incidental living expenses

This bill would authorize the department or any county to provide interim funding to enable persons to live independently, as specified.

Ch. 924 (AB 2144) Bates. Mental health facilities.

Existing law contains provisions making information and records obtained in the course of providing services under prescribed provisions of the Welfare and Institutions Code confidential, but provides that nothing in these provisions shall be construed to prohibit a public or private mental health treatment facility from releasing to a member of the family of a patient the information that the patient is presently a patient in the facility or that the patient is seriously physically ill or dead if the professional person in charge of the facility determines that the release of such information is in the best interest of the patient

This bill would, instead, require such a facility, upon request of a member of the patient's family or other person designated by the patient, to notify such family member or the designee of the patient's presence in the facility, the transfer, the diagnosis, the prognosis, the medications prescribed, the side effects of medications prescribed, if any, the progress of the patient, and serious illness of the patient, if, after notification that the information is requested, the patient authorizes such disclosure If the patient is unable to authorize the release of such information, the bill would require the facility to give notification of the patient's presence in the facility to certain specified persons The bill would require a facility to notify a family member or the designee of the release or death of a patient, upon request of the family member or the designee

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 925 (AB 2410) Duffy. Senior Citizens Property Tax Postponement Law.

The existing provisions of the Senior Citizens Property Tax Postponement Law require the Franchise Tax Board and the Controller to administer various provisions of the law

This bill would provide that the State Controller shall administer additional provisions of the Senior Citizens Property Tax Postponement Law, including provisions relating to eligibility determinations

This bill would take effect immediately as an urgency statute.

Ch. 926 (AB 2198) Thurman. Pesticides: restricted materials: worker safety, apiaries.

(1) Under existing law, the Director of Food and Agriculture is required to designate and establish a list of restricted materials based upon specified criteria and to control and regulate their use. No person may use any restricted material without a permit issued by a county agricultural commissioner, and no such permit may be issued for use in any manner other than pursuant to its registration without the approval of the director

The commissioner is required to report quarterly to the director the types and amounts of restricted materials for which permits are issued and the crops or pests on which the materials are used

This bill would instead require that, except as provided in regulations adopted by the director, a pesticide use report shall be submitted to the commissioner, on a form prescribed by the director, within 7 days after each use, and would require the commissioner to submit to the director a copy of each such report within one month of its receipt

(2) Existing law requires that the director adopt regulations restricting worker reen-

try into areas treated with hazardous pesticides by using time limits or analysis of pesticide residue levels, or both, and provides that the person in control of the area treated with the pesticide shall have the option of following regulations relating to either time limits or analysis of pesticide residue levels.

This bill would authorize the director to charge the person in control of the area treated with the pesticide a specified fee, if such person chooses to follow regulations relating to analysis of pesticide residue levels.

(3) Existing law provides that each beekeeper who desires notice of pesticide applications shall report the location of apiaries for which notification is sought to the commissioner, and requires that apiary owners register apiary locations annually

This bill would, until January 1, 1983, provide that any pesticide applicator who experiences any loss because of a beekeeper's failure to request notification or to register apiaries may bring an action for recovery of damages against such beekeeper

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made for the above purpose and no reimbursement is required by this act for a specified reason

(5) The bill would make an appropriation by authorizing the director to impose a new fee which would be deposited in the Department of Agriculture Fund, which is a continuously appropriated fund

(6) The bill would require the director to report to the Legislature regarding the department's bee management program on or before January 1, 1982, and on or before January 1, 1983

(7) The bill would take effect immediately as an urgency statute

Ch 927 (AB 2414) Mangers County health emergencies

(1) Existing law authorizes the governing body of a county, city and county, or city, or by an official designated by ordinance, to proclaim a local emergency, as defined, when conditions causing such emergency are beyond the control of the capabilities of that political subdivision During such emergency, the county or city health officer may abate, correct, remove, or take any other step against any public health hazard caused by a disaster and affects the public health Existing law also authorizes the county board of supervisors or a health district board to declare a health emergency, during which emergency the local health officer has supervision and control over specified environmental health and sanitation programs and personnel Existing law does not authorize a county health officer to declare a county health emergency

This bill would authorize the State Director of Health Services to declare a health emergency or the local health officer to declare a county health emergency in the event of a specified release, spill or escape of waste, or entry of waste into the air or public waters, as specified The bill would terminate the local health emergency in seven days unless ratified by the board of supervisors, and require review at least every 14 days thereafter The bill would define such a release, spill, escape, or entry as waste, and would authorize the director or local health officer, after such declaration, to require technical information from specified persons and to provide information to specified persons relating to such spill Violation of the request to furnish such technical information would be a misdemeanor Violators would also be subjected to any other criminal or civil penalties provided by statute

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by

this act for a specified reason.

Ch. 928 (AB 2421) Vicencia Fair political practices· candidate statements.

Existing law requires specified officers to file with their declaration of candidacy a statement disclosing their investments and interests in real property.

This bill would instead require such a statement to be filed no later than the final filing date for a declaration of candidacy

Ch. 929 (AB 2247) Papan Structural pest control

Existing law authorizes the Structural Pest Control Board to revoke or suspend the license of a person engaging in the practice of structural pest control

The bill would, in addition to the authority to revoke or suspend, authorize the board to assess a civil penalty in lieu of suspending a license, as specified.

Existing law provides that all money collected pursuant to provisions regulating the practice of structural pest control is to be deposited in the Structural Pest Control Fund and is continuously appropriated to such board to carry out such provisions.

The fines provided by this act would result in an increase in such fund

Ch. 930 (AB 2258) Thurman. Agriculture

(1) Existing federal law, under the National School Lunch Act, provides federal cash reimbursement to entities that provide lunches to certain children, provided that such lunches contain specified food components and are offered in accordance with specified federal law.

Existing state law provides for nutrition and meals for certain children but does not specifically require or authorize the milk component of lunches offered under the National School Lunch Act to include unflavored, fluid lowfat milk, skim milk, buttermilk, or whole milk

This bill would authorize school districts, county superintendents, and other public and private entities that participate in programs under the National School Lunch Act to include whole milk in lunches offered under these programs if federal regulations require lunches eligible for cash reimbursement under these programs to include unflavored, fluid lowfat milk, skim milk, or buttermilk.

(2) The bill would permit the Director of Food and Agriculture to appoint ~~an addi/tional~~ [a]* deputy exempt from civil service whose position would terminate on December 31, 1983.

Ch 931 (AB 2311) Boatwright. Department of Fish and Game administration.

Under existing law the Department of Fish and Game is administered by the Director of Fish and Game, who is appointed by the Governor All other personnel of the department are appointed pursuant to the State Civil Service Act, except that the director has one exempt appointment pursuant to subdivision (g) of Section 4 of Article VII of the California Constitution

This bill would provide for a deputy director of the department, who would be appointed by the Governor and serve at his pleasure, and whose compensation would be fixed by the director pursuant to law. The deputy director would have such duties as assigned by the director and would be responsible to the director for the performance thereof.

Ch. 932 (AB 2316) Roos Medi-Cal· provider reimbursement

Existing law provides for contracts between the State Department of Health Services and Medi-Cal fiscal intermediaries Pursuant to these contracts, funds available for health care are disbursed to providers of health care in consideration for services rendered and supplies furnished by them in accordance with provisions of the applicable contracts

This bill would provide that pursuant to one such contract, a specified fiscal intermediary is to provide documentation to the Controller on a weekly basis to enable the Controller to process and make available payment to providers of Medi-Cal services in an expeditious and timely manner

This bill would take effect immediately as an urgency statute

This bill would provide that this act is effective for one year after the specified fiscal intermediary begins to process claims submitted by physician providers and as of such

date is repealed, unless a later enacted statute, which is chaptered before such date, deletes or extends such date.

Ch 933 (AB 1147) Filante Water use

(1) Under existing law, no water right may extend to the waste or unreasonable use or unreasonable method of use or unreasonable method of diversion of water

This bill would declare state policy that conformity with local custom shall not be solely determinative of reasonableness, but shall be considered as one factor to be weighed in the determination of the reasonableness of the use, method of use, or method of diversion of water.

(2) Under existing law, a person who has acquired an appropriative water right pursuant to the Water Code forfeits such rights after 3 years of nonuse

This bill would extend such period to 5 years and would specify that such reversion shall occur upon a finding by the State Water Resources Control Board following notice to a permittee and a public hearing if requested by the permittee

(3) Under existing law, the board is not required to conduct a field investigation of all applications for a permit to appropriate water and petitions for change in place of use, point of diversion, and purpose of use, but the board is required to hold a hearing if any such application or petition is protested

This bill would require the board to conduct a field investigation and prepare a staff analysis of all minor protested applications or petitions, as defined, and would specify procedures for the conduct of any hearing on such an application or petition

(4) Under existing law, the board may revoke a permit or license to appropriate water upon violation of any term or condition of the permit The board may also seek injunctive relief to halt unauthorized diversions and may take any appropriate proceedings or actions to prevent the waste or unreasonable use of water.

This bill would authorize the board to issue cease and desist orders where a person holding a permit or license to appropriate water is violating a term or condition of the permit or license The bill would declare legislative intent in such connection, would specify the procedures for issuance of such orders, would specify rules governing judicial review of any such order, would authorize the board to seek injunctive relief to enforce such orders, would authorize the board to petition the superior court for imposition of a civil penalty in a sum not to exceed $500 for each day in which violation occurs, and would specify related matters

(5) Under existing law, there are no provisions expressly governing the ownership of treated waste water

This bill would provide that the owner of a waste water treatment plant operated for the purpose of treating wastes from a sanitary sewer system shall hold the exclusive right to the treated waste water as against the water supplier, unless otherwise provided by agreement, and would specify related matters The bill would also prohibit the board from granting any permit or license to any person other than the treated waste water producer for the appropriation of treated waste water where the producer has introduced such water into the watercourse with the prior stated intention of maintaining or enhancing instream beneficial uses and would prohibit holders of existing water rights from using or claiming such water

(6) Under existing law, a holder of an appropriative right is required to petition the board for the approval of any water rights transfer involving a change of place of use, point of diversion, or purpose of use, and the board is required to find that the change will not operate to the injury of any legal user of the water involved

This bill would authorize the holder of an appropriative right to temporarily transfer rights to the amount of water consumptively used by such person for a period of 1 year or less, subject to notification of the board and objection to the change by the board in accordance with prescribed requirements The bill would authorize the board, in accordance with prescribed procedures and subject to specified requirements, to approve a petition for a trial transfer of water rights not to exceed 1 year, where it finds that the precise effect of the transfer is difficult to determine in advance The bill would authorize the board to modify or revoke such a trial transfer, would authorize the board to approve, subject to specified requirements, a petition for a long-term transfer of water rights where it has previously approved a trial transfer where the change would not result in any substantial injury to any other water user, and would specify the remedy

of any protestant or other harmed party. The bill would permit the transfer of any water right, including riparian rights, which has been quantified after the effective date of the bill pursuant to a statutory adjudication.

The bill would also specify that the transfer of water or water rights, in itself, shall not constitute evidence of waste or the unreasonable use of water and shall not affect any determination of forfeiture applicable to appropriative rights. The bill would also make legislative findings and declare legislative policy in connection with the transfer of water and water rights.

(7) Under existing law, municipal water districts are authorized to sell surplus water to any person, public corporation or agency, or other consumer outside the district. Existing law also authorizes the Marin Municipal Water District, whenever a threatened or existing water shortage has been found, to sell or otherwise dispose of up to 1% of the total district supply of water for purposes of human consumption, sanitation, or fire protection to such consumers outside the district who were, at the time of the finding, then receiving water from the district for such purpose.

This bill would, instead of the foregoing special provision, authorize the Marin Municipal Water District, notwithstanding any other provision of law, to sell water to any person, firm, public or private corporation, or public agency or other consumer within or without the district The bill would also make legislative findings as to the necessity for a special statute.

Ch. 934 (AB 1799) Greene. Parking facilities· Bicycles and mopeds.

Existing law makes no provision for the construction, operation, and maintenance of bicycle and moped parking facilities in state parking facilities or in the areas adjacent to state agencies.

This bill would provide for such parking facilities

Ch 935 (AB 2367) Nolan. Loans: personal property brokers

Existing law provides that loans for which a greater rate of interest than that permitted by the Personal Property Brokers Law has been charged are unenforceable in this state.

This bill would repeal that provision.

This bill would provide that no personal property broker has any liability under specified provisions of law if, the licensee shows by preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error, and within 15 days of discovering the error the licensee notifies the borrower of the error and rectifies the error by making the appropriate changes, as specified, and by taking other action necessary to correct the error.

Existing law provides that any person who violates the Personal Property Brokers Law or any provision of the rules, orders and regulations of the Commissioner of Corporations is guilty of a misdemeanor

This bill would add the requirement that such violation be willful

Ch. 936 (AB 2326) Ryan. Voter list. purging costs

Existing law requires county clerks to cancel voters' affidavits of registrations in accordance with specified procedures.

This bill would require the Secretary of State to reimburse counties for the costs incurred by them in undertaking such action. The reimbursements would be made in accordance with a specified formula and from funds appropriated by the Legislature

The bill would also provide that no reimbursement for costs incurred by counties for conducting the 1978, 1980, 1982, or 1984 purge of voter registration files would be made unless claims are submitted on or before October 31, 1980, March 31, 1981, March 31, 1983, or March 31, 1985, respectively.

The bill would be operative until December 31, 1985, and as of such date would be repealed unless a later enacted statute deletes or extends such date

The bill would take effect immediately as an urgency statute

Ch 937 (AB 15) W Brown ~~Personal Income Tax Law~~ [Property taxation]*

Existing law provides that all property is subject to taxation unless specifically exempt-

ed

This bill would provide that an auditor may cancel any tax, penalty, or costs levied or charged by a city and county on property used by a foreign government for diplomatic representation and leased during the 1973-74 fiscal year to tax-exempt foundations for nondiplomatic purposes

This bill would provide that no appropriation is made pursuant to Section 2229, 2231, or 2234 of the Revenue and Taxation Code for a specified reason

This bill would take effect immediately as an urgency statute

Ch 938 (AB 2383) McVittie Dismissal of criminal actions

Existing law requires a "court" to dismiss a criminal action in specific circumstances and authorizes a "court" on its own motion or that of the prosecuting attorney to dismiss a criminal action in the furtherance of justice The term "court" has been construed in People v. Peters, 21 Cal 3d 749, to apply only to dismissals by trial courts, not magistrates

This bill would authorize such dismissals to be made by any judge or magistrate, and would make other conforming changes.

Existing law prohibits a preliminary examination, as to a felony to which the defendant has not pleaded guilty, from being continued beyond 10 court days from the arraignment or plea, if the defendant is in custody at the time of the arraignment or plea and there is no waiver by the defendant.

This bill would require the magistrate, as to such defendant, to dismiss the complaint if the preliminary examination is set or continued beyond 10 court days from the time of the arraignment or plea, unless there is a personal waiver by the defendant or the prosecution establishes good cause for a continuance, as specified, and would require the magistrate to dismiss the complaint and would prohibit a preliminary examination from being set or continued more than 60 days from the time of the arraignment or plea, unless the defendant personally waives his or her right to a preliminary examination within the 60 days

Existing law requires a preliminary examination of a criminal defendant to be completed at one session, unless good cause is shown for a postponement.

This bill would require the magistrate to dismiss the complaint if the preliminary examination is not completed in one session, unless good cause is shown for a postponement, as specified.

This bill would authorize a prosecutor to make a noticed motion, if a criminal action or portion thereof is dismissed, to reinstate the complaint or portion thereof and to reinstate the custodial status of the defendant, on the ground that the action or portion thereof was erroneously dismissed as a matter of law If the motion is litigated to decision by the people, the underlying action against the defendant could not be refiled, irrespective of the outcome of that litigation

This bill would make other related changes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 939 (AB 2371) Filante Criminal records

Existing law affords the subject of state summary criminal history information, as defined, a reasonable opportunity to examine the records upon payment of a $5 to $10 fee, which is continuously appropriated for the support of the Department of Justice

This bill would authorize, instead, the obtaining of a copy of the record upon payment of a fee not to exceed $25, except upon a showing of indigency The fee would be similarly appropriated

Existing law provides for the correction of such records which are inaccurate or incomplete

This bill would make specified requirements relative to materiality of corrections

The bill would make it a misdemeanor for any person to require another to obtain a copy of the record or notification that it exists or does not exist, except as specified

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 940 (AB 2994) Bannai Veterans' Home of California member deposits

Under existing law, a veteran at the Veterans' Home of California may voluntarily deposit money with the home, which the home receives and keeps without charge as a trust fund No provision of law requires the home to pay interest on such funds to the veteran upon withdrawal.

This bill would require the home to include interest at the savings and loan passbook rate on funds deposited by the veteran.

Ch. 941 (AB 927) Thurman Flood control, water projects

(1) Under existing law, flood control districts are authorized to levy and collect, in accordance with prescribed procedures, a benefit assessment on property within the district, or any zone thereof, to cover costs of providing flood control services within the district.

This bill would include within the above provision any special district having flood control powers under whatever name those powers are designated, and any zone, subzone, drainage area, maintenance area, or improvement district therein established for such flood control purposes, and would specify related matters

(2) Under existing law, the Department of Water Resources is authorized to acquire by gift, exchange, purchase, or eminent domain proceedings any property which it determines to be required and necessary for the state water project

This bill would specify that the department may make any such acquisition within or without the state, and would specify legislative intent that such provision is declaratory of existing law

(3) Existing law provides for certain approved expenditures for recreation land acquisition, and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources

This bill would revise the amounts of certain approved expenditures for recreation land acquisition, and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources

The bill would also provide such necessary legislative approval to make effective specified joint cost allocations for recreation and fish and wildlife enhancement for the San Luis Dam and Reservoir, O'Neill Forebay, and Los Banos Reservoir, and the California Aqueduct, Dos Amigos Pumping Plant to termini, and specified expenditures for recreation land acquisition for Los Banos Reservoir

The bill would also specify that the Department of Finance is authorized to approve allocations and expenditures pursuant to such provisions, and would require the Department of Finance, in approving such allocations and expenditures for recreation and fish and wildlife enhancement, to determine that they are supported by evidence presented by the Department of Water Resources

(4) Under existing law, state funds are not appropriated for expenditure by the Lower San Joaquin Levee District for flood control work along Bear Creek

This bill would authorize the Department of Water Resources, pursuant to a written agreement, to transfer to the Lower San Joaquin Levee District, from funds appropriated to the department for capital outlay for the Sacramento River bank protection project, an amount not to exceed $50,000 for expenditure for specified flood control work along Bear Creek The bill would declare that neither the state nor the district shall be

liable for any flooding caused by specified actions of property owners.

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

(6) The bill would take effect immediately as an urgency statute

Ch 942 (AB 1726) Bane. Reciprocal insurers.

Existing law exempts from all Insurance Code provisions unincorporated interindemnity or reciprocal or interinsurance contracts between members of specified cooperative corporations composed solely of licensed physicians and surgeons if specified criteria are met.

This bill would make such contracts subject to specified provisions of the Insurance Code relating to concealment.

Nothing contained in the provisions governing cooperative corporations specifically provides for or prohibits the election of directors by mail balloting

This bill would permit mail balloting for the purpose of electing directors of cooperative corporations whose members consist solely of physicians and surgeons licensed in California and would prescribe specified procedures to be followed in the event that no candidate receives a majority of the votes cast.

Existing law provides that each participating member shall be covered by such interindemnity arrangement for not less than $1,000,000 for each occurrence of professional negligence except that such arrangement may provide participating members with less than $1,000,000 of coverage if the interindemnity arrangement obtains for the benefit of such members reinsurance excess of limits coverage in an amount which when added to the coverage provided by such interindemnity arrangement would equal not less than $1,000,000 for each occurrence of professional negligence

This bill would additionally allow such interindemnity arrangement to provide participating members with an aggregate limit for all payments on behalf of such member and may provide participating members with less than $1,000,000 of such coverage for each occurrence of professional negligence, as specified

The bill would additionally provide that any change in the coverage agreement between the interindemnity arrangement and its membership must be submitted to the entire membership for ratification, as specified

Existing law specifically permits the board of trustees of the specified cooperative corporations to assess participating members for an amount necessary to meet the obligations of such interindemnity arrangement in accordance with the terms thereof.

This bill would permit, where necessary in the best interests of the interindemnity arrangement, the board of trustees to impose assessments to increase the corpus of the trust fund in accordance with the terms of the indemnity arrangement

The bill would additionally specify terms and conditions for assessment changes

Ch. 943 (AB 1644) Knox. In-home supportive services.

Under existing law, counties are authorized to contract for the provision of in-home supportive services to current, former, or potential recipients of public assistance who can remain in their own homes when such services are provided

This bill would make various changes governing the negotiation, term, content, and funding of such contracts

This bill would take effect immediately as an urgency statute

Ch 944 (AB 1579) Moore Insurance taxation Board of Equalization

Existing law imposes a gross premiums tax upon insurance companies The administration of this tax is divided among the Insurance Commissioner, the State Controller, and the State Board of Equalization The existing law also provides for the assessment of a penalty and interest if an insurer fails to pay the tax

This bill would provide that the penalty need not be assessed if the Board of Equalization finds that the insurer's failure to file is due to reasonable cause and to circumstances beyond the insurer's control

This bill would also require the Legislative Analyst to report to the Legislature by December 1, 1981, on whether the existing insurance tax law and procedures should be revised

Ch 945 (AB 1542) M Waters Insurance unearned premium refund

Existing law requires insurers transacting real property insurance or automobile liability, physical damage or collision insurance to refund unearned premiums within 30 days after cessation of coverage due to cancellation, rejection, surrender, or rescission Additionally, whenever any other policy of insurance is canceled the insurer would have 120 days in which to return the unearned premium

This bill would, with respect to insurance rejected, declined, or canceled, exclusive of commercial insurance risks, require an insurance broker or agent to return any unearned premium within 30 days of receipt or such premium would bear interest at 10 percent per annum, as specified In lieu of such provision, it would permit such broker or agent to apply the amount of unearned premiums if not previously assigned to other premiums due, if specific written notice of such application is given to the insured within 30 days of the broker's or agent's receipt of such unearned premium

Ch 946 (AB 1283) Boatwright State office buildings

The Budget Act of 1980 contains an appropriation from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles for construction of an office building and parking facilities in Concord

This bill would appropriate $426,940 from the account, subject to the prior approval of the State Public Works Board, to the department in augmentation of the amount in the Budget Act of 1980 for construction of an office building and parking facilities in Concord

Ch 947 (AB 1985) Fenton Medi-Cal investigations, bribery and excessive charges

(1) Existing law makes it a misdemeanor or felony for any person to present a fraudulent Medi-Cal claim for payment or to falsify information in order to receive excessive payment or to obtain authorization for furnishing Medi-Cal services or merchandise Penalties of imprisonment or fine, or both, are provided for

This bill would add to the list of prohibited activities the knowing submission of false information for the purpose of obtaining greater compensation than that to which he is legally entitled for furnishing services or merchandise

This bill would make it a misdemeanor or felony, except under certain circumstances, for any person to solicit or receive remuneration such as a kickback, as defined, or bribe, or to offer or pay such remuneration, in return for referring individuals, or for having them referred to, a person who will furnish services or merchandise paid for by the Medi-Cal program or who will purchase or order any goods, facility, service or merchandise which will be paid for by the Medi-Cal program

This bill would also make it a misdemeanor or felony, except in specified cases, for a person to knowingly charge a sum in addition to the amount owed as a precondition to providing such services or merchandise

The enforcement remedies provided for by this bill would include upon a first conviction imprisonment in the county jail for not longer than one year, state prison, or a fine not exceeding $10,000, or both A second or subsequent conviction would be punishable by imprisonment in the state prison These enforcement remedies would not be exclusive

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 948 (AB 2862) Tucker Pharmacy governmental

Existing law provides for the regulation of commercially owned and operated pharmacies by the California State Board of Pharmacy

This bill would make publicly owned or operated pharmacies subject to the same regulations, but would exempt these pharmacies from certain fees charged by the board

The bill would authorize the board to waive specified requirements for licensure as a pharmacy, when, in the opinion of the board, a high standard of patient safety can be provided by the licensure of a pharmacy which does not meet all of the requirements for licensure as a pharmacy

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 949 (AB 2859) Mangers Public school employer-employee relations

Existing law governing public school employer-employee relations permits either party to an impasse, after mediation, to request that their differences be submitted to a factfinding panel Each party selects a member of the factfinding panel, and the Public Employment Relations Board selects the chairperson The costs for the services of the chairperson, including per diem fees and expenses, are borne by the board

This bill would permit the parties to mutually agree upon a person to serve as chairperson in lieu of the person selected by the board The costs for such a chairperson would be equally divided between the parties, and would be subject to specified procedures relating to billing and payment

Ch 950 (AB 2851) Egeland. Controlled substance precursors Narcotic Addict Evaluation Authority

(1) Present law, with certain exceptions, requires any person manufacturing, selling, transferring, or otherwise furnishing certain chemical substances capable of being used in the manufacture of controlled substances, to report such transactions to the Department of Justice

This bill would, with specified exceptions, require any person receiving such a chemical precursor from an out-of-state source to report such transaction to the Department of Justice, as specified

(2) Under present law, the Narcotic Addict Evaluation Authority is comprised of four members appointed by the Governor

This bill would expand the Authority to add three additional members appointed by the Governor

(3) Existing law prescribes salaries of the members of the Narcotic Addict Evaluation Authority and provides for payment of their expenses

This bill would appropriate $37,500 to the Authority for such purposes

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 951 (AB 2989) Chappie Schools repair

Under existing law, the State Allocation Board may apportion funds to assist school districts in rehabilitating or replacing structurally unsafe school facilities Existing law also specifies a method of repayment

This bill would authorize the State Allocation Board to appropriate to the Marysville Joint Unified School District a sum not to exceed $700,000 for the repair of Lindhurst High School This bill would also require that the proceeds from any insurance or arbitration awards, or any other action, that the school district would receive because of the needed repairs be applied as a direct reduction of the apportionment. This bill also provides a specified method of repayment.

This bill would take effect immediately as an urgency statute

Ch 952 (AB 2968) Young Metropolitan State Hospital land· surplus—study

This bill would require the State Department of Mental Health, in consultation with the Department of Finance and the Legislative Analyst, to contract for a study as specified, on the feasibility of declaring as surplus state property and selling, portions of the Metropolitan State Hospital in the City of Norwalk The Legislative Analyst would be required to monitor administration of the bill and to report to the Legislature thereon, as specified.

This bill would take effect immediately as an urgency statute

Ch 953 (AB 2966) Young. Regulated persons

Under existing law, the Commissioner of Corporations may, by rule, require any licensed broker-dealer to post a surety bond

This bill would remove that authority

Under existing law, the commissioner is authorized to require by rule a surety bond in a specified amount from licensed investment advisers

This bill would eliminate the provisions allowing such rules to require a surety bond from such persons

Under existing law, an applicant for a license as an industrial loan company, personal property broker or small loan company is required to file with the commissioner and thereafter maintain a bond in the sum of $1,000

This bill would repeal these provisions and would require applicants for a personal property broker or small loan company license to have a net worth of at least $25,000

Under existing law, an insurance premium finance agency is required to hold downpayments it receives from the insured in trust, or in lieu thereof, an agency may furnish the commissioner with a bond

This bill would eliminate the alternative of securing the downpayments by a bond

This bill makes related and conforming changes

Under existing law the Commissioner of Corporations is required to collect data on death and disability claims paid on insured borrowers of industrial loan companies and personal property brokers and forward it to the Insurance Commissioner, who may fix the maximum compensation which may be charged for credit life and disability insurance If the Insurance Commissioner does not fix the rate for such insurance, the rate is that contained in the statute

This bill would repeal the provisions requiring the Commissioner of Corporations to collect the data and forward it to the Insurance Commissioner and instead require the Insurance Commissioner to study the data available to him and fix the rates on credit life and disability insurance

Ch 954 (AB 2953) Moore Repossessions

Existing law requires a licensee of the Private Investigators and Adjusters Act who recovers personal property, as specified, to make a complete inventory of such personal property at the time it is recovered

This bill would require such inventory to contain the name, address, and phone number of the person to contact for recovery of such personal property and an itemization of all personal property storage charges that will be made by the repossessor

Existing law does not require repossessors to give notice to consumers prior to the recovery of personal property

This bill would require repossessors to serve consumers with a notice of seizure, as specified, subsequent to the recovery of any such personal property

Existing law specifically prohibits repossessors from engaging in various specified acts

This bill would add to such prohibitions the using of any false or misleading representation during the course of recovery of personal property, as specified.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 955 (AB 2985) Fenton Decedents' estate administration

Under existing law, community property passing from a decedent to the decedent's surviving spouse is exempt from probate administration, however, quasi-community property passing from a decedent to the decendent's surviving spouse is not exempt.

This bill would provide an exemption from probate administration for such quasi-community property.

Existing law provides that a person who is not a bona fide resident of California may not serve as an administrator or administrator with the will annexed

This bill would delete such prohibition but would require such person to be a resident of the United States

Existing law provides that, under the Independent Administration of Estates Act, an executor or administrator may perform any actions during the course of administration of a decedent's estate without court supervision except for 10 specified actions

This bill would eliminate 5 of the 10 specified actions requiring court supervision, including extended payments of a family allowance, borrowing money, leasing real property as specified, completing contracts of the decedent to convey real or personal property, and determining specified third-party claims The bill would require the executor or administrator to give advice of any proposed action as to specified actions

Existing law excludes property held as joint tenancy property for purposes of determining whether a decedent's estate may be disposed of without probate administration

This bill would include community property or quasi-community property passing to a surviving spouse within such exclusion.

Existing law authorizes an executor or administrator or an attorney who has rendered services to an executor or administrator to apply to the court for an allowance on his or her commissions, after 4 months from the issuance of letters of administration

This bill would require the executor or administrator or attorney to file a petition for such allowance and to give notice to persons affected by such allowance

Existing law requires the executor or administrator of a decedent's estate to render an accounting within 30 days after the time to file a claim against the estate has expired

This bill, instead, would require the accounting at any time after 1 year from the date of issuance of letters of administration upon petition of any interested person, and would require actual notice to be given as to the hearing on the accounting to persons affected by the accounting

The bill also would require actual notice to be given to persons affected when the executor or administrator or any person having an interest in the decedent's estate petitions for distribution of his or her interest and when a petition for final distribution is made

Existing law requires notice of the hearing on the petition for the probate of a will, or on the petition for letters of administration, to be served upon specified persons at least 10 days prior to the hearing The manner of service includes personal service or service by mail to their respective places of residence

This bill, in addition, would authorize such service to be made by mailing the notice to the mailing address of the respective parties

Existing law provides that if a decedent's estate does not exceed $30,000 and if there is no real property or interest in real property in the estate, the estate may be disposed of without the necessity of probate administration

This bill would exclude any interest in a plot in a cemetery from being considered as real property for purposes of determining whether a decedent's estate may be disposed

of without probate administration

Existing law requires the executor or administrator to cause an inventory and appraisement of the decedent's estate to be made and filed with the court whenever a petition is made to have the decedent's estate set aside to the surviving spouse or minor children

This bill would specify that, if no executor or administrator has been appointed, a petitioner can cause such inventory and appraisement to be made, and would expressly require the court, at the time the petition is filed, to appoint an inheritance tax referee if none previously has been appointed

Existing law specifies the compensation to which a public administrator is entitled, based upon the size of the decedent's estate

This bill, in addition, would authorize a court to award additional compensation under specified circumstances

Existing law provides, with respect to the filing of specified petitions relating to actions concerning the administration of estates, that when notice is required but no time or method is prescribed, notice shall be posted by the clerk at the courthouse at least 10 days prior to the hearing

This bill would delete the requirement of the posting of such notices by the clerk except as otherwise specified and would shift, in specified instances, from the clerk to the petitioner the requirement for mailing or personally serving notice of a pending proceeding

This bill would incorporate additional provisions proposed by AB 2342 and AB 2184, contingent upon the enactment and prior chaptering of AB 2342 and of AB 2184

Ch 956 (AB 2811) Hart Teacher preparation and licensing

(1) Existing law requires the Commission for Teacher Preparation and Licensing to appoint a Committee of Credentials Existing statutes and regulations prescribe powers and duties of the committee

This bill would codify those powers and duties relating to the investigation of allegations of misconduct which could result in the denial, suspension, or revocation of the credential

(2) Existing law requires the Commission for Teacher Preparation and Licensing to revoke or suspend the credentials of a certificated employee for specified reasons and in conformance with specified procedures Under existing law the Committee of Credentials conducts meetings or hearings to consider the denial, suspension, or revocation of a credential Furthermore, the committee orders the investigation of allegations of misconduct to be discontinued if certain conditions are not met

This bill would, in addition, authorize the commission to privately admonish an applicant for, or a holder of, a credential, and would authorize the committee to conduct meetings or hearings relating to private admonition This bill would also require the committee to order the investigation of allegations of misconduct discontinued if probable cause for adverse action is not found

(3) Existing law requires the governing board of a school district to immediately place any certificated employee charged with certain sex offenses on a compulsory leave of absence for a specified period of time

This bill would require that such an employee's credential be suspended for the same length of time as the leave of absence

This bill would also require that any action taken by the governing board of a school district with respect to such compulsory leaves of absence be reported to the Commission for Teacher Preparation and Licensing This requirement would become operative whether this bill is chaptered before or after SB 1337

(4) Existing law also authorizes the governing board of a school district to immediately place an employee charged with any of certain narcotics offenses, a specified sex offense, or any of certain controlled substances offenses upon compulsory leave of absence The sex offense referred to is the provision which formerly defined rape as including sexual intercourse where the female is under the age of 18

This bill would substitute for such sex offense the crime of unlawful sexual intercourse with a minor

This bill would also require any action taken by the governing board of a school district with respect to such compulsory leaves of absence be reported to the Commission for

Teacher Preparation and Licensing

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 957 (AB 2793) Goggin State employees

Existing law establishes a civil service system for state employees which, among other aspects of employment, governs salaries, vacancies, and performance standards. The State Personnel Board and, in some instances, the appointing power, administers the system

This bill would authorize the State Personnel Board to contract with public or private organizations for demonstration projects and specifies the procedures therefor

Ch 958 (AB 2768) Naylor Nomination papers

Existing law requires candidates participating in the direct primary election to file a declaration of candidacy, nomination papers signed by a prescribed number of voters, and to submit filing fees Existing law, however, permits a candidate to file a petition signed by a prescribed number of voters rather than submitting filing fees

Existing law also provides for the independent nomination procedure, whereby candidates are required to file independent candidacy nomination papers

This bill would require that if a candidate informs the county clerk that he or she intends to submit an in-lieu-filing-fee petition at a primary election, the county clerk must issue a special in-lieu-filing-fee petition, as specified All valid signatures on the special in-lieu-filing-fee petition must be counted towards the number of voters required to sign a nomination paper and an in-lieu-filing-fee petition

This bill would also provide that, if an independent candidate submits an in-lieu-filing-fee petition, the county clerk, upon the request of the candidate, shall accept all valid signatures appearing on the candidate's in-lieu-filing-fee petition toward the number of signatures required to be submitted on an in-lieu-filing-fee petition and on a nomination paper

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 959 (AB 2748) Alatorre Child nutrition child development programs

Existing law terminates child care programs, as presently prescribed, on June 30, 1983, unless the Legislature provides otherwise Existing law authorizes specified child development programs to apply to the Department of Education for available federal and state funds to provide a nutritionally adequate meal to each child participating in such programs

This bill would require the Department of Education, on behalf of the state, to participate in the federal child care food program, prescribed by P L 95-627, and would prohibit the department's terminating such participation unless the Legislature authorized such termination In addition, this bill would designate the Department of Education as the single state agency to administer the program for all eligible, participating entities and would require the department to perform specified activities relating to the

administration of such program

This bill would state a legislative intent that costs for the implementation of the bill come from federal moneys or from the transfer of funds appropriated for the support of the Department of Education

Ch 960 (AB 2460) Alatorre Public health: pupils tuberculosis tests

Under existing law, pupils, prior to their first admission to any private or public elementary or secondary school, child care center, day nursery, nursery school, or development center, are required to be immunized against specified communicable diseases

This bill would authorize the local health officer to order persons seeking first admission as pupils to any public or private elementary or secondary school, or other institution who are reasonably suspected of having tuberculosis to undergo a specified tuberculosis examination when such examination is necessary for the preservation and protection of the public health This bill would require persons subject to such order, prior to their first unconditional admission to such school or institution, and periodically thereafter, to provide evidence to the school or institution of a certificate showing them to be free of communicable tuberculosis, as defined, unless exempted because of religious beliefs. This bill would require such persons who are conditionally admitted to such school or institution to provide the certificate within a specified time period after admission.

This bill would require that specified tuberculosis examinations be administered and that test results be furnished.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 961 (AB 2566) Felando Gill nets permits; sablefish traps.

(1) Existing law provides generally that gill nets may be used to take fish in specified areas.

This bill would provide that gill nets may only be used pursuant to a permit issued by the Department of Fish and Game; would require that the Fish and Game Commission establish regulations for the issuance of such permits as necessary to establish an orderly gill net fishery; would require that such regulations include a requirement that persons being granted a permit have had previous experience as a crewmember of a vessel using gill nets or have successfully passed a proficiency test; would require the Director of Fish and Game to establish a permit fee, as specified; and would require the director to establish an advisory committee to advise the department in developing regulations to be proposed to the commission governing the use of gill nets

(2) Under existing law, traps may not be used to take fish except under a permit issued annually by the department

This bill would specifically authorize the commission, when issuing trap permits for the taking of sablefish, to limit the number of traps which any vessel may use and the areas where such traps may be used, and would require that the director establish an advisory committee to advise the department in developing regulations to be proposed to the commission governing the use of traps to take sablefish

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(4) The bill would make an appropriation by authorizing moneys to be paid into the Fish and Game Preservation Fund, which is a continuously appropriated fund

(5) The bill would take effect immediately as an urgency statute

Ch 962 (AB 2557) Lockyer Public works wages

Existing law provides that construction work done under a contract between private persons is a "public works," for purposes of provisions governing the payment of wages for public works projects, when (a) the property is privately owned but, upon completion of the work, more than 50% of the property is leased to the state or a political subdivision for its use, and (b) the lease was entered into prior to the construction contract

This bill would provide that construction work done under a contract between private persons is also a "public works" for such purposes when condition (a) is met, the construction work is performed according to plans, specifications, or criteria furnished by the state or political subdivision, and the lease was entered into during or upon completion of the construction work

Ch. 963 (AB 2519) Hayden. Ballots

(1) Under existing law, ballot paper and punchcards are required to be furnished by the Secretary of State to any local jurisdiction conducting an election under the laws of this state Existing law also requires the Secretary of State to obtain and keep on hand a sufficient supply of tinted paper and tinted punchcards.

This bill would expressly authorize local jurisdictions to purchase from vendors or manufacturers punchcards However, it would require the local jurisdiction to obtain a release from the Secretary of State, pursuant to regulations adopted by the Secretary of State, before the local jurisdiction could utilize the punchcards. The bill would also strictly regulate the warehousing of ballot paper and punchcards and would specify the circumstances when ballot paper and punchcards must be destroyed.

It would also require the Secretary of State to adopt regulations governing the manufacture, distribution and inventory control of punchcards and to require certain other controls

(2) Existing law provides for the defacing, tearing or cutting, and destruction of unused ballots.

This bill would, notwithstanding any other provision of law, allow the clerk, with authorization from the Secretary of State and after holding unused ballots for election purposes, to recycle for any other lawful purpose unused ballots which clearly identify an election for which they were prepared

Ch. 964 (AB 2511) Bane New Motor Vehicle Board oaths, depositions, certification of official acts, and subpoenas.

Under existing law, the New Motor Vehicle Board or its secretary is authorized to administer oaths, take depositions, certify to official acts, and issue subpoenas in any proceeding, hearing, or in the discharge of any of the duties of the board Obedience to subpoenas is authorized through application to the superior court

This bill would

(1) Specify that these provisions apply to a proceeding or hearing involving a protest or petition involving the activities or practices of an applicant, licensee, or franchisee, as well as for discovery purposes.

(2) Permit the board or its secretary to authorize such discovery proceedings provided for in specified statutory provisions as are deemed appropriate and proper under the circumstances

(3) Authorize hearing officers designated by the board to conduct discovery procedures

(4) Grant authority to the secretary of the board to enforce compliance with such discovery procedures and, at the direction of the board, to dismiss a protest or suspend proceedings upon failure to comply

Ch 965 (AB 2510) Costa Parks and recreation tuberculosis tests

Existing law prohibits the employment of any person by the Department of Parks and Recreation in a position requiring contact with children, or as a food concessionaire or other licensed concessionaire in a state park, unless such person produces, or has on file with the department, a described certificate from a physician and surgeon showing that he was examined in a specified manner within the last 2 years and found to be free from communicable tuberculosis, requires the department to maintain a file containing an up-to-date certificate for each person covered by such provisions, and declares that nothing in such provisions shall prevent the department from requiring more extensive or more frequent examinations

This bill would repeal those provisions

Ch 966 (AB 2495) Bates Medi-Cal

Existing law does not specifically provide that Medi-Cal recipients, except under specified circumstances, who are undergoing a therapeutic or rehabilitative mental health program in either a skilled nursing facility or an intermediate care facility, may have temporary leaves of absence from such facilities

This bill would provide that recipients who are receiving care as a part of a certified special treatment program for mentally disordered persons, or as a part of a mental health therapeutic and rehabilitative program approved and certified by a local mental health director, may have temporary absences from such facilities, if such leaves of absence are in accordance with an individualized patient care program or are necessary for hospitalization due to an acute condition.

The bill would further provide that the State Department of Health Services, within 60 days of the effective date of this act, and after consulting the State Department of Mental Health, shall develop regulations regarding such temporary leaves of absence. Such leaves of absence would be limited to a duration of not less than 30 days in any calendar year, and the facility housing the patient on temporary leave would be reimbursed at a specified rate for the vacant accommodation

Ch 967 (AB 2741) Hannigan State Coastal Conservancy· San Francisco Bay

The existing law provides for the state coastal conservancy, with prescribed membership and powers and responsibilities, for implementing a program of agricultural land protections, area restoration, and resource enhancement within the coastal zone, as defined The conservancy is authorized to acquire fee title, development rights, easements, and other interests in designated land located in the coastal zone, subject to specified conditions

This bill would, generally, do the following:

(1) Redefine the "coastal zone" for purposes of conservancy action in San Francisco Bay to include, with prescribed exceptions, areas within the permit jurisdiction of the San Francisco Bay Conservation and Development Commission and specified adjacent areas thereof

(2) Include prescribed lands identified in the San Francisco Bay Plan, the Suisun Marsh Protection Plan, or any other local plan determined to be consistent with such plans within specified lands which may be acquired for agricultural purposes under prescribed conditions or which may qualify as coastal restoration or coastal resource enhancement projects to be performed under a grant from the conservancy or to be performed by the conservancy

(3) Authorize the bay commission to annually prepare and adopt a list of priority areas and concerns essential to the orderly implementation of the bay plan and the Suisun Marsh Protection Plan for the guidance of the conservancy

(4) Require the conservancy, in the case of San Francisco Bay projects, to forward a proposed coastal restoration plan and a coastal resource enhancement plan to the bay commission for determination of conformity with the San Francisco Bay Plan and, where relevant, with the Suisun Marsh Protection Plan

(5) Require the conservancy to cooperate with the bay commission and nonprofit organizations, in addition to requiring cooperation with the California Coastal Commission and other state and local agencies, in ensuring the reservation of lands for park, recreation, fish and wildlife habitat, historical preservation, or scientific study required to meet the policies and objectives of designated provisions

(6) Make various conforming changes in the law

Ch. 968 (AB 2738) Bates Mental health County Short-Doyle Plan

(1) Under existing law counties provide mental health services through a County Short-Doyle Plan.

This bill would require the county mental health plan by July 1, 1981, to include a statement of need for extramural crisis intervention and a plan for providing such services within available funds and resources

(2) Under existing law certain designated persons are authorized, upon probable cause, to take into custody a dangerous or gravely disabled person for 72-hour treatment and evaluation

This bill would include within that authorization, designated members of a mobile crisis team

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 969 (AB 2925) Greene School facilities leases sale of bonds

(1) Existing law authorizes a school district to enter into certain leases and agreements with a nonprofit corporation for the lease of school facilities with provision for the imposition of an owner's development lien by the school district, as specified, on all property in the territory to be benefited to pay the district's lease obligations

This bill would require that the sale of the bonds be conducted in compliance with specified procedures This bill also provides that when certain conditions are met, the bonds may be sold at a negotiated sale

This bill would also make several substantive changes in the imposition and operation of owner's development liens

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) This bill would take effect immediately as an urgency statute

Ch 970 (AB 2473) Chappie Depositions videotaping

Existing law provides testimony at a deposition is required to be taken stenographically and transcribed unless the parties otherwise agree

This bill, in addition, would authorize a party to videotape a deposition if the notice of taking deposition so indicates The cost of videotaping would not be a recoverable court cost

This bill would incorporate additional changes to Section 2019 of the Code of Civil Procedure proposed by AB 3297, contingent upon the enactment and prior chaptering of AB 3297

Ch 971 (AB 2438) Wray Seismic gas shutoff valves

(1) Existing law does not require buildings to have a gas shutoff valve which automatically closes in the event of an earthquake Existing law requires local agency building standards to conform to the State Building Standards Code, except as specified

This bill would, notwithstanding any other provision of law, authorize a city or county to adopt ordinances requiring the installation of an earthquake sensitive automatic gas shutoff valve in buildings open to the public conforming to standards adopted by the State Architect, and certified by the State Architect, as specified The standards would

be required to be adopted by the State Architect by July 1, 1981, with specified provisions, including a fee for such certification which would be continuously appropriated to the State Architect for administering the certification program. Manufacturers would be required to first obtain certification for their gas shutoff valves before offering them for sale in this state.

Any violation of the provisions of the bill would be a misdemeanor pursuant to provisions of existing law

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 972 (AB 2210) Young. Mental health· Short-Doyle marriage, family and child counselors

The Short-Doyle Act presently organizes and finances community health services for the mentally disordered in every county through locally administered and controlled community mental health programs to, among other purposes, ensure that all mental health professionals be appropriately represented and utilized. Each county is required to describe such services and programs in its county Short-Doyle plan

This bill would specify that the county Short-Doyle plan include the participation of marriage, family and child counselors, as defined, as are required or agree to participate in the county Short-Doyle plan The bill would also prohibit the state or a county from adopting regulations prohibiting a marriage, family and child counselor, as defined, from employment in a local mental health program in any professional, administrative or technical position in mental health services. In addition, the bill would include an otherwise qualified marriage, family and child counselor, as defined, in the professions from which the local director of mental health is required to be appointed.

The bill would also include marriage, family and child counselors, as defined, among those professions from which 5 of the 15 members of the Citizens Advisory Council are chosen

Ch. 973 (AB 2211) Young Health insurance· payment for services

Existing law with respect to policies of disability insurance, self-insured employee welfare benefit plans, hospital service contracts, and health care service plans does not specifically permit the insured to select a licensed marriage, family, and child counselor to perform particular services covered under the terms of the policy or plan.

This bill would prohibit such policies and plans from excluding the services of licensed marriage, family, and child counselors, upon referral of a physician or surgeon, when applicable.

It would specify that such provisions not permit enumerated certificate holders and licensees to perform professional services beyond their fields of competence as established by education, training, and experience, as specified.

Ch 974 (AB 2433) McAlister. Regulated institutions.

Under existing provisions of law relating to check sellers and cashers, credit unions, escrow agents, industrial loan companies, personal property brokers and small loan companies, the Commissioner of Corporations is required to investigate the financial responsibility, experience, character and general fitness of an applicant for licensure and of its members or officers and directors, and if he finds that such are as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and equitably, the commissioner is required to issue a license to the applicant

This bill would repeal the above and instead enact specified reasons for denying an

application

Under existing law, the commissioner may suspend or revoke the certificate of a credit union if he finds that the credit union has violated the Credit Union Law, or the rules or regulations of the commissioner.

This bill would permit the commissioner to suspend a certificate for the existence of any fact or condition the existence of which would have warranted the commissioner in refusing originally to issue such certificate

Under existing law, the commissioner is required to return to the applicant for a personal property broker's license or small loan lender's license the bond and the sum paid by the applicant as a license fee upon the denial of an application or the withdrawal of an application

This bill would delete that requirement

Existing law exempts specified persons from the California Small Loan Law

This bill would add an exemption for specified public utilities in connection with the Home Insulation Assistance and Financing Act

Ch. 975 (AB 2949) Moore School nutrition: notice

Existing law requires the Department of Education to establish a statewide program to provide nutritious meals to needy pupils at schools.

Existing law requires the governing board of each school district to notify the parent or guardian of each pupil of specified rights of the parent or guardian. Such notification may be given by mail or any method normally used to communicate with parents or guardians in writing.

This bill would require such notification to also include notice of the availability of the nutrition program for needy pupils

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 976 (AB 2948) Moore. Subpoenas

Under existing law, a subpoena may be issued to require the production of books, documents or other things under a witness's control. A copy of an affidavit showing good cause for the production of matters and things, and setting forth the materiality thereof, must accompany such a subpoena duces tecum Such a subpoena may be issued by a clerk or judge and filled in by the party requesting it The court may quash or modify the subpoena, or otherwise protect parties or witnesses from unreasonable or oppressive demands.

This bill would provide that a person who, by subpoena, seeks the production of personal records of a consumer, as defined, which are maintained by specified persons or entities, must give constructive notice to the consumer by delivering a copy of the subpoena, an affidavit, and a notice to the consumer or at the consumer's last known address, or if the consumer is a party, to his attorney, or by mail The consumer could bring a motion to quash or modify the subpoena

The bill would become operative on July 1, 1981

Ch 977 (AB 2588) Ingalls Transportation

(1) Existing law authorizes the California Transportation Commission to appoint an executive secretary to administer the affairs of the commission and to direct the staff of the commission

This bill would designate the executive secretary as the executive director instead

(2) Existing law authorizes the commission to amend the state transportation improvement program, but requires the commission to give notice of all such amendments

prior to taking formal action

This bill would exempt from such notice requirement amendments which result from appeals regarding the program. The bill would require the existing adopted state transportation improvement program to remain in effect until a new program is adopted by the commission.

(3) Existing law requires the commission to allocate funds for transportation projects consistent with the Budget Act for that fiscal year and prohibits the allocation of funds for projects not included in its adopted state transportation improvements program

This bill would make clear that the commission is required to allocate funds consistent with the provisions of whichever Budget Act applies and would create an exception for emergency allocations, as specified

(4) The bill would define program elements and permit the Department of Transportation, with commission approval, to transfer funds appropriated from the State Highway Account in the State Transportation Fund between both programs and program elements. The bill would also make related technical changes

(5) The bill would take effect immediately as an urgency statute.

Ch 978 (AB 1964) Ivers. State highways Route 7

Under existing law, State Highway Route 7 extends from Route 1 to Route 210 in Pasadena.

This bill would require the Department of Transportation to take the necessary action to remove that portion of Route 7 between Route 10 and Route 210 from the federal aid urban system and place it in the federal aid primary system if the Cities of Los Angeles, Pasadena, and South Pasadena and the Los Angeles County Transportation Commission reach an agreement as to the location of that portion of Route 7 within 2 years after the effective date of the bill.

Ch 979 (AB 1829) Alatorre Piperidine· registration

(1) The sale, transfer, and furnishing of piperidine by any wholesaler or retailer is subject to requirements for reporting to the Department of Justice under the California Uniform Controlled Substances Act. However, nothing in existing state law requires or authorizes local monitoring or control of sellers, purchasers, and users of piperidine

This bill would require county sheriffs, pursuant to regulations of the Attorney General, to establish a registration system for persons who sell, purchase, and possess piperidine, as prescribed. Each sheriff would be required to establish reasonable conditions of registration in accordance with the regulations, and would be authorized to revoke the registration of a registrant violating the conditions This bill would authorize each sheriff to charge a fee not exceeding $100 to defray the costs of administering the registration program.

The bill would make it a misdemeanor to knowingly sell, purchase, or possess piperidine without a valid and subsisting registration The bill would make it a misdemeanor to sell piperidine to, or purchase piperidine from, a nonregistrant, with knowledge thereof.

It would prescribe specified criminal sanctions for a second or subsequent conviction of its provisions

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 980 (AB 3477) Chappie Validations

This bill would enact the First Validating Act of 1980, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities

This bill would take effect immediately as an urgency statute

Ch. 981 (AB 3465) Costa School finance: Pittsburg Unified School District· Riverdale Joint Union High School District.

(1) Existing law prescribes a system for apportionment of funds to school districts. Existing law also provides for a system of making emergency apportionments to school districts including an independent audit, a review thereof by the county superintendent of schools, and a district plan for resolving the financial problems of the district.

This bill would appropriate from the General Fund to the Superintendent of Public Instruction $100,000 to be apportioned to the Riverdale Joint Union High School District in a specified manner.

This bill would also require the school district to comply with the prescribed conditions respecting emergency apportionments.

(2) Under existing law, if during any fiscal year there is apportioned to a school district at least $100 more than the amount to which the district was entitled, the Superintendent of Public Instruction is required to withhold from the apportionment made during such fiscal year, the amount of such excess

This bill would require, instead of withholding certain moneys in the 1979–80 fiscal year, that the Superintendent of Public Instruction withhold from prescribed apportionments to be made to the Pittsburg Unified School District during the 1980–81, 1981–82, and 1982–83 fiscal years a specified amount for certain apportionment overpayments made to that district The district would also be required to meet specified requirements of the Education Code.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified.

(4) This bill would take effect immediately as an urgency statute.

Ch 982 (AB 3457) McVittie Trial courts: certain holidays: alteration of dates by boards of supervisors.

Existing statutes prescribe and provide for state holidays and prohibit all of the superior, municipal, and justice courts from being open for the transaction of judicial business on any such state holiday, with specified exceptions.

This bill would authorize the board of supervisors of any county, by ordinance or resolution, to alter the date of any of the following holidays, applicable to the superior, municipal, and justice courts in such county February 12th which is known as Lincoln Day, the third Monday in February, the last Monday in May, the first Monday in September, September 9th which is known as Admission Day, the second Monday in October which is known as Columbus Day, and November 11th which is known as Veterans Day. However, any such altered holiday must not be considered, for purposes of taking a criminal defendant before a magistrate, as specified, a holiday or a day in which a court is not in session.

Ch 983 (AB 3450) Costa Vehicles· commercial accident liability.

(1) Existing law requires every owner of a vehicle used for passenger transportation for hire other than those subject to regulation by the Public Utilities Commission and every transporter of vehicles other than those subject to regulation by the commission to maintain the ability to respond in damages in the amounts of at least $15,000 for injury or death of 1 person, $30,000 for injury or death of 2 or more persons, and $5,000 property damage in any one accident It permits the owner to deposit $35,000 with the Department of Motor Vehicles in lieu of maintaining a motor vehicle liability insurance policy

Existing law requires, for highway carriers subject to the jurisdiction of the Public Utilities Commission, minimum liability limits in an amount specified by the commission but not less than $15,000, $30,000, and $10,000, respectively

This bill would require the owners of vehicles having a manufacturer's gross vehicle weight rating of over 8,500 pounds used in the transportation of property other than agricultural commodities or byproducts as specified in the conduct of a business, other than those subject to regulation by the commission, to maintain the ability to respond

in damages in the amounts required by the Director of Motor Vehicles, which amounts shall be those specified by the Public Utilities Commission as to owners and operators of for-hire vehicles subject to its jurisdiction It would also increase to $500,000 the amount which an owner would be required to deposit with the department in lieu of maintaining a motor vehicle liability insurance policy. The bill would also make other related and conforming changes.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

The bill provides that no appropriation is made by this act and no reimbursement is required by this act for a specified reason.

Ch. 984 (SB 1430) Holmdahl. Petroleum products.

Existing law does not impose any posting requirements with respect to the maximum lawful selling price permitted under federal law.

This bill would require retail sellers to post the maximum lawful selling price, as specified, on the gasoline pumps at the seller's retail outlet It would specifically allow the Division of Measurement Standards and each county sealer of weights and measures to refer complaints and information regarding possible violations to the appropriate federal agency

Existing law permits the advertising, on or near a place of business in California offering for sale or selling gasoline or motor vehicle fuels, of the price of any gasoline or motor vehicle fuel sold from such premises, provided such advertising is displayed as specified

This bill would, instead, require one price sign to be posted, as specified, on or near a place of business in California offering for sale or selling gasoline or motor vehicle fuels which would indicate the actual current price per gallon or liter of the three major grades of gasoline or motor fuel sold on such premises, including taxes, together with the grade designation of the gasoline or other motor vehicle fuel product advertised for sale by such advertising medium, and which would be easily visible to motorists on the major street or highway immediately adjacent to such premises

This bill would also provide that the provisions of state law requiring price posting on the premises of a business selling gasoline shall not be construed to prohibit the governing body of any city, county, or city and county from enacting ordinances which impose restrictions on advertising media, so long as any provisions of such ordinances dealing with matters specifically covered by the provisions of state law requiring price posting are identical therewith.

This bill would provide for conforming changes to be made to Chapter 14 (commencing with Section 13400) of Division 5 of the Business and Professions Code, as added by AB 2779 of the 1979–80 Regular Session, if this bill and AB 2779 are both chaptered and become effective on January 1, 1981, and this bill is chaptered after AB 2779.

This bill would further provide that specified provisions of the bill shall not become operative if this bill and AB 2067 are both chaptered and become effective on January 1, 1981, regardless of the order of chaptering.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 985 (SB 806) Petris Schools: bilingual education.

(1) Currently the Chacon-Moscone Bilingual-Bicultural Education Act of 1976 generally requires each limited-English-speaking pupil enrolled in the California public school system in kindergarten through grade 12 to receive instruction in a language understandable to the pupil as well as in English. The act also generally requires all teachers in bilingual programs to be bilingual-crosscultural teachers but authorizes school districts with a shortage of qualified bilingual-crosscultural teachers to request renewable 1-year waivers which expire no later than September 1, 1980.

This bill would authorize renewable 2-year waivers and extend the waivers until July 30, 1984, or until the end of the fourth year the teacher is on waiver, whichever occurs first Teachers currently teaching under a waiver would have at least 2 years to complete their bilingual-crosscultural certification. This bill would condition a teacher's eligibility for waiver on the teacher's having satisfied certain competency requirements within a specified period of time and would require that the application for waiver include specified certification of the teacher applicant's progress toward satisfying the competency requirements

This bill would require school districts, whether or not they request waivers, to report the number of classrooms for which a bilingual-crosscultural teacher is required, the number of certificated bilingual-crosscultural teachers employed by the district in classroom positions, and, in the event waivers are requested, the number of waivers requested.

(2) Under existing law, the Commission for Teacher Preparation and Licensing assesses the bilingual-crosscultural competency of a teacher.

This bill would authorize the commission to contract with approved assessor agencies for such assessment This bill would also provide that a statement from a commission approved bilingual teacher training institution that certain course work has been completed would indicate competence in specified areas.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

This bill would take effect immediately as an urgency statute.

Ch. 986 (SB 1401) Nejedly. Sierra Valley Groundwater.

Chapter 449 of the Statutes of 1980 enacted the Sierra Valley Groundwater Basin Act which authorizes the creation of a district for the purposes of groundwater management within the Sierra Valley Groundwater Basin

This bill would delete from such act specified provisions requiring the district to limit or suspend groundwater extractions by district off-basin users before extractions by overlying users, and would declare legislative intent regarding the regulation of district off-basin groundwater users. The bill would also revise provisions of the act relating to the approval of proposed development projects within the district which propose to extract groundwater for service of water.

The bill would take effect immediately as an urgency statute

Ch 987 (AB 3057) Hannigan. Electrical and gas transmission services

Under existing law, the Public Utilities Commission may specify the terms and conditions under which a private energy producer may be authorized to connect an electrical power or natural gas source to the transmission system of an electrical or gas corporation for purposes of furnishing transmission services for compensation as determined by the commission Only electrical power generated by other than a conventional power source, as defined, may be so transmitted pursuant to these provisions.

This bill would exclude hydropower facilities of 30 megawatts or less from the definition of "conventional power source," and also exclude from such definition power derived from nuclear energy or the combustion of fossil fuels whenever cogeneration

technology is employed in the generation of such power It would provide that producing of power from other than a conventional power source would not make the operator a public utility subject to the jurisdiction and regulation of the commission

The bill would also direct the commission to render its decision on an application for authorization to construct an interconnection for the transportation of natural gas or the transmission of electricity pursuant to these provisions within 180 days of receipt thereof or at such later time as the commission, the applicant, and the interconnecting public utility may mutually agree upon

Ch. 988 (AB 3389) Rosenthal. Health care providers

Existing law requires the Board of Dental Examiners to appoint an examining committee consisting of 60 members, 45 of whom are licensed dentists and 15 of whom are licensed dental hygienists, to assist the board in the examination of applicants for dental and dental hygiene licenses

This bill would increase the examining committee membership to 100 members, 75 of whom would be licensed dentists and 25 of whom would be licensed dental hygienists

Existing law authorizes the Student Aid Commission, from funds appropriated by the Legislature, to allocate funds for United States citizens who receive their training in foreign medical schools and who are enrolled in a program of supervised clinical training. The commission may allocate funds for up to a total of 30 students enrolled in University of California medical schools and for up to a total of 20 students accepted for enrollment by a University of California or other medical school.

This bill would permit the student grants not utilized in one of the foregoing categories to be utilized in the other category, as long as the number of positions does not exceed 50.

It would also appropriate $28,500 from the State Dentistry Fund to the Board of Dental Examiners for costs necessitated by this bill, as specified

Ch 989 (SB 1292) M. Garcia Public water systems

Under existing law public water systems for the provision of piped water to the public for human consumption which have five or more service connections or which regularly serve an average of at least 25 individuals daily at least 60 days out of the year, with specified exceptions, may not be operated by a person unless such person has a permit from the State Department of Health Services. Under existing law, for such public water systems with fewer than 200 service connections, the local health officer is responsible for the enforcement of the specified permit program with specified exceptions

This bill would require the owners or operators of any such public water system with not less than 5 connections which is owned by all or a number of users who are not organized into a single legal entity, to designate one of such users or other persons to be the principal contact or intermediary with the county health officer, or, in the case of specified counties, with the department The bill would require the person so designated to coordinate those actions to achieve compliance and perform duties, as specified

Ch 990 (AB 3069) Egeland. Contracts direct services contracts reform, masters level training

Various statutes govern the various contracts made by the state departments within the Health and Welfare Agency

This bill would state legislative intent regarding various aspects of the preparation, execution, performance, and renewal of direct services contracts of such departments, prevail over any conflicting statute, prescribe a procedure for departments under the Health and Welfare Agency, with respect to processing direct service contracts as defined, for approval and provide, where approval is not given within the prescribed time periods, due to no fault of the contractor, for a procedure to request a 90-day extension of an existing contract and for agency billing for 90 days, require the Department of Finance to prepare and make available, by March 1, 1981, standard information on contracting for direct services, permit the Department of Finance to delegate contract approval authority to any department under the Health and Welfare Agency for any direct service contracts requiring an appropriation of up to $17,500, and require the Auditor General to review and report to the Legislature by January 1, 1982, a contract reform process for human services contracts, as specified

The bill would also provide that funds appropriated in Item 312 2 of the Budget Act of 1980 for the cost of special social services training may be used for stipends for the training of new masters level students under prescribed conditions.

This bill would take effect immediately as an urgency statute

Ch 991 (AB 3329) Moorhead Juvenile court law

Existing provisions of the juvenile court law do not authorize the imposition of a fine against a minor who has been adjudged a ward of the juvenile court on the basis of criminal conduct.

This bill would authorize the juvenile court to levy a fine against such a minor not to exceed $250, as specified

Existing duplicate provisions of the juvenile court law provide for court-ordered or mandatory counseling of parents of a dependent child of the court

This bill would eliminate one of such provisions.

This bill would also make a technical change

Ch 992 (AB 3165) Fenton State government reorganization

Governor's Reorganization Plan No. 1, which became effective January 20, 1980, abolished the Division of Fair Employment Practices within the Department of Industrial Relations and created a Department of Fair Employment and Housing within the State and Consumer Services Agency and a Fair Employment and Housing Commission within the department, which entities succeeded to the functions and responsibilities of the division All employees engaged in transferred functions are now employees of the new entities

The plan also requires that the appointee of the Governor to the position of Director of Employment and Fair Housing receive Senate confirmation

The plan makes various other conforming changes in law to reflect the new organization

This bill would codify the reorganization plan

Existing law provides that the Office of Administrative Law shall be under the direction and control of an executive officer who shall be known as the director.

This bill provides that there also shall be a deputy director.

Ch. 993 (AB 3410) Ingalls Crimes· transit systems

(1) Under existing law, violation of ordinances, rules, or regulations of the San Francisco Bay Area Rapid Transit District relating to smoking in transit facilities and evasion of payment of fares are infractions punishable by fines not exceeding $50.

This bill would make every person who, with intent to cause great bodily injury to another person, willfully removes, tampers with, injures, or destroys, passenger transit vehicles of a transit system, or willfully removes, tampers with, or destroys any part of the transit system, or places any obstruction upon the right-of-way or specified portions of the transit system, or willfully sets a vehicle in motion while it is at rest and unattended, guilty of a felony

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 994 (AB 2461) N Waters Disasters immediate financial relief torrential storm, flood, and mud slide damages—appropriation

This bill would appropriate $24,600,000 from the General Fund for allocation $20,000,000 to the Public Facilities Account in the Natural Disaster Assistance Fund, for allocation to local agencies pursuant to the Natural Disaster Assistance Act and $4,600,000 to the State Department of Social Services for allocation pursuant to the federal Individual and Family Grant Program.

Existing [sales and use tax]* law provides that any person who fails to pay any tax to the state within the time required [, or obtains a quarterly return extension, or fails to make a return,]* shall pay a [interest, as]* specified ~~penalty~~*.

This bill would authorize the State Board of Equalization to relieve the person of the ~~penalty~~ [interest]* under specified circumstances relating to natural disasters.

This bill would take effect immediately as an urgency statute.

Ch. 995 (SB 344) Keene. Konocti Unified School District.

Existing law prescribes numerous formulas for the allowance and apportionment of state funds to school districts.

This bill would appropriate $20,000 from the General Fund to the Superintendent of Public Instruction for allocation in the 1980–81 fiscal year to the Konocti Unified School District for the repair or renovation of 5 classrooms at Burns Elementary School which were closed due to the presence of noxious gases. It would also prescribe a manner for repayment of that amount.

This bill would take effect immediately as an urgency statute.

Ch. 996 (AB 2067) Gage Petroleum products

Under existing law, effective January 1, 1981, any person who sells motor vehicle fuel by the liter must also display a gallon-to-liter conversion table showing quantity and price equivalents.

This bill would provide that the foregoing provision of law shall remain in effect until January 1, 1985, and on such date is repealed.

Existing law permits the advertising, on or near a place of business in California offering for sale or selling gasoline or other motor vehicle fuels, of the price of any gasoline or other motor vehicle fuel sold from such premises, provided such advertising is displayed as specified, with price numerals at least 6 inches in height.

This bill would, instead, require that a sign indicating the price of the three major grades of gasoline or other motor vehicle fuel sold by such a business be displayed on the premises, as specified, with numerals at least 6 inches in height, and be clearly visible from streets or highways adjacent to such premises, as specified. Propane would be exempted from the definition of motor vehicle fuel for purposes of this price posting requirement. Under the provisions of this bill, a person selling gasoline or other motor vehicle fuel by the liter would be authorized, until 75% of the businesses selling gasoline or other motor vehicle fuel at retail in this state do so by the liter, to advertise its price by displaying either its price per liter or its price per gallon. After that time, but not prior to July 1, 1981, every person selling gasoline or other motor vehicle fuel would be required to advertise its price by displaying its price per liter, regardless of whether the gasoline or other motor vehicle fuel is sold by the liter or by the gallon. This bill would also provide that in the event the same grade of gasoline or other motor vehicle fuel is sold at different prices from the dispensing devices on the premises of any single place of business, the various prices at which the same grade of gasoline or other motor vehicle fuel is sold shall all be advertised in the same form, as specified.

Existing law provides that it is the duty of the Department of Food and Agriculture, acting through the Division of Measurement Standards, to enforce the provisions of law regulating the advertising of motor vehicle fuels on or near a place of business in California selling or offering for sale motor vehicle fuel and that the violation of such provisions is a misdemeanor.

This bill would provide, with respect to the price posting requirements imposed by the act, that the district attorney of each county, a city attorney of any city within each county, or the county sealer shall, upon complaint or upon his or her own motion, enforce such provisions and may seek injunctive relief. The bill would provide that any person who violates such price posting requirements is guilty of an infraction and, upon conviction, is punishable by a fine not to exceed $500, except, that any person who violates such price posting requirements and who has been previously convicted 2 or more times of a violation of such price posting requirements is guilty of a misdemeanor and, upon conviction, is punishable by imprisonment not exceeding 6 months, or by a fine not exceeding $500, or by both This bill would further provide that a local governing body may, by ordinance, exempt specified geographic areas from such price posting requirements if the areas are designated on the local general plan as scenic corridors or

historic preservation areas.

This bill would also provide that the provisions of state law requiring price posting on the premises of a business selling gasoline shall not be construed to prohibit the governing body of any city, county, or city and county from enacting ordinances which impose restrictions on advertising media, so long as any provisions of such ordinances dealing with matters specifically covered in this article are identical therewith.

Under existing law, effective January 1, 1981, a petroleum franchise dealer may reasonably withhold consent to the sale, transfer, or assignment of a franchise if, as a result of the transaction, trade in the sale of petroleum products will be restrained, as specified

This bill would repeal that provision.

This bill would provide for conforming changes to be made to various provisions of Article 12 (commencing with Section 13530) of Chapter 14 of Division 5 of the Business and Professions Code, as added by AB 2779 of the 1979–80 Regular Session, if this bill and AB 2779 are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered after AB 2779.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 997 (SB 1123) Cusanovich. Bingo: proceeds.

Existing law permits cities, counties, and cities and counties to allow by ordinance bingo games to be conducted by specified organizations for charitable purposes. Existing law specifies with respect to charitable organizations that all profits from bingo games shall be used only for charitable purposes and that, with respect to nonprofit organizations, the proceeds, except for prizes and a designated portion for operating expenses, shall be used only for charitable purposes.

This bill would permit a city, county, or city and county enacting a bingo ordinance to specify that, if an organization's monthly gross receipts from bingo games exceed $5,000, a minimum percentage of the proceeds shall be used only for charitable purposes with the balance applied to prizes and operating expenses, as specified.

Ch. 998 (SB 908) Presley. Health facilities: deactivation of beds.

(1) Under present law, the State Department of Health Services is prohibited from issuing or renewing a health facility license for beds permanently converted to other than patient use and which do not meet construction and operational requirements.

This bill would also expressly permit a health facility to place up to 50% of its licensed bed capacity in voluntary suspension for not more than 3 years, subject to prescribed conditions The State Director of Health Services would be authorized to grant extensions, as specified The construction requirements for such beds, upon reactivation, would be the construction requirements applicable at the time the request for suspension was received by the department The reactivated beds would be subject to current operational requirements upon reactivation

(2) Senate Bill No 1370, which has already been chaptered (Ch. 594, Stats 1980), would require health facilities to annually file a prescribed Hospital Discharge Abstract Record with the California Health Facilities Commission beginning with the first accounting year commencing on or after July 1, 1981 This requirement would not, however, be applicable if specified federal regulations have been adopted by July 1, 1981, implementing reporting requirements for the Uniform Hospital Discharge Data Set Additionally, this requirement would be repealed January 1, 1985, unless extended by the Legislature

This bill would modify the above requirement (assuming the federal regulations are not adopted July 1, 1981) to expressly permit filing of a health facility's Hospital Discharge Abstract Record by a designee of the facility.

Ch 999 (AB 3417) Ingalls Transportation.

(1) Under the Mills-Alquist-Deddeh Act, an operator which was not required, during the 1978–79 fiscal year, to comply with the requirement that fare revenues and local support equal at least 50% of its operating budget, in order to be eligible for funding under the act, may be allocated funds during any fiscal year, if the operator maintains for the fiscal year (a) a ratio of fare revenues to operating cost at least equal to ⅓ or to the ratio it had during the 1978–79 fiscal year, whichever is greater, and (b) the ratio of fare revenue and local support to operating cost it had during the 1978–79 fiscal year if the ratio is greater than ⅓.

This bill would permit an operator serving an urbanized area which was in operation during the 1978–79 fiscal year even though not eligible for funding under the act, but which has since become eligible, to establish eligibility by either meeting the 50% requirement or the ratio requirements

(2) Under existing law, the appropriate appointing authority is authorized to appoint an alternate member to the Riverside County Transportation Commission for all members except the citizen member.

This bill would authorize the appointment of an alternate member to the Riverside County Transportation Commission for the citizen member.

(3) Under the County Transportation Act, the Los Angeles County Transportation Commission is required to submit to the Legislature a progress report on the transit situation in Los Angeles County by July 1, 1977, an interim report by February 1, 1978, and a final report by July 1, 1978, specifying the requisites of these reports.

This bill would delete these provisions

(4) Under the act, the membership of the San Bernardino County Transportation Commission includes a member, who is required to be the mayor or a councilman, from each incorporated city within San Bernardino County.

This bill would require that the member for the City of San Bernardino be the mayor

Ch 1000 (AB 3419) Johnson Political Reform Act of 1974. financial disclosures

Existing law under the Political Reform Act of 1974 provides that whenever investments or interests in real property of $1,000 or more are required to be disclosed, the statement shall contain a provision stating whether the fair market value or interest in real property, excluding the principal residence of the filer, exceeds $10,000 or whether it exceeds $100,000

This bill would provide for a statement as to whether or not the investment or interest in real property exceeds $1,000 but does not exceed $10,000, or whether it exceeds $10,000 but does not exceed $100,000, or whether it exceeds $100,000

Existing law under the Political Reform Act of 1974, requires income of $250 or more to be reported under specified circumstances and requires a statement as to whether or not the aggregate value of income from each source was greater than $1,000 and whether it was greater than $10,000

This bill would provide that such a statement include a provision stating the aggregate value of income from each source was at least $250 but did not exceed $1,000, or whether it was in excess of $1,000 but was not greater than $10,000, or whether it exceeds $10,000.

In addition, this bill would incorporate additional changes in Section 87206 of the Government Code proposed by AB 1682, to be effective only if such bill and this bill are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Ch. 1001 (AB 3377) Felando Discount buying organizations

Existing law requires a discount buying organization (DBO) to make certain written disclosures to potential buyers.

This bill, in addition, would require a DBO to allow the potential buyer to retain the written disclosures.

Existing law requires a DBO to list in writing to a potential buyer [the total price including]* any incidental charges at which an item can be purchased by one who contracts with the DBO [or at which an item was purchased by a member of the DBO, as specified]*.

This bill, instead, would require a DBO to list ~~estimated~~ [the total price including a reasonable estimate of]* freight charges, delivery charges, setup charges, price markup, and any other charges to be imposed

This bill would require a DBO, in the event a stockholder, director or other specified

official thereof (a) has been convicted of a crime involving fraud, embezzlement, fraudulent conversion, or misappropriation, (b) has been held civilly liable for a specified act, or (c) is subject to an injunction or restrictive order, as specified, to disclose such fact, along with other required data, to any prospective buyer

Existing law does not require a DBO to deposit funds in trust accounts

This bill would require a DBO to establish and utilize a trust account in a federally insured financial institution for the buyer's payments, and would require a DBO to utilize trust accounts in other transactions, as specified A violation of such requirement would be punishable as either a felony or misdemeanor

Existing law provides that any contract for discount buying services that is not in compliance with the provisions of law relating to contracts for discount buying services is voidable by the buyer

This bill, in addition, would prohibit a DBO from making or authorizing the making of any reference to its compliance with such provisions of law

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 1002 (AB 3332) Filante County recorder fees

The law currently specifies fees which may be charged by the county recorder for filing and recording various instruments, documents, and papers

This bill would authorize a county board of supervisors to impose an additional fee of $1 for each filing in order to defray the cost of converting the document storage system to micrographics

The bill would take effect immediately as an urgency statute

Ch 1003 (AB 3296) Rogers Corrections and probation officers

Existing law requires the Board of Corrections to adopt rules establishing minimum standards for the recruitment and training of local corrections and probation officers and provides for state aid in the form of grants to any applicant county or city and county which adheres to such standards These grants are paid from the Corrections Training Fund in the State Treasury which is funded with 15% of the penalty assessments collected for various traffic offenses from July 1, 1980, to July 1, 1982

This bill would include local corrections and probation officers of cities for the purposes of standards of selection and training

The bill would require the board to contract for research on validated standards for entry positions for correctional and probation personnel and would require the board to make annual reports to the Legislature from June 30, 1981, on the effectiveness and progress of the standards and training program for local corrections personnel The bill would specify that peace officers assigned full time to correctional duties would be eligible for funding of their training

The bill would make money in the continuously appropriated Corrections Training Fund available for expenditure for the development of training, program evaluation, and the research study on validated standards

This bill would take effect immediately as an urgency measure

Ch 1004 (AB 3287) Berman Driving under the influence subsequent convictions

(1) Existing law provides that any person convicted of the offense of driving under the influence of intoxicating liquor or any drugs, or the combined influence thereof, who is convicted of a second such offense within 5 years of such prior conviction and who is granted probation shall be punished by confinement in jail and by a fine of specified minimum and maximum duration and amount and directs the Department of Motor

Vehicles to suspend the person's driver's license (a) for not less than 1 year and until such person gives proof of ability to respond in damages in the case of a second conviction within 5 years and (b) for not less than 3 years and until proof of ability to respond in damages is established in the case of a third or subsequent conviction within 7 years

This bill would revise these provisions to require that, for these purposes, the specified confinement and fine apply when the second or subsequent offense, rather than the second or subsequent conviction, occurs within 5 or 7 years of the first offense

(2) Chapter 276 of the Statutes of 1980 (SB 1429) requires that, until July 1, 1982, persons receiving a suspended sentence for a second offense of driving under the influence and diverted to alcoholism programs, as specified, pay a $35 charge to be deposited in a special account in the county treasury to pay the costs of performing analyses of blood, breath, or urine for alcohol content or the presence of controlled substances or for services related to such testing

The bill would repeal that requirement.

(3) The bill would also make a technical change.

Ch. 1005 (AB 3279) Mori. Housing authorities· audits of funds· budgets.

Existing law requires that all funds of housing authorities not subject to audit by a federal agency be audited at least once each year at the expense of the housing authority by the State Department of Finance or, at the option of the housing authority, by a certified public accountant or a public accountant approved by the Department of Finance. If the audit is made by a certified public accountant, or a public accountant, existing law requires that a copy of the audit report, together with a final balance sheet and operations statement for the year for all housing authority funds be filed for record purposes with the Department of Housing and Community Development and the Department of Finance. Existing law also requires that the housing authority prepare and file with the Department of Finance and the Department of Housing and Community Development a budget for the year in which the audit is taken and each audit prepared or submitted pursuant to these provisions.

This bill would delete the authority of the Department of Finance to audit funds of housing authorities and its power to approve certified public accountants or public accountants who audit funds of a housing authority. It would also eliminate the requirement that copies of audits made by a certified public accountant or a public accountant, together with a final balance sheet and operations statements, be filed with the department and that housing authority budgets be filed with the department

Ch 1006 (SB 1226) Richardson Fish and game· importation; forfeitures.

(1) Existing law provides that no birds, mammals, fish, reptiles, or amphibia may be brought into this state unless legally taken and, if taken under the authority of a sport fishing or hunting license, legally possessed outside of this state and a declaration is made to the state or federal agency designated by the Department of Fish and Game at or immediately prior to the time of entry, or without the declaration if the shipment is handled by a common carrier, as specified

This bill would delete the reference to taking pursuant to a sport fishing or hunting license and provide that, notwithstanding any other provision of law, such animals may be brought into the state and possessed if legally taken and legally possessed outside of the state and the declaration is made, or without the declaration if the shipment is handled by a common carrier, as specified.

(2) Under existing law, the judge before whom any person is tried for a violation of the Fish and Game Code may, upon conviction of the accused, order the forfeiture of a specified device or apparatus used in committing the offense charged It also requires that the proceeds from the sale of such device or apparatus be paid into the Fish and Game Preservation Fund

This bill would, in addition, authorize the judge before whom any person is tried and convicted of provisions relating to trespass and to damage to real or personal property, and, at the same proceeding, of provisions relating to the taking of an animal out of season or the use of an illegal light to take an animal, to order forfeiture of any motor vehicle or snowmobile used in committing one or more of the offenses charged, and would require that any valid liens on the forfeited property be paid from the proceeds from the sale of any such vehicle unless the lienholder is a conspirator and that the

remainder be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

Ch 1007 (AB 3042) Gage Personal income tax withholding

Existing law authorizes the Franchise Tax Board to administer the various provisions of the Personal Income Tax Law and requires the Franchise Tax Board to withhold amounts from employees' wages However, the Franchise Tax Board is authorized to delegate to the Employment Development Department the powers necessary to administer the reporting, collection, refunding and enforcement of the withholding tax.

This bill would transfer to the Employment Development Department the functions of reporting, collection, refunding, and enforcement of the withholding tax. The bill also would transfer from the Franchise Tax Board to the department all records, equipment, funds, and property relating to such functions.

The provisions of the bill would become operative on July 1, 1981

Ch 1008 (AB 1180) McVittie Medi-Cal· criminal investigations.

Existing law makes it a crime for a Medi-Cal beneficiary to furnish, give or lend his Medi-Cal card or labels to any person other than a Medi-Cal provider of service or for any person who knows he is not eligible under Medi-Cal to represent himself to any provider as a Medi-Cal beneficiary.

This bill would provide that the State Director of Health Services shall, upon a showing before a magistrate of reasonable suspicion, as defined, issue Medi-Cal cards to peace officers and persons working under their immediate supervision for the purpose of conducting investigations of Medi-Cal fraud or a violation of the Medical Practice Act The bill would also provide that the above prohibitions shall not apply to such persons while investigating Medi-Cal fraud or other crimes pursuant to an issuance to a peace officer of a Medi-Cal card for these purposes.

This bill would also provide that it is not to be construed to mean that it is the exclusive method for conducting investigations for Medi-Cal fraud or for violations of the Medical Practice Act The bill would further provide for reports to the Legislature on the utilization of Medi-Cal cards issued pursuant to this bill Finally, this bill would repeal the provisions allowing issuance of cards for criminal investigations of Medi-Cal fraud effective January 1, 1983

Ch. 1009 (AB 2813) Nolan Body armor certification

Existing law provides that the Department of Justice, after consultation with the California Highway Patrol and the State Police Division, may certify bulletproof vests for purchase, to be used by peace officers while engaged in enforcement activities It specifies ballistic performance standards that any such vest must meet before certification is granted, and authorizes, but does not require, the department to establish more stringent certification standards

This bill would rename a bulletproof vest a "body armor," and would make corresponding and other technical changes in the law It would require the Department of Justice, after consultation with the California Highway Patrol and the State Police Division, to establish minimum ballistic performance standards by regulation, and to certify that the armor satisfies such standards, before such body armor is purchased for use by peace officers while engaged in enforcement activities

Existing law specifies procedures concerning applications and hearings for, and refusals and revocations of, certification of bulletproof vests

This bill would delete the provisions relating to hearing procedures and ballistic performance standards specified by existing law, and would require the department to establish a schedule for ballistic testing certification

Existing law provides that all purchases of certified bulletproof vests shall be made by the Department of General Services on behalf of the California Highway Patrol

This bill would provide that the Department of General Services shall make all purchases of certified body armor on behalf of an authorized state agency or department, and that the Department of General Services make such certified armor available to specified peace officers

Ch 1010 (AB 2579) Hallett Domestic water supply systems.

Existing law (the California Safe Drinking Water Bond Law of 1976) permits the Legislature to authorize, subject to specified limits, the use of bond proceeds in the California Safe Drinking Water Fund for a grant program, with grants provided to water suppliers that are political subdivisions of the state, if it is determined that such suppliers are otherwise unable to meet minimum safe drinking water standards established pursuant to applicable provisions of law Chapter 322 of the Statutes of 1978 authorized the use of bond proceeds for such a grant program with any such grant to be made only upon the specific approval of the Legislature, by an act enacted after the receipt of a report on the grant application filed by the Department of Water Resources.

This bill would authorize grants from the California Safe Drinking Water Fund not to exceed the amount of $400,000 each to the Templeton Community Services District, the Mission Hills Community Services District, the City of Montague, the Newhall County Water District, and the Santa Ana Mountain County Water District, and not to exceed the amount of $80,000 to the Monroe School District for the purpose of improving their domestic water systems to meet, at a minimum, safe drinking water standards The bill would make legislative findings in such connection The bill would require the Department of Water Resources to determine eligibility for such grants in accordance with the provisions of Chapter 322 of the Statutes of 1978

The bill would take effect immediately as an urgency statute

Ch. 1011 (AB 2971) Lehman Poisons

Existing law makes it a misdemeanor to sell, dispense or distribute toluene or substances containing it to minors and requires suspension of the business license of a person who knowingly violates that provision after a previous conviction, commencing on July 1, 1980

This bill would make this prohibition inapplicable to specified glue and cement

Existing law makes it a misdemeanor for any person to willfully ingest, inhale, or breathe the fumes of toluene and similar substances with intent to become intoxicated

This bill would instead make it a misdemeanor to possess toluene, or any substance or material containing toluene, or any substance or material which has toxic qualities similar to toluene with the intent to breathe, inhale, or ingest any such substance for the purpose of causing a condition of intoxication or other specified conditions or to be under the influence of any such substance

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

The bill would take effect immediately as an urgency statute

Ch. 1012 (AB 3064) Rosenthal State fees and charges

Under existing law, specified fees or charges are authorized to be charged by state agencies for licensing in conjunction with various positions of employment and for the issuance and renewal of enumerated certificates or documents In some cases maximum amounts are prescribed

This bill would require that such fees or charges, except those in the vital statistics area, be increased each year, commencing January 1, 1981, by the percentage change printed in the Budget Act The bill would authorize fees or charges in the vital statistics area to be increased pursuant to a specified formula In either case the bill would eliminate statutory maximums but would require that total amounts collected not exceed the total increased cost of the program or service provided The bill would also require that local registrars transmit to the State Registrar 15% of fees charged for certified copies of certain vital statistics documents, rather than the current flat 50 cents per certified copy The bill would require the Legislative Analyst to review and submit written comments to the Legislature on any proposed adjustments under the bill It would make various other conforming changes to accomplish this revision of state fee statutes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1013 (AB 2710) Rosenthal Energy passive solar design competition

(1) Under existing law, the State Energy Resources Conservation and Development Commission is directed to conduct a statewide architectural design competition for residential units incorporating passive solar and other energy-conserving design features, with specified maximum construction costs and market price

This bill would allow the commission to increase by a factor representing economic inflation the maximum construction cost for an eligible residence

It would revise the time from 1 year to 18 months after the announcement of awards within which winners of any such awards are to commence construction

(2) Under existing law, cash awards to authors of the Solar Medallion and first place awards may not be made until the agreed upon construction commences

This bill would delete such existing law and authorize cash awards to be made to authors of winning designs prior to commencement of the agreed upon construction

(3) Under existing law, $315,000 was appropriated from the State Energy Resources Conservation and Development Reserve Account for carrying out such architectural design competition, to be allocated as prescribed It reverts the unexpended money for such purposes to the Environmental Protection Program Fund, which has been superseded by the California Environmental License Plate Fund

This bill would require any such money not expended for such purposes by January 1, 1983, to revert to the State Energy Resources Conservation and Development Reserve Account in the General Fund

Ch 1014 (AB 807) Goggin California Public Broadcasting Commission fund

Existing law creates the California Public Broadcasting Fund in the State Treasury as a means for annually funding state support for public broadcasting, as specified, and annual State Budget items provide for a transfer to, and an appropriation from, such fund for such purposes and for the support of the California Public Broadcasting Commission

Under existing law, operative January 1, 1981, the commission will be required to annually divide the amount available from the fund into two accounts, one to be used for television purposes and one to be used for radio purposes Current law imposes various other restrictions on the distribution of such fund

This bill would delete the requirement that the fund be divided into two accounts, would delete the other restrictions currently imposed under existing law, would, operative July 1, 1981, restore the requirement of reservation for distribution of not less than 25% of each of the television and radio budgets for use, at each station's discretion, in local community broadcast operations, and would require the commission to disburse moneys in the fund in accordance with a formula established by the commission

Ch 1015 (AB 2407) Tanner Public drinking water

Existing law requires the operator of a public water system, as defined, to obtain a permit to operate such a public water system Existing law authorizes the State Department of Health Services, or, for certain specified systems, the local health officer with the approval of the department, to issue permits and grant variances and exemptions to drinking water standards, as specified

This bill would require the department to establish a program for detecting and monitoring organic chemical contaminants in drinking water delivered by public water systems by establishing a list of organic chemicals meeting specified criteria

The bill would also require the department to prepare and submit a plan to the Legislature by December 1, 1980, to implement such testing program.

This bill would take effect immediately as an urgency statute.

Ch. 1016 (AB 2231) Kapiloff. University of California: medical center San Diego: appropriation.

Under current law, all money in the Capital Outlay Fund for Public Higher Education is available, when appropriated by the Legislature, for expenditure for capital outlay purposes relating to public higher education.

This bill would appropriate from the Capital Outlay Fund for Public Higher Education to the Regents of the University of California $17,320,000 for specified purposes involving the University of California Medical Center at San Diego

This bill would take effect immediately as an urgency statute.

Ch. 1017 (AB 3256) Moore Collection agencies.

Existing law requires any person who enters the employ of a licensed collection agency and who has not been previously registered as an employee of a collection agency to apply for registration within 60 days after commencement of such employment and requires a collection agency to notify the Chief of Collection and Investigative Services within 10 days after the commencement of employment of such a person and of the termination of employment of such registered employee within 30 days of such termination.

This bill would require such unregistered employee to file such application within 15 days rather than 60 days and would require the notification of employment to be made within 15 days. The bill would delete the requirement for notification of termination of employment

Existing law exempts from the Collection Agency Act specified clerical employees of a licensee of that act.

This bill would also exempt employees of a licensee who are engaged exclusively in sales.

Existing law provides for the termination of an employee, who has not paid a continuation fee and applied for continuation of his registration, within 30 days after notification of noncontinuance of a registration.

This bill would reduce such termination time to 15 days after such notification

Existing law requires licensees of the Collection Agency Act to file a financial statement, with the Director of Consumer Affairs, which is required to be accompanied, as specified, by, among other things, bank statements for the licensee's trust account

This bill would revise such provisions by requiring the licensee who is required to maintain a trust account to prepare and maintain a trust reconciliation statement, as specified, every 6 months and would require the Chief of Collection and Investigation Services to demand a copy of such statements each year

The bill would make related changes.

Ch. 1018 (AB 1765) Bannai. Small claims court judgments.

Under existing law, a claim in small claims court must set forth the name of the defendant.

This bill would specify that with respect to a claim against a person doing business under a fictitious name, which relates to that business, the judge at the hearing shall inquire whether the name of the person is the name under which the person is licensed, registered, incorporated, or otherwise authorized to do business If not, the judge would order the claim amended to conform to the legal name

Under existing law, a judgment in small claims court may be enforced by execution, and in that connection the judge may order the judgment debtor to appear and answer concerning his or her property

The bill would require judgment debtors in small claims actions to complete a form adopted or approved by the Judicial Council and containing information relating to assets of the defendant within 30 days after notice of entry of judgment is mailed, or within 35 days of entry of judgment on a motion to vacate the judgment or an appeal, as specified

The bill would require all fees paid, except as otherwise specified, and all documents

and papers filed with respect to any small claims action or any judgment or execution thereof to be made with the clerk of the small claims division The clerk would be required to deliver to the recorder any documents for recordation and fees therefor

Such provisions would remain in effect until June 1, 1983, when they would be repealed

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 1019 (AB 2338) Bergeson Controlled substances· seizure and disposition

Under existing law the Attorney General is authorized to seize subject to forfeiture certain controlled substances and property used in the manufacture, distribution, dispensing or acquiring of the same, as prescribed. Existing law requires all seizures of controlled substances, instruments, or paraphernalia used for unlawfully using or administering a controlled substance, which are in the possession of any city, county or state official, as a result of a case in which no trial was had or in a case which has been disposed of by way of dismissal or otherwise than by way of conviction, to be turned over to the Attorney General for destruction or disposition under order of the court. Existing law authorizes the Attorney General to dispose of controlled substances, other than heroin or smoking opium, by gift to the medical superintendent of state prisons or state hospitals for medical purposes Present law also requires the Attorney General to provide marijuana to the heads of certain research projects

This bill would, instead, authorize any peace officer to make the seizures described above It would authorize the destruction of specified controlled substances, instruments, or paraphernalia to be carried out by a police or sheriff's department or the Department of Justice, as designated in the court order ordering such disposition It would delete the Attorney General's authorization to dispose of certain controlled substances to the medical superintendent of state prisons or state hospitals for medical purposes It would delete the requirement that the Attorney General provide marijuana to the heads of certain research projects and instead make this action permissive It would also make certain conforming changes

Ch 1020 (AB 2329) Thurman Nutrition Reserve Fund

Existing law establishes the Nutrition Reserve Fund for the purpose of maintaining necessary services, which lack sufficient federal funding, for senior citizens nutrition projects

This bill would require that allocations from this fund be approved by the Director of Finance

This bill would specify that to the extent funds remain available under a 1979 appropriation for the Nutrition Reserve Fund, money may be spent for inflation-caused increased costs per meal and increased participants, as specified

The bill would provide that when appropriated, up to $1,000,000 may be used for new and innovative nutrition programs

The bill would establish a Revolving Loan Account to be used for loans to nutrition projects

The bill would provide that if senior nutrition projects are unable to obtain a grant from the community in which it is located and from other sources, money from the Nutrition Reserve Fund may be used to help such projects meet specified matching requirements for federal funds

The bill would provide that when a nutrition project receives an allocation from the Nutrition Reserve Fund, due to the presence of fiscal difficulties, the Department of Aging shall, in conjunction with the applicable local area agency on aging and the nutrition project receiving the allocation, determine the cause of such difficulties The department shall annually report such findings to the Legislature and the Department

of Finance

This bill would appropriate· (a) money in the Nutrition Reserve Fund to the Department of Aging without regard to fiscal year; (b) $55,000 from the fund to establish a congregate meals program in a for profit HUD sponsored senior housing project

Ch. 1021 (AB 1934) McVittie Appointed counsel.

Existing law requires that when a defendant appears without counsel at a criminal arraignment the court shall inform him of his right to have counsel and that if he desires and is unable to employ counsel the court shall assign counsel to defend him.

This bill would permit the court in determining whether a defendant is able to employ counsel to require the defendant to file a financial statement under penalty of perjury. The statement would be confidential and privileged and not subject to admission in any criminal proceeding other than the prosecution of an alleged perjury based on false material in the statement

Existing law also provides that the public defender shall represent persons who are unable to afford counsel in specified criminal and civil proceedings In order to assist the court or the public defender in determining whether such a person is financially able to afford to employ counsel, the court or public defender may require the person to file a financial statement under penalty of perjury

This bill would provide that the financial statement shall be confidential and privileged and not subject to admission in any criminal proceeding other than the prosecution of an alleged perjury based upon false material in the financial statement It would be available to the prosecution only for purposes of investigation of an alleged perjury concerning false material in the financial statement at the conclusion of the proceedings for which it was required to be submitted However, the financial statement would not be confidential and privileged in a hearing after a criminal proceeding to determine the ability of a defendant to pay for legal assistance provided by the public defender or court-appointed private counsel

Ch. 1022 (AB 2712) Rosenthal Social workers.

Existing law provides for the issuance of certificates as registered social workers by the Board of Behavioral Science Examiners to persons who meet certain qualification requirements and pass an examination. Such certificate entitles the holder to use the title registered social worker

This bill would repeal such provisions and would make related changes to be operative on January 1, 1983.

Existing law specifies the minimum requirements for a teacher to receive service credentials with specialization in pupil personnel services, including, among other things, a valid license appropriate to the service to be rendered issued by an agency in California authorized to license persons to practice that service

This bill would provide that in the case of social workers, except licensed clinical social workers, possession of a master's degree, as specified, would be sufficient in lieu of licensure for such requirements

Ch 1023 (AB 2702) M Waters Department of Fair Employment and Housing· powers

Existing law permits the Department of Fair Employment and Housing to subpoena witnesses, compel their attendance, administer oaths, examine any person under oath or by sworn interrogatory, and, in connection therewith, to require the production of any books or papers relating to any matter under investigation or in question before the department

This bill would instead permit the department in connection with any matter under investigation or in question before the department pursuant to a complaint, to issue subpoenas to require the attendance and testimony of witnesses and the production of books, records, documents, and physical materials for inspection and copying, to administer oaths, examine witnesses under oath and take evidence, take depositions and affidavits, issue written interrogatories, and petition the superior courts to compel the appearance and testimony of witnesses, the production of books, records, documents, and physical materials, and the answering of interrogatories

This bill would also add provisions specifying in detail the procedures to be followed

in exercising the above powers

Existing law requires the department to issue an accusation of an unlawful employment practice, if at all, within one year after the filing of the complaint

This bill would require the department to issue an accusation of an unlawful employment practice for any complaint treated by the Director of Fair Employment and Housing as a group or class complaint for purposes of investigation, conciliation, and accusation, if at all, within two years after the filing of the complaint, and would require the director to notify all parties within one year after the filing of the complaint if the complaint is to be treated as a group or class complaint for purposes of conciliation and accusation.

Ch 1024 (AB 3229) Perino Fairs: purchases; approval of contracts

(1) Under existing law, the board of directors of a district agricultural association is authorized to purchase materials and lease equipment not in excess of $20,000 without being subject to statutory provisions regarding solicitation of bids or supervision by the Department of General Services when such purchase or lease is made in conjunction with donated labor construction improvements on the grounds of the association

This bill would extend such law to county fairs and authorize the governing board of a county fair to make such purchases or leases not in excess of $20,000 when such purchase or lease is made in conjunction with donated labor construction improvements on the grounds of a county fair

(2) Existing law provides generally for the purchase of supplies or equipment for state agencies by the Department of General Services

This bill would require the Department of General Services to prepare annually a purchasing delegation program for district agricultural associations which would be administered by the Department of Food and Agriculture pursuant to specified criteria The bill would also require the Departments of General Services and Food and Agriculture to develop criteria for opportunity purchases, as defined, by district agricultural associations, and would make legislative findings and declarations in connection with such opportunity purchases

Ch 1025 (AB 3191) Bosco Unemployment insurance

(1) The Confidentiality of Medical Information Act generally prohibits any requester from acquiring or disclosing medical information without an authorization from the patient to acquire or release such information. Another provision of law makes it a misdemeanor for any director, deputy director, or employee of the Employment Development Department or any member of the Unemployment Insurance Appeals Board or the Employment Services Board to violate the confidentiality of any information obtained in the course of administering the Unemployment Insurance Code

This bill would exempt from the act medical information obtained by the department, and would extend the application of the misdemeanor to any individual who has or had access to such information in the course of employment

(2) Existing law authorizes the Director of the Employment Development Department to draw sums not to exceed in the aggregate $1,500,000 from the Unemployment Administration Fund and sums not to exceed in the aggregate $400,000 from the Disability Administration Account within the Disability Fund to be used as revolving funds for specified expenses

This bill would change these limits to a specified percentage of the total disbursements made from the fund during the preceding fiscal year, and would revise the procedure for transferring money into the Unemployment Administration Fund

(3) Existing law contains provisions which authorize the Director of the Employment Development Department, with the approval of the Department of Finance, to invest money in the Disability Fund for the construction, equipment, alteration and repair of buildings and appurtenant facilities for the use of the department as a central office in Sacramento and a branch office in Los Angeles

This bill would repeal these provisions

(4) The bill also would make various technical changes to delete obsolete language and consolidate duplicate language in the Unemployment Insurance Code with respect to agricultural employees, elective coverage, the Railroad Retirement Board and United States Employment Service, investment of disability insurance funds, deposit of federal

money and extended duration and federal-state extended benefits

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1026 (AB 3170) Moorhead Animal Health Technician Examining Committee

Existing law provides for the creation of an Animal Health Technician Examining Committee to consist of 7 members appointed by the Governor, 3 of whom are veterinarians licensed to practice veterinary medicine in the State of California, 3 of whom are public members, and 1 who is a registered animal health technician

This bill would increase the membership of such committee from 7 to 8 by increasing the animal health technician members from 1 to 2

Ch 1027 (AB 2469) Bosco Agricultural leasing

Under existing law, the Department of Parks and Recreation may acquire real property to be added to, or used in connection with, the state park system. Until such property is needed for the purpose for which acquired, the jurisdiction over such property is in the Department of General Services, which has the authority to lease the property.

This bill would make legislative declarations regarding the preservation of agricultural lands in productivity, and would require the Department of Parks and Recreation, with a specified exception, to make specified real property acquired by it available for agricultural purposes by the Department of General Services Following approval of the general plan for a state park system unit, the bill would allow specified real property to continue to be leased for agricultural purposes as provided

Ch 1028 (AB 2571) Rosenthal State Child Health Board

Existing law establishes a State Child Health Board within the State Department of Health Services The board consists of 9 voting members and 2 ex officio, nonvoting members to be selected as specified The law sets forth duties and responsibilities of the board, including the oversight of community child health and disability prevention programs

This bill would add 1 dentist representative to the board bringing the total voting members to 10 It would also add the State Director of Social Services, or a designee, as an ex officio, nonvoting member, bringing the total nonvoting members to 3

This bill would take effect immediately as an urgency statute

Ch 1029 (AB 2613) Stirling Political Reform Act of 1974

Existing law under the Political Reform Act of 1974 prohibiting public officials from participating in governmental decisions in which they have a financial interest· prohibits application thereto of any enforcement provision of the act, except a provision authorizing injunctive relief, restraint, and setting aside, with respect to official actions, limits the application of that provision to public officials other than elected state officers, and provides that such remedies are the exclusive remedies for violations or threatened violations of such prohibition

This bill would, instead, provide that none of the enforcement remedies or the commission's remedies in the act are applicable to any elected state officers for violations or threatened violations of such prohibition

Ch 1030 (AB 2637) M Waters Banks

Nothing in existing law requires the Superintendent of Banks to hold a preapplication conference with an applicant for authority to organize a bank or requires the superintendent to hold a predenial conference

This bill would require the superintendent to inform a prospective applicant in writing that the superintendent is available in advance of the filing of an application for the

purpose of discussing questions relating to the application It would also require the superintendent to give written notice, 30 days before denial, of the intended denial and of the right of the applicant, upon request, to meet with the superintendent

Ch 1031 (AB 2667) Knox. Publicly operated health care service plans

The Knox-Keene Health Care Service Plan Act of 1975 presently requires health care service plans, as defined in the act, to be licensed by the Commissioner of Corporations. The act is applicable to health care service plans operated by public agencies

This bill would authorize the commissioner to establish special standards for financial statements of public entities included in an application for licensure under the act Satisfaction of such standards would be in lieu of the otherwise required report, certificate, or opinion of a certified public accountant

The bill would require audits of such health care service plans to be conducted in accordance with governmental auditing standards The bill would exempt publicly operated health care service plans from requirements respecting financial responsibility which are specified by regulation of the commissioner

This bill would also make technical nonsubstantive changes

Ch. 1032 (AB 2677) Goggin. Emergency services deaf teletype equipment

(1) Existing law authorizes counties to provide certain police, firefighting, and emergency medical care services. Existing law does not require deaf teletype equipment at a central location within the county to relay requests for such emergency services

This bill would require such deaf teletype equipment

(2) Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year.

This bill appropriates $21,000 to the Controller for allocation and disbursement to local agencies and school districts for costs incurred by them pursuant to this act

Ch 1033 (AB 3128) Duffy Horses drugging

(1) Existing law on drugging of horses prohibits, with prescribed exceptions, any person from administering any drug or medication, either before or during a public horse show, horse competition, or horse sale, to any horse which could affect the performance or disposition of the horse. The Director of Food and Agriculture has jurisdiction of all public horse shows and is responsible for enforcing provisions of such law and for adopting rules and regulations as necessary to carry out such law.

This bill would repeal existing law on the drugging of horses and enact new provisions on the drugging of horses which would prohibit any horse from being shown in a public horse show, horse competition, or horse sale if it has been administered any prohibited substance, as defined, in violation of the new provisions The bill would give the Director of Food and Agriculture jurisdiction of all public horse shows, competitions, and sales except for individual horse shows, competitions, and sales certified by the director The bill would make a horse trainer or owner, or both the trainer and owner, responsible for a horse's condition and would subject any trainer or owner, or both the trainer and owner, of a horse given a prohibited substance to prescribed civil and criminal penalties It would provide for the forfeiture of prize money or sweepstakes and any trophies, ribbons, and points won at any public horse show or horse competition by a horse found to have received a prohibited substance in violation of the provisions of this bill, and would provide for the suspension of any trainer or owner, or both, and any such horse from public horse shows or horse competition and for returning to the seller of any such horse if violation occurs at a horse sale

The bill would require the management of a public horse show, competition, or sale to charge and collect a prescribed fee which would be sent to the Department of Food and Agriculture for deposit in the Department of Agriculture Fund, which is a continuously appropriated fund, for use for prescribed purposes

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the

State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) This bill would take effect immediately as an urgency statute

Ch 1034 (AB 3107) Bates Student records public colleges and universities

Existing law prescribes the extent of access to, and confidentiality of, students' records in public colleges and universities

This bill would create civil remedies, as specified, for the violation by colleges and universities of specified laws and regulations concerning students' records

Ch 1035 (AB 3022) Mori Taxation emergency telephone number

Existing law establishes an Advisory Committee on the State Emergency Telephone Number, with specified membership and duties to assist the Department of General Services in resolving conflicts between state and local government and the communication industry with respect to such telephone service

This bill would revise the membership and duties of such advisory committee

Existing law specifies that the State Board of Equalization shall determine the surcharge rate, within a specified limit

This bill would require that the Department of General Services shall determine the surcharge rate, within specified limits

Existing law requires the Department of General Services to reimburse local agencies for amounts not compensated for by another governmental agency with respect to such telephone service and to prescribe the claim form Claims for reimbursement must be submitted by July 1 to be eligible for payment in the following fiscal year

This bill would delete such claim submission deadline and the duty to prescribe such forms and would, instead, require claims to be submitted to the Communication Division in the department, which is required to make eligibility determinations and reductions, as specified

Ch 1036 (AB 3109) Gage Correctional industry agricultural products private sale

Existing law requires that all articles, materials, and supplies produced or manufactured by the use of inmate labor in a prison work program shall be exclusively for public use and shall never be sold, exchanged, or given away for any private use or profit whatever Exception is made where, to avoid waste or spoilage and consequent loss to the state, byproducts and surpluses of agricultural and animal husbandry enterprises may be sold to private persons, at private sale, pursuant to rules enacted by the Department of General Services

This bill would revise the exception to the prohibition on private sales to provide that products or byproducts of agricultural and animal husbandry enterprises, and automobiles and aircraft refurbished at specified correctional institution training programs as byproducts of prison vocational training programs, may be sold to private persons, at private sale, under rules enacted by the Department of General Services

Ch 1037 (AB 3005) Moore Education prisons

Under existing law, the Director of Corrections may provide educational programs to inmates either by utilizing employees of the Department of Corrections or by means of an agreement with a public or private educational agency

This bill would require the Director of Corrections, the Chancellor of the California State University and Colleges, the Chancellor of the California Community Colleges, and the Superintendent of Public Instruction, with the advice of the California Postsecondary Education Commission, to enter into interagency agreements relating to prison-based educational programs to promote joint policy planning among these 4 entities ~~and to coordinate policy with the establishment and maintenance of such programs~~* This bill would require these officials to appoint an advisory committee to perform specified duties

Ch 1038 (AB 2848) Egeland Correctional institutions

Existing law does not require the Department of Corrections to contract with private nonprofit agencies to provide personnel to correctional institutions who will assist in the accomplishment of designated objectives concerning improvement of the relationship between inmates and their families

This bill would require the department to make such contracts

This bill would appropriate $45,000 to the Department of Corrections for such purposes

Ch 1039 (AB 1484) Mori Dental care plans.

Existing law does not provide statewide dental service or indemnity benefit plans for state employees.

This bill would authorize the State of California, through the Governor's office, and the Trustees of the California State University and Colleges and the Regents of the University of California, directly or through the Governor's Office, to contract, upon negotiations with employees' organizations, with carriers, as specified, for dental care plans for state employees and annuitants No contract for any dental care plan could be entered into unless funds for a dental care plan contract are appropriated by the Legislature in a subsequently enacted statute

This act would take effect immediately as an urgency statute

Ch. 1040 (SB 1857) Greene Unemployment disability compensation

(1) Existing law provides that a disabled individual is eligible to receive disability benefits if unemployed due to a disability if, among other things, he or she has been unemployed and disabled for a waiting period of 7 consecutive days during each disability benefit period with respect to which waiting period no benefits are payable This waiting period is waived if, among other circumstances, the individual is unemployed and disabled for more than 49 days during the disability benefit period

This bill would reduce this number of days to 21

(2) Existing law provides that if an individual who is otherwise entitled to unemployment disability compensation benefits for any day is also entitled to specified other disability benefits, the amount of his unemployment disability benefits for such day shall be reduced by the amount of the other benefits. An additional provision further provides that the maximum amount of disability benefits payable to the individual during one continuous period of disability shall be reduced by the amount of the specified other disability benefits which the individual has received or has been determined to be entitled to receive

This bill would repeal the additional provision

Ch 1041 (AB 946) Agnos Workers' compensation asbestos workers

Existing law provides that liability for workers' compensation shall exist against an employer for any injury or death sustained by his employees arising out of and in the course of the employment

This bill would provide that where an asbestos worker, as defined, is injured as a result of asbestosis, as defined, and makes a claim for workers' compensation, if the responsible employer cannot be located or fails to provide workers' compensation within 30 days, the worker may seek the payment of workers' compensation temporary disability and medical benefits from the Asbestos Workers' Account

Existing law provides that no proceedings for the collection of workers' compensation death benefits may be commenced more than one year after the date of death, or more than 240 weeks from the date of injury

This bill would provide that in cases where the death of an asbestos worker is from asbestosis, no proceedings for such benefits may be commenced more than one year from the date of death

This bill would create the Asbestos Workers' Account in the Uninsured Employers Fund in the State Treasury, to be continuously appropriated for the purposes of this bill and which would be administered by the Director of Industrial Relations

This bill would add related provisions relating to reimbursement of the Asbestos Workers' Account by employers determined to be liable for asbestosis injury, and would allow the Asbestos Workers' Account a first lien against workers' compensation benefits for all benefits provided, and recoverable costs

This bill would require the Administrative Director of the Division of Industrial

Accidents to appoint workers' compensation referees and support staff who would give priority to processing the claims of asbestos workers, and to appoint at least two information and assistance officers who would give priority to assisting asbestos workers seeking benefits

This bill would provide that the provisions relating to the payment of benefits from the Asbestos Workers' Account shall be inoperative as of December 31, 1985, unless a later enacted statute deletes or extends such date The authority of the Asbestos Workers' Account to recover benefits and costs paid to asbestos workers prior to such date would continue until such benefits and costs are recovered

This bill would incorporate additional changes in Section 5406 of the Labor Code proposed by SB 375, to be operative on the operative date of this bill only if SB 375 and this bill are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would appropriate $2,625,000 from the contingency reserve for economic uncertainties in the General Fund to the Asbestos Workers' Account in the Uninsured Employers Fund for the purposes of this bill

Ch 1042 (AB 2750) McAlister Workers' compensation

(1) Existing law provides that for purposes of workers' compensation temporary disability indemnity and permanent total disability indemnity, the average weekly earnings shall be taken at not more than $231

This bill would instead provide that the average weekly earnings for such purposes shall be taken at not more than $262 50

(2) Existing law provides that the workers' compensation death benefit, when added to all accrued disability indemnity, shall be a maximum of $55,000, depending on the number of dependents, and whether they are total dependents or partial dependents

This bill would instead provide that such death benefit shall be a maximum of $75,000, depending on the number and degree of dependents

Ch 1043 (AB 3383) Vicencia Horseracing

(1) Existing Horse Racing Law requires associations and fairs conducting horseracing meetings with parimutuel wagering to make specified deductions from parimutuel pools for distribution as license fees, purses, and commissions

This bill would define the terms "conventional parimutuel pool" and "exotic parimutuel pool " The bill would require every association conducting a meeting to deduct 15% from conventional parimutuel pools and 16 75% from exotic parimutuel pools for distribution as license fees, purses, and commissions Every harness racing association would be required by the bill to deduct an additional 2% from its exotic parimutual pools for distribution equally between commissions and purses The bill would change the license fee rate and the distributions for purses and commissions The bill would also revise the deductions from parimutuel pools for the California-bred program The bill would define the term "California-bred thoroughbred "

(2) Existing law prescribes the maximum of racing weeks that may be allocated by the California Horse Racing Board for thoroughbred, harness, and quarter horse racing other than at fairs

This bill would increase the number of racing weeks that may be allocated for thoroughbred racing in the northern zone from 33 to 40 weeks and for thoroughbred racing in the central and southern zones from 41 weeks to 42 weeks in the central zone and 7 weeks in the southern zone The bill would increase the number of weeks that

may be allocated for harness racing in the southern zone from 9 weeks to 10 weeks and for quarter horse racing in the southern zone from 22 weeks to 25 weeks The bill would authorize the board to make such allocations of racing weeks, including simultaneous racing between zones, as it deems appropriate The bill would define the term "split meeting" and provide for the allocation of racing weeks for a split meeting

(3) Existing law prescribes the maximum number of weeks that an association may be licensed to conduct thoroughbred, harness, or quarter horse racing

This bill would increase the number of weeks that may be allocated to an association for thoroughbred racing in the northern zone from 11 weeks to 16 weeks and for thoroughbred racing in the central zone from 15 weeks to 17 weeks and delete any limitation on allocation of thoroughbred racing in the southern zone, except that any association conducting a split meeting may receive up to 20 weeks. The bill would delete the limitation on the maximum number of weeks that may be allocated to an association for harness racing The bill would increase the number of weeks that may be allocated to an association for quarter horse racing in the southern zone from 13 weeks to 15 weeks. The board would be authorized to allocate racing dates in excess of the statutory maximums during 1981 in order to implement the provisions of Sections 19531 and 19532 of the Business and Professions Code.

(4) Existing Horse Racing Law defines "breakage" as the odd cents by which the amount payable on each dollar wagered exceeds a multiple of 10 cents Breakage is deducted from the parimutuel pool and is distributed for additional license fees, increased purses, and other purposes.

This bill would conform the definition of "breakage" to these provisions by increasing from 5 cents to 10 cents the multiplier factor used for determining the odd cents constituting breakage.

(5) Under existing law, the board is required to have each racing association conducting more than 11 weeks of racing to designate at least 5 days as charity days and other associations except fairs to designate at least 3 days as charity days

This bill would instead require an association, except fairs, conducting more than 14 weeks of racing to designate 5 charity days and an association, except fairs, conducting 14 weeks or less of racing to designate 3 charity days

(6) Under existing law, the board is composed of 5 members and at least 3 members are required to concur in official action of the board

This bill would increase the board to 7 members by authorizing the appointment of 2 additional members by the Governor and require that at least 4 members concur in any official action of the board

(7) This bill would make additional changes with respect to redistributable money in parimutuel pools and other provisions of the Horse Racing Law

Ch 1044 (SB 1637) Garamendi Medi-Cal choice of benefits method.

Existing law requires the State Director of Health Services to direct the counties to inform Medi-Cal beneficiaries of the various methods for receiving Medi-Cal benefits, if they reside in an area served by a prepaid health plan and if they are eligible to enroll in such plan, and to inquire whether they wish to make a choice

This bill would require, as a condition of coverage for Medi-Cal benefits, that a beneficiary or eligible applicant choose either to obtain benefits from an individual provider or to enroll in a prepaid health plan Until a beneficiary or eligible applicant makes a choice, he or she would be provided with a monthly Medi-Cal card

The State Department of Health Services would be required to develop a program as described to educate beneficiaries and eligible applicants to the choices available to them County employees would carry out the program unless a county-sponsored prepaid health plan is offered, in which case the program would be carried out either by a specially trained state employee or by an independent contractor paid by the department The programs in various counties would be phased in over a period of one year and would be operational no later than December 31, 1981

The bill would provide for annual reports to the Legislature

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board

of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1045 (SB 1627) Keene. Resort improvement districts

Under existing law, resort improvement districts are empowered to engage in various specified activities, not including, however, the production, purchase, or sale of electrical power

This bill would authorize Resort Improvement District Number 1 in Humboldt County to produce, purchase, and sell electrical power within the boundaries of the district

Ch 1046 (AB 2202) Vicencia Seismic Safety Commission

The Seismic Safety Commission Act, which will self-repeal, effective January 1, 1986, establishes the Seismic Safety Commission, and confers upon it various powers and duties relating to earthquake hazard reduction. The California Emergency Services Act confers various related powers and duties upon the Governor, the Director and the Department of Emergency Services, and the California Emergency Council

This bill would amend the Seismic Safety Commission Act by changing the basic subject of the powers and duties of the commission to earthquake hazard mitigation and making certain corresponding changes in its powers and duties, including within commission responsibilities, scheduling on its agenda as required, a report on disaster mitigation issues from the Office of Emergency Services and defining, for such purposes, "disaster" as all natural hazards which could have an impact on public safety, and authorizing the commission to exercise various specified powers in relation to other disasters, as so defined, in connection with issues or items reported or discussed with the Office of Emergency Services at any commission meeting

This bill would also require the commission to initiate, as specified, a comprehensive program to prepare the state for responding to a major earthquake prediction, as specified

This bill would appropriate $750,000 for the purposes of this act

This act would take effect immediately as an urgency statute.

Ch 1047 (SB 1428) Presley Peace officer training standards penalty assessments

(1) Under existing law, the Commission on Peace Officer Standards and Training may establish and enforce minimum standards relating to peace officer members of, among other entities, districts For such purposes, the definition of "district" does not expressly include community college districts

This bill would add community college districts to that definition for those purposes

(2) Under law to become effective January 1, 1981, certain penalty assessments will be imposed on fines, penalties, and bail forfeitures for certain traffic offenses From January 1, 1981, until July 1, 1982, these penalty assessments will be deposited in the Assessment Fund in the State Treasury with penalty assessments for other offenses and then transferred to various funds each month Among such funds, the Driver Training Penalty Assessment Fund will receive an amount equal to 48 88% of the funds deposited in the Assessment Fund during the preceding month, the Peace Officers' Training Fund will receive 28 96%, and the Corrections Training Fund will receive 12 23% From July 1, 1982, until January 1, 1983, the Driver Training Penalty Assessment Fund will receive 61.11%, and the Peace Officers' Training Fund will receive 28 96% Moneys in these funds are continuously appropriated

This bill would revise the allocation of the penalty assessments from January 1, 1981, to December 31, 1981, by reducing the percentage allocation to the Driver Training Penalty Assessment Fund to 44 81% and by increasing the percentage allocation to the Peace Officers' Training Fund to 33 03% From January 1, 1982, to June 30, 1982, the percentage allocation to the Driver Training Penalty Assessment Fund would be

44.88%, the percentage allocation to the Corrections Training Fund would be 12.23%, and the percentage allocation to the Peace Officers' Training Fund would be 28.96% From June 30, 1982, to January 1, 1983, the percentage allocation to the Driver Training Penalty Assessment Fund would be 61.11%, the percentage allocation to the Peace Officers Training Fund would be 28.96%, and there would be no allocation to the Corrections Training Fund

The bill would make an appropriation by increasing the allocation to the Peace Officers' Training Fund

Ch 1048 (SB 1838) Marks Subdivisions conversions of apartment buildings to condominium, community apartment, or stock cooperative projects

(1) Existing law prohibits the legislative body of a city or county from approving a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project unless it finds both that each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given a specified 120 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion, and that each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given notice of a specified exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant

This bill would, additionally, require findings that

(a) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has received written notification of intent to convert at least 60 days prior to the filing of a tentative map for the project, that each tenant or person applying for rental in the project has been given 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that the report will be available on request

(b) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been, or will be, given notification within 10 days of approval of the final subdivision map for the proposed conversion.

(c) Each tenant and prospective tenant has received all applicable notices and right to which he or she is entitled

The bill would also lengthen the notice period of intention to convert prior to termination of tenancy due to a conversion, from 120 days to 180 days.

(2) Chapter 1192 of the Statutes of 1979 made the provisions of the Subdivision Map Act applicable to stock cooperative conversions in a specified manner Among other things, Chapter 1192 of the Statutes of 1979 required a stock cooperative conversion for which an application for a subdivision public report was not made to the Department of Real Estate, including payment of an appropriate fee, prior to July 1, 1979, subject to its provisions. However, Chapter 1192 of the Statutes of 1979 also prescribed that certain conversions regulated by local legislative action prior to January 1, 1980, would be subject to the local regulation rather than the provisions added to state law by Chapter 1192 of the Statutes of 1979

This bill would prescribe that if the application for a subdivision public report for a stock cooperative conversion in a general law city was made prior to September 30, 1979, and the general law city did not by legislative action regulate the conversion, as specified, prior to the application, that the provisions of Chapter 1192 of the Statutes of 1979, would not affect the conversion and that the Real Estate Commission would be required to issue the public report if certain conditions are satisfied, as specified

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school

districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1049 (SB 1521) Foran Insurers· investments.

Existing law regulates the investment of excess funds by insurers. Among other things excess funds may be invested in secured instruments evidencing an interest in transportation equipment of a common carrier in certain circumstances

This bill would permit excess funds of certain life insurers to be invested in certain obligations of any equipment trust, or in the purchase and ownership of machinery or equipment which is or will within 30 days after acquisition become subject to contracts for sale or use, as specified. Such investments could not exceed 5% of the insurer's admitted assets unless approved by the Insurance Commissioner, nor could any investment in a single piece of equipment or machinery exceed 1% of the insurer's admitted assets or 10% of the aggregate of the insurer's capital paid-up and unassigned surplus, whichever is larger.

Ch. 1050 (SB 1540) Rains. Highways and service easements vacation procedures.

(1) Existing law prescribes different procedures for the abandonment and vacation of public streets, highways, and easements

This bill would repeal such existing law and enact new vacation procedures for public streets, highways, and service easements. The bill would make related changes in other statutory provisions.

(2) Existing law requires that, prior to recommending to the Legislature the deletion of a highway, or a portion thereof, from the state highway system, the California Transportation Commission or the Department of Transportation hold a public hearing on, and give notices to cities and counties located in the affected area of, the proposed recommendation. The hearing is required to be held in the state highway district within which is located the major portion of the highway that is proposed to be deleted

This bill would delete the requirement that the hearing be held in the state highway district within which is located the major portion of the highway that is proposed to be deleted, and would authorize the commission or the department, at its own option, because of controversy or lack of local consensus, to hold the hearing at a location which is reasonably convenient to the communities affected by the proposed deletion, to the general public, and to the commission or the department in the discharge of its regular business.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1051 (SB 1564) Watson Prepaid rental listing services.

The courts have determined that existing statutory provisions and administrative regulations defining a real estate broker as including an advance rental fee agent, who furnishes rental information to prospective tenants whereby the prospective tenant pays a fee in advance of services whether or not a rental is obtained, are overly broad and violate the constitutional protection of commercial speech An existing statute requires any person who attempts to negotiate a rental or who furnishes rental information to a prospective tenant for a fee to give such prospective tenant a contract or receipt containing specified provisions

This bill would repeal such statutory provisions.

This bill would provide for the regulation of prepaid rental listing services, as defined, would require the licensing of any person rendering such services by the Department of Real Estate, would specify the licensing fees for an applicant's separate business locations, and would require that a business location be supervised by a licensee's designated agent, as defined, and would specify a minimum monetary amount for a bond to

be maintained in force for each separate business location by a licensee.

This bill would except real estate brokers from the application of various of the foregoing provisions, as specified.

This bill would require that a prospective tenant be given a written contract, for a period not to exceed 90 days, containing specified provisions for services to be provided, and would require that the advance fees be refunded to the prospective tenant under specified conditions, and that a bad faith refusal to refund shall subject a licensee to specified punitive damages and actual damages

This bill would make it a violation of the provisions governing prepaid rental listing services for a licensee or agent, knowingly or with reason to know, to do specified prohibited acts It would permit the Commissioner of Real Estate to suspend or revoke a license for a violation of such provisions or upon the conviction of a crime substantially related to the qualifications, functions, or duties of the licensee, and would permit a public prosecutor to enjoin any violation or threatened violation of such provisions It would also provide for substitute service of process upon nonresident licensees

This bill would also provide that the willful violation of provisions governing prepaid rental listing services by any person or corporate officer or employee shall constitute a misdemeanor

Existing law provides that all moneys in the Real Estate Fund are appropriated to the Real Estate Commissioner to carry out provisions regulating real estate

The fees provided in this bill would result in an increase in such fund which would be available for expenditure

This bill would take effect immediately as an urgency statute

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1052 (SB 1570) Keene Commercial passenger fishing boat license· revocation; boat registration certificate revocation, striped bass, midwater trawls, black abalone

(1) Under existing law, every person who, for profit, operates a vessel in public waters in connection with fishing operations, or who permits persons to fish therefrom, is required to file a boat registration statement with the Department of Fish and Game, and, upon payment of a specified fee, the department is required to issue a certificate of boat registration

This bill would, beginning on January 1, 1982, and ending on January 1, 1985, allow the revocation or suspension of a boat registration certificate by the Fish and Game Commission, for a period not to exceed 1 year, for the second conviction in 3 years of the registrant or his agent, servant, employee, or person acting under his direction or control, for the violation of specified provisions of law or regulations issued pursuant thereto relating to commercial or sport fishing

The bill would also indefinitely allow such revocation or suspension for the violation of provisions of law relating to the sale of fish caught from a commercial passenger fishing boat

(2) Existing law provides for the issuance of a commercial fishing license, valid for a 1-year period, upon payment of a specified fee

This bill would, beginning on January 1, 1982, and ending on January 1, 1985, allow the commission to revoke or suspend the commercial fishing license of the master of a vessel, for a period not to exceed 1 year, for the second conviction in 3 years of the master of a vessel or his agent, servant, employee, or person acting under his direction or control, for the violation of specified provisions of law or regulations issued pursuant thereto, relating to commercial or sport fishing The bill would also indefinitely allow such revocation or suspension for the violation of provisions of law relating to the sale of fish caught from a commercial passenger fishing boat

(3) Existing law requires the owner of any boat or vessel who, for profit, permits any person to fish therefrom to procure a commercial passenger fishing boat license

This bill would provide that, beginning on January 1, 1982, such licenses are subject to forfeiture, suspension, or revocation for a violation of the prohibition against the sale of fish taken in connection with sport fishing The bill would also make a technical change

(4) Under existing law, it is unlawful to offer a prize for the taking of any fish except for trout and specified black bass.

The bill would also except striped bass from such prohibition

(5) Existing law authorizes the use of midwater trawls pursuant to commission regulation.

The bill would specifically authorize the commission to set the minimum mesh size for such trawls, except that the commission would be prohibited from setting a minimum mesh size during the time that a groundfish management plan adopted by the Pacific Fishery Management Council is in effect.

(6) Under existing law, it is unlawful to use or possess any trawl net to which is attached any bag or cod-end or modification thereof, except as specified.

The bill would prohibit the use or possession of any trawl net which includes any bag or cod-end or modification thereof, except as specified.

(7) Under existing law, it is unlawful for the holder of a permit authorizing the commercial taking of abalone to possess or control more than 20 dozen black abalone at any time

The bill would allow such permit holder to possess or control more than 20 dozen black abalone being transported on land

Ch 1053 (SB 1703) Johnson Drainage district assessments

(1) Under existing law, districts organized pursuant to the Drainage District Act of 1885 may exercise specified powers to provide for the drainage of the lands of the district

This bill would authorize any such district to levy an assessment on each parcel of real property within the district, other than public agency lands, on the basis of estimated benefits sufficient to cover the costs not otherwise offset by other available revenue of providing drainage services within the district The bill would provide for such assessments to be levied and collected at the same time as county property taxes, and would provide for related matters

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch 1054 (SB 1445) Cusanovich State surplus property

Existing law authorizes the Director of General Services to let state owned personal and real property, under specified conditions

This bill would authorize the director to lease, at less than fair market rental, any state owned parcel to any public agency for use as nonprofit, self-help community vegetable gardens and related supporting activities, as specified. It would also authorize the Secretary of the State and Consumer Services Agency to develop programs for technical and financial assistance for such programs

Existing law authorizes the Director of General Services to execute grants to real property belonging to the state whenever such property is sold or exchanged

This bill would also authorize the director to execute deeds or other instruments as are necessary to correct erroneous descriptions on deeds by which the state acquired title

This bill would also authorize the Director of General Services, to sell, exchange, or lease, specified property pursuant to such terms and conditions as the director feels are

in the best interest of the state, as specified This bill would require public notice in the disposition of such property and, specify the money received shall be paid into the General Fund, except as otherwise noted

Ch 1055 (SB 1444) Holmdahl Petroleum supply. information reports

(1) Existing law provides for the State Energy Resources Conservation and Development Commission and specifies the powers and duties of the commission with respect to the energy resources in the state, including the construction of designated oil or gas pipelines and the preparation of emergency load curtailment and energy supply distribution plans by gas and electric public utilities

This bill would require certain designated information to be supplied to the commission regarding petroleum supplies by major oil producers, refiners, major marketers, major oil transporters, and major oil storers, as defined, or in lieu thereof, submit a report made to any other government agency as specified, and would require the commission to make certain reports and recommendations thereon to the Governor and the Legislature It would provide for civil penalties for refusal or delay in the submission of information to the commission The provisions of the bill would remain in effect only until January 1, 1985, unless a later enacted statute which is chaptered before January 1, 1985, deletes or extends such date

(2) Under existing law, the State Oil and Gas Supervisor is required to publish specified monthly oil and gas production statistics

This bill would require the supervisor to publish such statistics within 60 days of the end of each calendar month and include the amount of oil and gas produced by oil producers in those statistics

(3) The bill would appropriate $150,000 from the State Energy Resources Conservation and Development Special Account in the General Fund to the commission to carry out the provisions of this bill.

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(5) The bill would take effect immediately as an urgency statute

Ch 1056 (SB 1439) Dills Litter graffiti removal.

Existing law provides for grants and loans to be made by the State Solid Waste Management Board from the continuously appropriated State Litter Control, Recycling, and Resource Recovery Fund for, among other purposes, the cleanup of recreational land and public thoroughfares

This bill would permit such funds to be expended, upon approval of the board, for the cleanup and removal of aesthetic pollution by paint or other means

The bill would extend the purposes for which continuously appropriated funds may be expended and, thereby, makes an appropriation

Ch 1057 (SB 1421) Greene. Schools buildings leases

(1) Under existing law, the governing board of a school district is authorized to lease buildings and other facilities such as administrative offices, warehouses, athletic facilities, outdoor assembly facilities, auditoriums, quarters for adult education, transportation facilities and communication facilities, for a period not to exceed 12 years

This bill would authorize the governing board of a school district whose average daily attendance is 400,000 or more to lease such buildings and other facilities for a period not to exceed 16 years However, if such facilities are used for programs which are funded by other than state or local sources, the bill would authorize the lease of such facilities for the duration of the funding It would also permit the lease of certain health facilities

owned by the parent-teachers' association or other similar type organization for any amount of time

(2) Under current law, all "school buildings", as defined, leased for more than 3 years must be constructed or reconstructed in accordance with the structural standards of the so-called Field Act

This bill would permit the governing board of a school district to request and obtain from the State Allocation Board authority for use of any such building not meeting the prescribed structural standards for an additional 3 years upon presentation of satisfactory evidence to the State Allocation Board that the district is proceeding in a timely manner with a construction program that will eliminate the need for the leased facilities.

Ch 1058 (SB 1420) Greene Petroleum products

Existing law provides that a retail gasoline station owned or operated by a franchisee shall not be precluded from purchasing gasoline, diesel fuel, or gasohol from any available source if the franchisor is "unable or refuses to supply the franchisee with such products," as defined.

This bill would revise the definitions of "franchisee" and "franchisor" to reflect existing law as respects those persons' transactions with respect to gasohol and would make other conforming changes.

Ch 1059 (SB 1483) Craven State Department of Education school districts

(1) Under existing law, there is in the state government a Department of Education

This bill would change references to that department in the Education Code to the State Department of Education

(2) Existing law requires a school district to be identified as a district on its letterhead stationery and identification cards

This bill would permit a school district to be identified as "city schools" for such purposes

(3) Current law prescribes the method of computing revenue limits of, and state apportionments to, school districts

This bill would authorize the Coachella Valley Unified School District to establish a necessary small high school and would prescribe an adjustment to the revenue limit of that district for such purpose

(4) This bill would take effect immediately as an urgency statute

Ch 1060 (SB 544) Robbins Cats impoundment

(1) Existing law does not expressly provide a time limit for the retention of cats impounded by a public pound, society for the prevention of cruelty to animals shelter, or humane shelter prior to killing such cats.

This bill would prohibit the killing of impounded stray cats before 72 hours have elapsed from the time of their being captured for impoundment, except as specified

(2) Existing law provides that the violation of specified provisions of law relating to the regulation of cats shall not be punishable as a crime.

This bill would repeal such provision

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1061 (SB 410) Roberti Mentally and developmentally disabled patients' records and information confidentiality

(1) Under existing statutes, all information and records obtained in the course of providing mental health services under the Lanterman-Petris-Short Act or the Short-Doyle Act, in the course of providing services under the Lanterman Developmental Disabilities Services Act, or pursuant to the statutes relating to admissions and judicial commitments to mental institutions, with specified exceptions, are confidential. One of

such exceptions is their release to governmental law enforcement agencies as needed for the protection of federal and state elective constitutional officers and their families

This bill would in addition permit disclosure of information and records of a state medical facility to governmental law enforcement agencies investigating evidence of a crime where the records relate to a patient confined as a mentally disordered law offender in accordance with the prior written consent of the patient or if authorized upon good cause, as assessed by the court in a prescribed manner The bill would also authorize such law enforcement agencies to petition the court for an extraordinary order under certain circumstances, requiring the records to be produced forthwith

The bill would prohibit records obtained by a law enforcement agency pursuant to the bill's provisions from being disseminated to any other agency or person, except in a specified circumstance, and would make willful dissemination in violation of such prohibition a misdemeanor

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(3) The changes which this bill would make in the law would be effective only until January 1, 1983, and as of such date would be repealed unless a later enacted statute which is chaptered before January 1, 1983, deletes or extends that date.

(4) The bill would take effect immediately as an urgency statute

Ch. 1062 (SB 1184) Garamendi Radiation: nuclear powerplants. monitoring devices automated alert system.

(1) Existing law requires any person who operates a nuclear reactor, nuclear fuel reprocessing plant, or similar installations which could significantly contaminate the environment with radioactive material to institute and maintain a program of radiological monitoring which has been reviewed and accepted by the State Department of Health Services.

This bill would require each privately-owned and publicly-owned public utility operating a nuclear powerplant of 50 megawatts or more to establish a system of offsite radiation monitoring devices as specified by the Nuclear Regulatory Commission pursuant to Regulatory Guide 1 97 or related standards. The utility would be required to consult with the State Department of Health Services and the appropriate county emergency services agency prior to submitting a plan on the devices to the Nuclear Regulatory Commission However, a plant operator would not be required to spend more than $1,000,000 in capital outlay for a nuclear powerplant site to meet the requirements of this bill In addition, failure to comply with requirements of the department will not constitute a basis to enjoin or prevent the operation or start-up of a nuclear facility in a legal action or an administrative proceeding The information from the radiation monitoring devices displayed at the nuclear powerplant would be required to be simultaneously transmitted to the Office of Emergency Services State Warning Center

The bill would declare that nothing in such provisions would require powerplant modifications or operations which may be in conflict with the Nuclear Regulatory Commission or the Environmental Protection Agency requirements.

(2) Existing state law does not require operators of nuclear powerplants to follow specified criteria for notifying local and state authorities of situations dangerous to the public health and safety

This bill would require each privately-owned and publicly-owned public utility operating a nuclear powerplant of 50 megawatts or more to install an automated alert system which would activate alarms in the California State Warning Center of the Office of Emergency Services in a manner to be determined by the office in consultation with the State Department of Health Services and the appropriate county emergency services agency and which would duplicate designated alarms in the control rooms of each nuclear powerplant. Such system would be required to be operative within 12 months

of the effective date of the bill. It would specify that in no event shall the capital costs of complying with such provisions exceed $200,000 per nuclear powerplant and would provide for inclusion of any such expenditure in the utilities' rates. It would require such alert system to activate when specified situations occur and to be operational whenever the corresponding alarms in the control rooms of the nuclear powerplant are required to be operational under the operating license issued by the Nuclear Regulatory Commission, except for periods required for maintenance, repair, calibration, or testing It would provide that failure to comply with any provision of the bill shall not constitute the basis for an action in a court of law or administrative proceeding to enjoin or prevent the operation or start-up of a nuclear facility

(3) Existing law requires local nuclear powerplant emergency response plans for each of the 4 nuclear powerplants in California with a generating capacity of 50 megawatts or more to be updated after a study by the Office of Emergency Services on the consequences of a serious nuclear powerplant accident.

This bill would provide that the local plan for the Humboldt Bay Nuclear Generating Station would not be required to be updated until the Nuclear Regulatory Commission determines that the powerplant meets seismic safety criteria of the commission or until the commission issues an order rescinding restrictions imposed on the powerplant by its 1976 order If either event occurs, a draft county emergency plan would be required to be submitted to the Office of Emergency Services within 180 days and the office would be required to approve a final plan within 90 days after submission

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

(5) The bill would take effect immediately as an urgency statute.

Ch 1063 (SB 1048) Alquist Public Utilities Commission warehousemen

Existing law provides for the regulation of the operations of warehousemen by the Public Utilities Commission pursuant to the Public Utilities Act

This bill would delete these provisions, thereby removing warehousemen from such regulations.

The bill would incorporate additional changes in Section 216 of the Public Utilities Code proposed by SB 1305 and AB 3057, to be operative only if this bill and SB 1305, this bill and AB 3057, or all 3 bills, are chaptered and this bill is chaptered last.

Ch. 1064 (SB 1511) Marks. Physically handicapped persons· building standards commission

Existing law provides for a State Building Standards Commission of 11 members, 10 of whom are appointed by the Governor from specified design professions, the building and construction industry, local government building officials, fire and safety officials, labor and the general public

This bill would require at least one of such public members to additionally be a physically handicapped person, as defined It would also require on or after January 1, 1982, that one member of the commission be knowledgeable in barrier free architecture and aware of, and sensitive to, the requirements necessary to ensure public buildings are accessible to, and usable by, the physically handicapped.

This bill would also make a technical correction

Ch 1065 (SB 1722) Craven Subdivisions conversion of mobilehome parks

(1) There are currently no requirements that a subdivider file a report with the local jurisdiction, indicating the impact upon displaced tenants of a proposed conversion of residential real property to another use

This bill would require, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a mobilehome park to another use, that the

subdivider also file a report on the impact of the conversion upon the displaced residents of the mobilehome park to be converted. The bill would further require that, in determining the impact of the conversion on displaced mobilehome park residents, the report address the availability of adequate replacement space in mobilehome parks The subdivider would be required to make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the hearing on the map by the local advisory agency or, if there is no advisory agency, by the legislative body of the city, county, or city and county

The legislative body, or an advisory agency which is authorized by local ordinance to approve, conditionally approve, or disapprove the map, would have the authority to require the subdivider to take steps, as specified, to mitigate any adverse impact of the conversion on the ability of displaced mobilehome park residents to find adequate space in a mobilehome park

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 1066 (SB 1721) Mills State housing policy and state transportation policy

(1) Under existing law, the Department of Housing and Community Development, in conjunction with the Department of Transportation, is authorized to investigate and report upon the consistency between state, local, and federal housing plans and programs, and state, local, and federal transportation plans and programs.

This bill would add this authorization to the list of powers and duties of the Department of Transportation It would also require the Secretary of the Business and Transportation Agency to resolve significant policy conflicts among programs which impede implementation of state housing or transportation policy.

(2) Under existing law, the Century Freeway Housing Program is required to be established by the Department of Housing and Community Development to replace housing units removed from the corridor of Interstate Route 105 in accordance with, and conditioned upon, a specified final consent decree issued by the United States District Court for the Southern District of California

This bill would require that the department in the planning and implementation of the Century Freeway Housing Program, consistent with the final consent decree, give adequate consideration in the location of replacement housing units to those locations within existing transportation corridors. It would also require that the Department of Housing and Community Development give preference to locations for such program which will provide residents with convenient access to established transit service, as specified

(3) A rental housing construction program, administered by the Department of Housing and Community Development, is currently established to facilitate the construction of low-cost rental housing under specified conditions, through allocation of funds from the continuously appropriated Rental Housing Construction Incentive Fund

This bill would require the department to give priority under such program to rental housing developments which are located in existing public transit corridors.

(4) It would also incorporate amendments to Section 50737 of the Health and Safety Code as amended by Assembly Bill 2153 of the 1979–80 Regular Session if that bill is enacted.

Ch 1067 (SB 1720) Mills Mass transit guideways payment of funds.

Under existing law, Article XIX funds allocated to local entities and transit development boards for exclusive public mass transit guideway construction purposes are required to be retained in the State Highway Account in the State Transportation Fund

until such time as the funds are needed for expenditure by the local entities and transit development boards

This bill would require the funds to be retained in the State Highway Account or a local revolving fund for the funds, until the funds are needed for expenditure by the local entities and transit development boards The bill would require transfers to be made from the State Highway Account to the local revolving fund in amounts not to exceed the estimated quarterly needs of the local revolving fund Interest earned by the local agency on funds in the local revolving fund would be required to be deposited therein and used for the same purposes as the transfers

Ch. 1068 (SB 1771) Holmdahl. Sales and use tax: lessors.

Existing provisions of the California Sales and Use Tax Law require a lessor to pay both sales and use tax on tangible personal property purchased from a bankrupt or insolvent vendor who fails to remit the sales tax to the state

This bill would exempt the lessor from such double payment

This bill would incorporate additional changes in Section 6010 of the Revenue and Taxation Code made by SB 1422 (Ch 285, Stats 1980)

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

The bill would take effect immediately as an urgency statute

Ch. 1069 (SB 1818) Sieroty. Less lethal weapons.

Existing law contains no provisions specifically regulating the use of certain types of less than lethal weapons by peace officers.

This bill would permit peace officers, as defined, and if authorized by his or her employing agency, to purchase, possess, and transport "less lethal weapons" and "ammunition", as defined, for official use in the discharge of duties.

Ch. 1070 (SB 1820) Mills. Motorized bicycles: identification

(1) Under existing law, motorized bicycles are exempt from registration but are subject to any applicable bicycle licensing ordinance or resolution adopted by a city or county.

This bill would instead require that every motorized bicycle first sold on or after July 1, 1981, be issued and display a license plate and that the owner carry an identification card issued by the Department of Motor Vehicles in order to be lawfully moved or operated on a highway. The bill would require motorized bicycles first sold before July 1, 1981, to be licensed after January 1, 1982, and would permit those otherwise currently licensed on July 1, 1981, to be operated until July 1, 1982. The bill would provide for transfer of identification, but not renewal of identification. The operator of a motorized bicycle would be permitted to operate it for 5 days from the date of the retail sale before being required to apply for a license plate.

The bill would also make specified provisions regarding application for original identification, destroyed motorized bicycles and plates, special plates for manufacturers or dealers, and the imposition of a $5 fee for the plate.

The bill would require that identification plates issued for a motorized bicycle contain appropriate distinguishing words, letters, or symbols The bill would also require the department to establish a record system to identify stolen motorized bicycles

The bill would provide that dealers, manufacturers, salesmen, or representatives of motorized bicycles exclusively are not required to be licensed as vehicle dealers, manufacturers, vehicle salesmen, or representatives

The bill would also appropriate $29,560 from the Motor Vehicle Account in the State

Transportation Fund to the department to implement the bill.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made for the above purpose and no reimbursement is required by this act for a specified reason

Ch. 1071 (SB 781) Rains. Child abuse.

Existing law requires certain medical, public, and professional personnel to report suspected incidents of child abuse to designated local agencies Such reports are, in turn, ultimately forwarded to the Department of Justice. A violation of such reporting requirements is a misdemeanor.

This bill would generally recast such provisions It would specify those persons authorized or required to make reports of suspected child abuse It would make clear that "child abuse" includes a sexual assault, the neglect of a child, and abuse in out-of-home care, as those terms are defined The bill would require a reasonable suspicion of child abuse before a report could be made except in cases of criminal offenses constituting sexual assault. It would provide that in instances where 2 or more persons are present who are required to report cases of child abuse, selection of the person to make the report may be by mutual agreement. It would also authorize designated health professionals treating a suspected case of child abuse to take full skeletal X-rays of a child suspected to have been abused for the purposes of diagnosing the case as one of possible child abuse and determining the extent of such abuse without the consent of the child's parent or guardian. The bill would provide that it is the intent of the Legislature that the county welfare or probation department be encouraged to perform an assessment of the family or household of each child named in a child abuse report.

Existing law requires the Department of Justice, when it receives reports of possible child abuse, to furnish information pertinent to such reports to designated local agencies.

This bill would also require the department to furnish such information to the reporting medical practitioner, child custodian, or guardian ad litem, if he or she is treating or investigating a case of suspected child abuse.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1072 (SB 1750) Johnson. County public health services.

Under present law, counties with a population under 40,000 may contract with the State Department of Health Services to have the department, either directly or wholly or partially through contract with other agencies, conduct a local public health service in such county Present law also provides for state subvention of county health services, as prescribed, from the County Health Service Fund, which is appropriated to the State Department of Health Services for such purpose without regard to fiscal years

This bill would authorize a county in which the public health service is conducted during the fiscal year 1979–80 under a contract with the department, as described above, to elect to instead receive the dollar value of such services or funding, or both, provided by the state, computed as specified in the bill, in the form of an annual state subvention from the County Health Service Fund The bill would require such a county to expend $1 of county funds for every $3 of state funds so received, to provide public health services As the bill would authorize expenditures of moneys in the County Health Service Fund in a manner different from current law, the bill would constitute an appropriation measure

This bill would take effect immediately as an urgency statute.

Ch. 1073 (SB 1766) Garamendi. Medi-Cal. contract hearings

(1) Existing law requires the State Department of Health Services to conduct a public hearing within 30 days prior to the execution of an initial prepaid health plan contract and within 120 days prior to the renewal of such contract. A hearing is also required to be held if a contract is amended to make certain changes as specified The director is given authority to amend a prepaid health plan contract under other circumstances

This bill would require that if such a contract is to be amended, renewed or executed, public notice would have to be given 30 days prior to taking such action

The bill would further provide that interested persons may request that a public hearing be held on the decision to amend, renew or execute such a contract, and that if such a request is deemed reasonable by the State Director of Health Services, a public hearing would be held prior to the taking of such action.

(2) Existing law sets forth the special circumstances under which the director must terminate a contract and the procedure to be followed to accomplish the termination, including a public hearing to be held by the Office of Administrative Hearings at the request of the prepaid health plan. Existing law also sets forth actions which may be taken against the contractor by the director in lieu of terminating the contract, and requires that reasonable notice of the director's intention to apply any of the actions be given.

This bill would provide that actions to be applied in lieu of contract termination be referred to as sanctions and would further require that proceedings to terminate a contract or impose sanctions be governed by specified provisions. This bill would also provide that the department must renew a contract unless good cause is shown for nonrenewal.

(3) Under existing law, prepaid health plans are required to furnish the State Department of Health Services with statistical information to enable the department to set rates of payment and to provide reports to the Legislature

This bill would delete the requirement that the plans furnish such statistical information to the department for inclusion in the reports to the Legislature

Ch. 1074 (SB 1746) Mills. Government buildings passive solar design

(1) Under existing law, the State Energy Resources Conservation and Development Commission is not required to develop passive solar system design standards for governmental agency buildings.

This bill would enact such a requirement and would, in addition, specify the factors the commission would be required to consider in adopting such design standards

The bill would require the standards to be submitted to the Legislature at least 60 days prior to becoming effective

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1075 (SB 1739) Presley Medi-Cal nonemergency medical transportation services. local standards.

(1) Existing law includes medical transportation services in the schedule of benefits for the California Medical Assistance Program (Medi-Cal)

This bill would provide that, in order for medical transport services to be covered, patients requiring specific services during transport or transfer between acute care facilities shall be transported by ambulance

(2) Existing law provides that medical transportation vehicles are not subject to licensure by the Public Utilities Commission Existing law further provides that cities or counties are prohibited from establishing equipment and personnel standards for fur-

nishing nonemergency medical transportation services for eligible Medi-Cal beneficiaries which conflict with Medi-Cal reimbursement, equipment and personnel standards established by the State Department of Health Services. Such prohibition remains in effect until January 1, 1981

This bill would extend such prohibition indefinitely and would prohibit adoption of standards by cities and counties which would conflict with item (1) above.

Ch. 1076 (SB 1727) Marks. Surplus public property: disposition

Various existing statutes make varying provisions regarding the disposition by the state of: (a) surplus state land, (b) surplus state land which is suitable for providing housing for persons and families of low or moderate income, (c) surplus state land capable of use for low or moderate income housing, and (d) surplus state-owned residential property, to various entities, at variously described sales prices.

This bill would specifically provide that land may be transferred pursuant to item (b) above (which provides for sales prices at less than fair market value) notwithstanding any provision to the contrary in item (c) above (which provides for sales prices at fair market value) or in any other statute.

An existing statute: (a) authorizes any local agency, as defined, to lease, sell or otherwise transfer its surplus real property to any housing corporation, limited dividend corporation, or nonprofit public benefit corporation under such terms and conditions as the local agency deems best suited for the development as housing for persons of low or moderate income and (b) is expressly subject to the statutes requiring specified local agencies and the state, in disposing of surplus land capable of park or recreation development or of use for low or moderate income housing, to notify certain local and state agencies of such intent to dispose and to offer such surplus land in a specified manner to such agencies for park or recreational purposes or for open-space purposes or low or moderate income housing purposes at fair market value prior to such disposal.

This bill would, instead, provide that the authorization in such statute is notwithstanding, rather than subject to, such other statutes described in (b) above; and would require that the deed or other conveyance contain a recital that the grantor local entity has made the required findings which would be conclusive in favor of purchasers or encumbrancers for value

Ch. 1077 (SB 1324) Campbell Sales and use taxes gasohol.

Existing California Sales and Use Tax Law imposes a sales or use tax on the sale or use of tangible personal property in this state, unless such sale or use is exempted from such tax The sale or use of gasohol or methanol is not exempted from sales or use taxes.

This bill would provide a limited exemption from sales and use taxes, until January 1, 1984, on the sales or use of gasohol, as defined, under specified circumstances.

The bill would transfer the revenues lost as a result of this act to the General Fund from the Energy and Resources Fund, if created, and if that fund is not created, from tidelands revenues prior to COFPHE allocations pursuant to Section 6217 of the Public Resources Code

This bill would require the Legislative Analyst to report to the Legislature on January 1, 1984, on the impact of the exemption.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would appropriate $1,000,000 to the Controller to make the reimbursements to counties and cities specified in Section 2230.

This bill would take effect immediately as a tax levy but its operative date would depend on its effective date

Ch 1078 (SB 1825) Vuich Public utilities bonds and receiverships.

Under existing law, the Public Utilities Commission has jurisdiction and control over public utilities, including water and sewer system corporations, which operate pursuant to the provisions of a certificate of public convenience and necessity issued by the

commission.

This bill would authorize the commission to petition the superior court for the appointment of a receiver to assume possession and operating control over the property of a water or sewer system corporation whenever the commission determines, after notice and hearing, that the corporation is unable or unwilling to adequately serve its ratepayers, has been abandoned by its owners, or is unresponsive to the rules or orders of the commission It would also permit the commission, after notice and hearing, to condition the granting of authority for the construction, operation, acquisition, expansion, or improvement of the water or sewer system of any corporation having annual gross operating revenues under $200,000 on the filing of a performance bond in an amount not exceeding $50,000. It would also specify that the bond shall be liable for the payment of specified penalties which the commission is authorized to assess It would also permit the commission to reduce or eliminate the requirement for any such bond, for good cause.

Ch. 1079 (SB 1915) Stiern. Air pollution. San Bernardino County Air Pollution Control District.

(1) Existing air pollution laws restrict burning at solid waste disposal sites. The State Air Resources Board is required to permit a city or county to use open outdoor fires for a limited time in the operation of a solid waste dump if it makes a finding that, because of the sparse population and economic and technical difficulties, the solid waste dump should be so operated

This bill would authorize an existing solid waste disposal site, in the upper desert area in the San Bernardino County Air Pollution Control District, which receives less than 50 tons of solid waste for disposal per day to dispose of Group 2 solid waste, as defined, by means of an air curtain destructor for a 6-month period from the effective date of this act. The bill would require the district and the state board to monitor the air curtain destructor The bill would require the state board, in cooperation with San Bernardino County, to establish a list of toxic materials to be removed from the solid waste prior to use of the air curtain destructor. The district would be required to report on the extent the air curtain destructor meets emission rules, regulations, and orders The bill would authorize the continued use of the air curtain destructor if the state board makes a finding that the public health and safety will not be adversely affected.

(2) The bill would make findings and declarations that a special law is necessary.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(4) This bill would take effect immediately as an urgency statute.

Ch. 1080 (SB 1975) Keene Search warrants medical records

Existing law generally provides that patient medical information is confidential and shall not be disclosed with specified exceptions One exception is any governmental agency seeking or acquiring medical records as part of the investigation or prosecution of a violation of law

This bill would specify the circumstances and procedures for the disclosure of medical records, which are not privileged records, by health care facilities, as defined, to law enforcement agencies, as defined

Ch. 1081 (SB 1260) Sieroty Property taxes· notice of assessment reduction

Under existing law, a property tax assessee may not, without being subject to penalties, defer payment of property taxes beyond the delinquent date on the basis that the taxes may be reduced due to the enactment of legislation implementing Article XIII A of the

California Constitution

This bill would authorize the county assessor in counties of over 4,000,000 population, upon concurrence of the tax collector, to notify an assessee of the possibility of a reduction in the assessment due to the enactment of Chapter 242 of the Statutes of 1979 and would authorize the assessee to defer payment of taxes based on such assessment for a specified period. Such provision would be repealed on June 30, 1982, unless a later enacted statute deletes or extends such date

Under existing property tax law, property which is owned by a disabled veteran or an unmarried surviving spouse of a disabled veteran, as his or her principal place of residence, is exempt from taxation on that part of assessed valuation of the residence which does not exceed $10,000. In addition, the allowable exemption is increased to $15,000 for otherwise eligible persons whose incomes do not exceed specified amounts. If a claimant for the $15,000 exemption fails to file the claim for exemption by April 15 but files such claim on or before December 1, in conjunction with a timely filed claim for the $10,000 exemption, the exemption shall be the lesser of $14,000 or 80% of the assessed value of the dwelling. Commencing January 1, 1981, when assessed valuation will be based on 100% of value rather than 25% of value, the exemption for late-filed claims for the higher exemption when filed in conjunction with a timely filed claim shall receive the lesser of $56,000 or 80% of the full value of the dwelling.

This bill would provide that late filing claimants for the $15,000 exemption who file in conjunction with a timely filed claim for the $10,000 exemption, the exemption shall be the lesser of $14,000 or $10,000 plus 80% of the assessed value of the dwelling over $10,000. Commencing January 1, 1981, when assessed valuation will be based on 100% of value rather than 25% of value, the exemption for late-filed claims for the higher exemption when filed in conjunction with a timely filed claim for the lower exemption shall receive the lesser of $56,000 or $40,000 plus 80% of the full value of the dwelling over $40,000.

Existing law provides, with respect to assessment protests, that the clerk mail to the protesting party and to either the county board of equalization or the assessment appeals board, the hearing officer's report and recommendation on the assessment protest. The protesting party is informed that the county board is not bound by such recommendation.

This bill would require such notice to state that the county board is bound by the recommendation of the assessment hearing officer.

This bill would further make various changes and clarification with respect to specified provisions of property tax law.

The bill would make further changes to Sections 62 and 480 of the Revenue and Taxation Code to become operative only if AB 2777 is chaptered, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch. 1082 (SB 1872) Maddy. Long-term health care facilities.

The Long-Term Care, Health, Safety, and Security Act of 1973 provides for the issuance of citations by the State Department of Health Services and the assessment of civil penalties for violations of statutes or regulations pertaining to the operation or maintenance of defined long-term health care facilities.

This bill would substantially revise such act to make the following principal changes:

(a) Change the definition of class "A" violations.

(b) Revise specified time limitations and procedures for citation of violations and contests thereof

(c) Preclude issuance of more than one citation for each violation arising from a single incident, event, or occurrence if no harm to patients or guests has occurred

(d) Require the names of patients allegedly jeopardized by an alleged violation to be disclosed to the licensee, but not made a public record, as specified.

(e) Revise provisions respecting trebling of the amount of civil penalties assessed under the act

(f) Require the public record of dismissed citations to prominently reflect dismissal

Ch. 1083 (SB 1856) Greene. Industrial Welfare Commission

(1) Existing law authorizes the Industrial Welfare Commission to adopt regulations governing minimum wages, maximum hours of work, and standard conditions of labor for employees after receiving a report and recommendations from a wage board selected by the commission.

This bill would make wage board recommendations binding on the commission when supported by ⅔ of the wage board membership, unless there is no substantial evidence to support the recommendations

The bill would make various changes in procedures governing investigation, wage boards, hearings, notice, effective dates, appeals and revisions with respect to such regulations

(2) Existing law permits the Chief of the Division of Labor Standards Enforcement to exempt temporarily any employer or employees from any mandatory day or days off requirement contained in any order of the Industrial Welfare Commission when hardship will result. Such authority remains in effect only until January 1, 1981

This bill would extend such authority until January 1, 1984

(3) Existing law establishes the Industrial Welfare Commission within the Division of Labor Standards Enforcement which is within the Department of Industrial Relations, and requires the division to loan personnel to the commission to carry out its functions.

This bill would remove the commission from the division and place it in the department and would authorize the commission to appoint its own staff.

(4) Existing law establishes per diem compensation of $25 for each Industrial Welfare Commission member and $15 for each wage board member

This bill would increase such per diem amounts to $100 and $50, respectively

(5) This bill would require the Chief of the Division of Labor Standards Enforcement to make available to the public upon request any enforcement policy statements or interpretations of orders of the Industrial Welfare Commission, and to furnish the commission with copies of such policy statements.

(6) This bill would require the commission to give priority to petitions filed within 60 days of the effective date of this bill requesting revision of an order to permit exemptions from hours or days of work provisions, and to report to the Legislature by December 31, 1981, any action taken as a result of such petitions, and the basis for such action

Ch 1084 (SB 1305) Alquist. Electricity transmission. energy producers facility interconnection

Under the existing law, the Public Utilities Commission is required, upon an application by a private energy producer, to direct an electrical corporation to interconnect its facilities with the power source of such producer for the purpose of transmitting electricity if it makes various designated findings, including the finding that the facilities proposed in the application will be used to transmit power from other than a conventional power source, as defined, for the generating of electrical power.

This bill would exclude hydropower facilities of 30 megawatts or less and any power where cogeneration technology is employed in the production of such power from the definition of "conventional power source". It would also provide that producing of power from other than a conventional power source would not make the operator a public utility subject to the jurisdiction and regulation of the Public Utilities Commission

This bill would make additional changes in Section 216 of the Public Utilities Code, proposed by SB 1048, to be operative only if this bill and SB 1048 are both chaptered and this bill is chaptered after SB 1048

Ch. 1085 (SB 1661) Presley Air pollution South Coast Air Quality Management District.

(1) Under the Lewis Air Quality Management Act, the South Coast Air Quality Management District is created in those portions of Los Angeles, Orange, Riverside, and San Bernardino Counties included within the area of the South Coast Air Basin Ventura County, and that portion of Santa Barbara County included within the air basin, may be included within the district upon the approval by the district board of a request by the appropriate board of supervisors.

This bill would provide for inclusion of all or part of Santa Barbara County or Ventura County within the district by resolution of the district board upon receipt by the district

board of a resolution from the appropriate board of supervisors requesting inclusion

(2) Under the act, the board of supervisors of a county partly included within the district is authorized to contract with the district to, and the district is authorized to, perform air pollution control functions in that area of the county not included within the district

This bill would authorize the board of supervisors of a county partly included within the district to request to contract with the district to perform such function and for the district board by resolution to accept such functions.

(3) Under the act, the district board consists of 10 members, one of whom is appointed by the Governor with the advice and consent of the Senate, for a term of five years. The member is required to be a resident of Los Angeles County.

This bill would delete the specified term and would require the member to be a resident of the district

(4) Under the act, members of the district board receive compensation of $50 per day, up to $500 per month, for attending meetings or official business of the district board

This bill would increase such compensation to $100 per day but would not increase the monthly maximum.

(5) Under the act, there is no specific authorization for a district advisory council

This bill would continue in existence the South Coast Air Quality Management District Advisory Council, which is appointed by the district board. The membership and rules of the advisory council would be established by the district board

(6) Under the act, a procedure is provided by which any aggrieved person may petition the State Air Resources Board to review the action, or failure to act, by the district board and to stay any decision or order of the district board

The bill would delete such a procedure

(7) Under the act, the district board is required to adopt a plan to achieve and maintain the state ambient air quality standards for the district. Various deadlines for compliance with state standards are established and provision is made for formal review and submission of the plan to the state board

This bill would revise the procedures for the adoption and revision of the plan to achieve and maintain state and federal ambient air quality standards The Southern California Association of Governments would have responsibility for preparing and approving portions of the plan relating to regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies

(8) Under the act, the district is authorized to contract with any county included, in whole or in part, within the district to perform air pollution control functions for the district and such a county is authorized to perform such functions pursuant to the contract

This bill would expand such authorization to any city included, in whole or in part, within the district

(9) Under existing law, the state board is responsible for preparing the state implementation plan

This bill would limit the portion of the state implementation plan applicable to the South Coast Air Basin to include only those provisions necessary to meet the Clean Air Act requirements The bill would authorize the state board, after a public hearing, to amend the district plan if it does not meet all the Clean Air Act requirements or does not include a deadline for the attainment of the state ambient air quality standards

(10) This bill would revise statements of legislative findings and declarations with respect to the South Coast Air Basin and air pollution

(11) The bill would delete obsolete provisions of the act

(12) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1086 (SB 1586) Keene. Health. legend drugs.

(1) Existing law does not require legend drugs having solid dosage forms to be imprinted by an identifying mark on each capsule or tablet

This bill would so require in a specified manner. It would define the terms "code imprint," "legend drug," "solid dosage forms," and "distributor" for purposes of its provisions. It would authorize the State Department of Health Services to grant exemptions to these imprinting requirements under specified circumstances It would make a legend drug not imprinted in accordance with its provisions misbranded It would make its provisions applicable to all legend drugs sold in California on or after January 1, 1983.

It would require the department to provide certain information to poison control centers relative to legend drugs. It would require manufacturers or distributors of legend drugs to provide specified information to the department on or before July 1, 1982.

It would limit the liability of a pharmacist, pharmacy, or licensed wholesaler for violation of its provisions, as specified.

It would require the department to submit a report to the Legislature relative to the effectiveness and expansion of the program

It would exempt certain drugs from its provisions.

Under existing law, a manufacturer or distributor failing to meet the bill's requirements would be guilty of a misdemeanor. Under existing law, the legend drugs misbranded pursuant to the bill would be subject to seizure and embargo by the State Department of Health Services, and other remedies including injunction could be applied against the manufacturer or distributor.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1087 (SB 1581) Sieroty. California Coastal Commission: regional coastal commissions: local coastal programs development permits.

The existing law provides for the establishment of the California Coastal Commission and 6 regional coastal commissions, with prescribed memberships, to administer the California Coastal Act of 1976, which provides for the planning of, and regulation of development within, the coastal zone, as defined It provides for the termination of the regional commissions under designated conditions and on a specified date. It requires any person who is to perform or undertake any development to obtain a coastal development permit authorizing such a development which must be in conformity with the designated coastal resources planning and management policies The act requires each local government lying within the coastal zone to prepare a local coastal program, in compliance with such policies, for that portion of the coastal zone within its jurisdiction, and provides for the approval and certification of any such program by the regional commissions and the commission

This bill would, generally, do the following:

(1) Define "cumulatively" and "cumulative effect" for the purposes of the act, dealing with the review of any project under the act with the effects of past, current, and future projects

(2) Limit the authority of the commission or regional commissions, as prescribed, in carrying out the coastal resources planning and management policy provisions with respect to visitor and recreational facilities and housing opportunities within the coastal zone.

(3) Provide for the order of appointment of members from local governments to the commission to replace members of regional commissions on the commission, when any two or more regional commissions terminate simultaneously

(4) Provide with prescribed exceptions, that a majority vote of the total appointed membership of the commission or of the regional commission shall be required to take any action required or permitted under the act on a local coastal program or any portion

of a local coastal program, or any amendment to a local coastal program, or to adopt or amend its rules or regulations, instead of requiring that any action of the commission or a regional commission to certify a local coastal program, or any amendment thereto, or to adopt or amend its rules or regulations be by a majority vote of the total appointed membership of the commission or a regional commission

(5) Modify the provisions providing for reimbursement of costs to local governments for enforcement of regulatory requirements that are directly related to local coastal program implementation

(6) Delete the minimum period after a land use plan has been submitted to the commission or appealed to it after which it may determine whether such plan raises a substantial issue as to conformity with the coastal resources planning and management policy provisions

(7) Shorten the period, from 120 to 60 days, within which the commission is required to designate, under prescribed provisions, areas where single-family residences may be developed on vacant lots meeting specified criteria without obtaining coastal development permits after which any local government may issue a certificate of exemption without such designation by the commission

(8) Make various conforming changes in related provisions

(9) Provide that the bill would take effect immediately as an urgency statute.

Ch 1088 (SB 1860) Rodda. Public Employment Relations Board.

Existing law provides that the Public Employment Relations Board consists of 3 members.

This bill would instead provide that the board consists of 5 members

Existing law permits the board to delegate its powers to any member of the board or to any person appointed by the board for the performance of its functions

This bill would, in addition, permit the board to delegate its powers to any group of 3 or more board members, and would specify that nothing shall preclude any board member from participating in any case pending before the board

Existing law requires the chairperson of the board to appoint an executive director, who is subject to removal at the pleasure of the chairperson

This bill would instead require the board to appoint the executive director, who would be subject to removal at the pleasure of the board.

Ch 1089 (SB 1841) Greene Drug abuse programs

(1) Under existing law, there is established a State Department of Alcohol and Drug Programs with various powers and duties with regard to narcotic and drug abuse prevention, care, treatment, and rehabilitation services, exercised through a Division of Drug Programs Procedures are established for the coordination of such state functions with the planning, administration, and funding of county drug abuse programs

This bill would make various changes in this state and local system for establishment of drug abuse programs, to do generally the following

(a) Establish in state government a State Advisory Board on Drug Programs, consisting of 15 members, as specified, with various powers and duties, including advising the Director of Alcohol and Drug Programs on major policy issues and administrative matters, and submitting an annual report to the department and the Legislature regarding its recommendations on the department's role in alleviating drug problems

(b) Authorize a majority of the county drug program administrators to form an association for the purposes of representing the counties in their relationship with the state on drug abuse services with respect to policies, standards, and administration

(c) In lieu of the existing requirement of a county drug program coordinator, require each county to designate either a full-time or part-time drug program administrator, who is a qualified professional, and determine the administrative level, responsibility, and authority of the position

(d) Delete existing provisions regarding establishment in each county of a technical advisory committee on narcotics and drug abuse and require each county to establish an advisory board on drug programs, with specified membership and powers and duties with regard to planning and consultation on the county drug abuse plan

(e) Revise the county program budget process, to, among other things, institute procedures for submission of revised county budgets to the department, and to further

specify claim procedures

(f) Make related technical changes.

(2) Under existing law, the State Department of Alcohol and Drug Programs has general authority to administer statewide policy with regard to local drug abuse programs. However, drug abuse services are included within the Short-Doyle mental health program under existing statutory provisions, and there are no provisions in the Short-Doyle Act specifically delineating the respective authority of the State Department of Mental Health and the State Department of Alcohol and Drug Programs with respect to administration of funds and approval of policies, rules, and regulations for drug abuse programs

This bill would require consultation with the State Department of Alcohol and Drug Programs with regard to standards, rules, and regulations on the drug abuse portions of the Short-Doyle program, and would require a separate appropriation of funds to such department for drug abuse services, rather than the current single state appropriation for mental health services and drug abuse services

(3) Under existing law, the State Department of Alcohol and Drug Programs is designated as the single state agency with regard to receipt of specified federal funds to alleviate problems related to drug abuse It may provide advance payments of federal funds to private nonprofit or county drug abuse treatment and prevention programs which operate under the Short-Doyle Act

This bill would additionally authorize the advancing of the federal grant funds and state funds administered by the department It would require the state department to develop a plan, approved by the Department of Finance, for determining and controlling advance payments The state department would further be required to develop and implement an effective process for distributing federal funds to private or county drug abuse treatment or prevention programs, or both Such funds would be required to be distributed through certain formal written agreements which assure they are distributed in a timely and effective manner pursuant to the Budget Act

(4) Present law provides for licensure of various types of clinics

This bill would provide for licensure of a new type of specialty clinic, to be known as a "substance abuse clinic "

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 1090 (SB 1273) Dills False identification presumption

Existing law provides that, except as specified, a presumption affecting the burden of producing evidence of intent to commit fraud by theft shall apply where one who leases under a written contract the personal property of another (1) fails to return such property within 20 days after the owner's written demand therefor following the expiration of the lease, or (2) one presents the owner with false or fictitious identification for the purpose of obtaining the lease or rental agreement Where the owner fails to make such written demand within 30 days after the expiration of the lease the presumption does not apply

This bill would provide that, where one presents false or fictitious identification with criminal intent for the purpose of obtaining a lease or rental of the personal property of another, such presumption of intent to commit fraud by theft shall apply upon the failure of the lessee to return the property at the expiration of the lease or rental agreement

Ch 1091 (SB 1823) Alquist. Workers' compensation

Existing law provides that if an employer fails to secure the payment of workers' compensation an injured employee or his dependents may bring an action at law against such employer for damages or, in lieu thereof, may file an application with the Workers' Compensation Appeals Board for workers' compensation benefits

This bill would permit the injured employee or dependents of an uninsured employer to bring such action at law and, in addition, to file for workers' compensation benefits.

This bill would also require an employee who brings an action at law for damages to give a copy of the complaint to the Uninsured Employers Fund, would require the court to allow a first lien against any judgment against the employer or settlement of the action for the amount of workers' compensation paid from the Uninsured Employers Fund, and would relieve the employer and the Uninsured Employers Fund from the obligation to pay further compensation up to the balance of the judgment, once attorney's fees have been paid

This bill would incorporate changes proposed by AB 2368 to Section 3715 of the Labor Code, to become operative only if this bill and AB 2368 are both chaptered and this bill is chaptered last

Ch 1092 (AB 3264) Harris Juvenile court law proceedings

(1) Under existing law, a minor taken into temporary custody by a peace officer and taken to a probation officer has the right to make at least two completed telephone calls within 3 hours after being taken into custody The calls are at the minor's expense

This bill would require the minor to be advised and have the right to make such calls immediately after being taken to a place of confinement and within 1 hour after being taken into custody The bill would make the calls a public expense if the calls are completed to telephone numbers within the local calling area

(2) Existing law, which will cease to be operative January 1, 1981, requires that no judgment or decree of a juvenile court or final order of a juvenile court referee is stayed during an appeal, unless suitable provision is made for such person who is within the jurisdiction of the juvenile court and such provision is approved by the juvenile court

This bill would provide that the granting or refusal to order release pending appeal rests in the discretion of the juvenile court

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1093 (SB 2013) Maddy Statute of limitations misdemeanors

Existing law provides that a complaint for any misdemeanor triable in justice court must be filed within 1 year after its commission

This bill would repeal this provision

Existing law further provides that when a crime is punishable, in the discretion of the court, by imprisonment in the state prison or by imprisonment in the county jail, it is a misdemeanor for all purposes when, among other circumstances, the prosecuting attorney files a misdemeanor complaint or at the preliminary examination stage the magistrate determines that the offense is a misdemeanor

This bill would provide that for any offense for which a misdemeanor complaint may be filed or that may be tried as a misdemeanor pursuant to the above provisions, a complaint shall be filed within the time specified by existing law for the prosecution of the offense as a felony

Ch 1094 (SB 1890) Rains Prosecutions

Under existing law, with respect to certain misdemeanor prosecutions and certain prosecutions of persons under the age of 18, the arresting officer files a copy of a written notice to appear in court or juvenile court with a magistrate or for juvenile court, a clerk or other specified officer

This bill would instead provide that such notice be filed with the prosecuting attorney who, in general, would be the district attorney. The prosecutor, within his or her discretion, would initiate prosecuting by filing the notice or a formal complaint with a magistrate or, for juvenile court, a clerk or other specified officer

The bill would make related changes.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 1095 (SB 379) Presley. Juvenile court law.

Under existing law precedence is required for an appeal of a judgment of a juvenile court or final order of a juvenile court referee which becomes effective without approval of the juvenile court assuming jurisdiction and declaring a minor a dependent child of the court or a ward of the court or denying a motion to set aside or modify an order of a traffic hearing officer

This bill instead would require precedence in an appeal of a judgment of a juvenile court which finds a minor within its jurisdiction for the purpose of declaring the minor a dependent child of the court or a ward of the court It would make a judgment of a juvenile court referee appealable subject to specified proceedings or subject to the expiration of time for initiating such proceedings

Under existing law relating to criminal proceedings concerning a minor who has been declared a ward of the court, no requirement exists that a hearing on a motion to suppress evidence on grounds of unlawful search and seizure be heard prior to the attachment of jeopardy and at least 5 days after receipt of notice by the prosecution

This bill would so require, and would further require that a ruling on the motion to suppress evidence be reviewed on appeal, as specified

It also would make additional changes in Section 800 of the Welfare and Institutions Code contingent upon the prior chaptering of AB 3264

Ch. 1096 (SB 1886) Rains. Highway common and permit carriers

(1) Existing constitutional and statutory law provides for the regulation of common carriers, including highway common carriers, and statutory law provides for the regulation of various categories of highway permit carriers by the Public Utilities Commission, including the regulation of petroleum irregular route carriers as common carriers and petroleum contract carriers as permit carriers, but does not make provision for the separate regulation of persons or corporations engaged in the transportation for compensation over any public highway of property in any tank truck or vacuum-type tank truck.

This bill would create and define classes of permit carriers designated tank truck carriers and vacuum truck carriers and would delete the categories of petroleum irregular route carrier and petroleum contract carrier with the result that those petroleum irregular route carriers which do not apply for any change in their operating authority would be susceptible to regulation as highway common carriers It would require a certificate from the commission to operate as such It would establish qualifications and method of application, with special provision for those in operation as such carriers on January 1, 1981, who apply before July 1, 1981, and pay a specified fee It would specify fees for such permits which, under other provisions of law, would be deposited in the Transportation Rate Fund and be continuously appropriated to the commission

(2) Existing provisions of the Highway Carriers' Act specify that no person or corporation shall engage in transportation both as a highway common carrier and as a highway contract carrier or petroleum contract carrier, or both as a cement carrier and as a

cement contract carrier, thereby allowing operation both as a highway common carrier and as a petroleum irregular route, dump truck, livestock, or agricultural carrier

This bill would revise and restate these provisions to provide that no person or corporation shall engage in transportation both as a common carrier and as a highway permit carrier

(3) Existing provisions require every highway contract carrier, dump truck carrier, livestock carrier, agricultural carrier, and cement contract carrier, to file a bond with the commission when the carrier engages subhaulers or leases equipment from employees, thereby allowing a highway common carrier, cement carrier, petroleum irregular route carrier, and petroleum contract carrier to conduct such operations without the specified bond on file

This bill would revise and restate these provisions to provide that every highway carrier shall have the requisite bond on file

(4) The bill would make other changes in definitions and terminology.

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1097 (SB 1402) Vuich Guarantee of credit union share accounts.

Existing law requires every credit union to apply for and obtain insurance as provided for by Title 2 of the Federal Credit Union Act, or alternatively, a form of comparable insurance acceptable to the Commissioner of Corporations, for the purpose of insuring its members' share accounts, by January 1, 1981

This bill would extend such date to March 31, 1981, and would permit every credit union, as a condition to its authority to act as a credit union, to participate as a member of the California Credit Union Share Guaranty Corporation as an alternative to qualifying for and obtaining another approved form of share guaranty or insurance in accordance with existing law Each credit union share account issued by a member would be guaranteed up to the amount established from time to time by the corporation, with the approval of the commissioner Such guarantees would not apply to the share accounts of any credit union until such credit union has applied for and been admitted to membership, and would cease to apply to the share account of any credit union whose membership has been suspended or revoked 30 days after notification to the commissioner of such suspension or revocation

The bill would additionally enact various provisions with respect to operation and management of the corporation, including fees and assessment, payments, and the authority of the commissioner with respect to regulations thereof

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1098 (SB 1414) Keene Property taxation exemptions

Existing law permits a board of supervisors to exempt all real property of less than $400 of full value from property taxation where the tax revenues are less than the costs of assessing and collecting such tax

This bill would, with specified exceptions, increase such permissible exemption to $1,500 of full or base year value for real property and would extend such permissible exemption to personal property

Existing law provides for refunds of property taxes in certain cases where changes in assessment procedures cause overpayments of property taxes.

This bill would specify that interest may be paid on such refunds.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to this bill.

Ch. 1099 (SB 1622) Petris Public utilities: telephone directory assistance

Existing law authorizes the Public Utilities Commission to permit a telephone corporation to charge residential and business subscribers for requests for directory assistance in excess of 20 requests per month

This bill would prohibit the assessment of such a charge when the subscriber or any person in the subscriber's household is visually impaired or physically disabled when it is certified to the telephone corporation by competent authority, as specified.

The bill would also direct the commission to develop and implement a plan for the exemption of visually impaired or physically disabled persons at their places of employment.

Ch. 1100 (SB 1685) Vuich. Water rights reversion

Under existing law, a person who has acquired an appropriative water right pursuant to the Water Code forfeits such rights after 3 years of nonuse.

The bill would extend such period to 5 years and would specify that such reversion shall occur upon a finding by the State Water Resources Control Board following notice to a permittee and a public hearing if requested by the permittee

The bill would take effect immediately as an urgency statute

Ch 1101 (SB 1652) Mills. Historical resources state: inventory and protection.

Under existing law, the State Historical Resources Commission is required to receive and evaluate applications for, and make recommendations with respect to, entries on the National Register of Historic Places to the State Historic Preservation Officer, to conduct a statewide inventory and maintain comprehensive records of historical resources, including, but not limited to, historical landmarks and points of historical interest, and establish criteria for the recording and preservation of historical resources.

This bill would require, on or before July 1, 1982, each state agency, to formulate policies to preserve and maintain, when prudent and feasible, all state-owned historical resources under its jurisdiction listed in or potentially eligible for the National Register of Historic Places or registered as or eligible for registration as a state historical landmark. On or before July 1, 1983, with a specified exception, each state agency would be required to submit to the officer an inventory of all such state-owned structures over 50 years of age The bill would require the officer, in consultation with the commission, to establish criteria and standards for the submittal and review of such historical resources and would require the officer to maintain a master list of the historical resources

The bill would further prohibit state agencies from altering the original or significant historical features or fabric or from transferring, relocating, or demolishing any such historical resource without first giving notice and a summary of the proposed action to the officer, who would have 30 days for review and comment The bill would authorize the officer to adopt prudent and feasible measures to mitigate adverse effects of a proposed action on a listed historical resource The officer would be authorized to monitor the implementation of proposed action of any state agency

Ch 1102 (SB 1647) M Garcia Public Employees' Retirement System generally

(1) Existing law requires actuarial valuations to be performed triennially upon all state and local public retirement systems

This bill would require any differences between prescribed actuarial assumptions and techniques to be disclosed in the actuary's report

(2) The Public Employees' Retirement Law presently provides reciprocal rights and benefits for members who become employees of other retirement systems

This bill would clarify provisions regarding eligibility for such benefits and the commencement of such other employment

(3) The Public Employees' Retirement Law prescribes the membership, terms, and voting procedures for its Board of Administration

This bill would delete inoperative provisions, revise the method of filling vacancies, and make other related changes

The bill would also require that a member be an elected official of a contracting agency rather than an elected official of local government.

(4) The Public Employees' Retirement Law presently requires state and contracting agencies to provide membership information

This bill would combine provisions relating to such information

(5) The Public Employees' Retirement Law presently permits members under certain circumstances to leave accumulated contributions on deposit in the Public Employees' Retirement Fund on termination of service

This bill would revise that provision to clarify the status of such members

(6) The Public Employees' Retirement Law presently requires retirement applications to be sent to the Sacramento office

This bill would permit such application to be received by a designated employee of the Public Employees' Retirement System

(7) The Public Employees' Retirement Law presently provides survivor benefits for children

This bill would provide that a natural parent of such children would not be required to become the guardian of surviving unmarried children under 18 years of age in order to be paid such benefits

Ch 1103 (SB 1709) Greene Coastal zone boundary. San Diego County

Under existing law, the areas included within, or excluded from, the coastal zone, for purposes of the California Coastal Act of 1976, are shown on maps filed with the Secretary of State and on detailed maps adopted by the California Coastal Commission on prescribed dates pursuant to designated provisions

This bill would provide that, notwithstanding any such designated provision or map, the inland boundary of the coastal zone in a portion of San Diego County in an area known as Green Valley shall be as prescribed by this bill

The bill would not become operative if, within 6 months following submission to the regional coastal commission, the California Coastal Commission approves, or approves with conditions, pursuant to designated provisions that portion of the County of San Diego's land use plan of its proposed local coastal program that applies to the land area described in this bill

Ch. 1104 (SB 1713) Sieroty Juveniles· court records destruction

Under existing law, juvenile court records are subject to being sealed, and may be destroyed within or after 5 years after termination of juvenile court jurisdiction

This bill would revise the provisions of the Juvenile Court Law relating to records of proceedings to adjudge a person a ward of the court to require, except in specified circumstances, the destruction of sealed juvenile court records when the person who is the subject of the particular record reaches the age of 38 It would also provide for the release of juvenile court records to the person who is the subject of the record, as specified, and would require designated notice to a minor who has been the subject of a juvenile court record concerning his or her rights with regard to the sealing, destruction, or release of his or her juvenile court records

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill also makes additional changes proposed by SB 1796, to be operative only if SB 1796 and this bill are both chaptered and become effective on January 1, 1981, and this bill is chaptered after SB 1796

Ch. 1105 (SB 1812) Beverly Subdivided lands

(1) Prior to the time when subdivided lands are to be offered for sale or lease, the owner, his or her agent, or the subdivider, is required to file a notice of intention to sell or lease, containing specified information, with the Commissioner of Real Estate. The commissioner is then required to investigate the proposed subdivision, and issue a subdivision public report authorizing such sale or lease, or deny the public report on specified grounds. "Subdivided lands" and "subdivision" for such purposes includes a community apartment project, as defined, containing 2 or more apartments, a condominium project containing 2 or more condominiums, and a stock cooperative, as defined, having or intended to have 2 or more shareholders

This bill would increase the number of apartments in a community apartment project, the number of condominiums in a condominium project, or the number of shareholders in a stock cooperative for such purposes to 5 It would exempt proposed offerings of subdivided land if (1) the subdivided land is not a "subdivision" under existing law as amended by the bill, (2) each lot, parcel or unit of the subdivided land is located entirely within the boundaries of a city, (3) each lot, parcel or unit of the subdivided land will be sold or offered for sale improved with a completed residential structure and with all other improvements completed that are necessary to occupancy or with financial arrangements determined to be adequate by the city or county to assure completion of such improvements, and (4) the owner or subdivider has complied with specified provisions of existing law imposing requirements on the sale or lease of lots in subdivisions subject to a blanket encumbrance, if applicable

(2) Existing law requires an applicant for a subdivision public report to provide a statement of the soil conditions and the depth of fill used or proposed to be used in the subdivision, and requires a statement referencing any soils or geologic report that has been prepared

An applicant for a public report is also currently required to obtain and submit a statement from the appropriate school district or districts regarding the location and distance of schools, the availability and cost of transportation, and other information considered important by the school district The Real Estate Commissioner must furnish a copy of the public report to each school district serving the subdivision. Finally, existing law requires an applicant for a public report to specify the location of all existing and proposed airports within 2 miles of the subdivision and to include noise and safety zone boundaries and regulations

This bill would eliminate the requirement of a statement of the soil conditions and depth of fill, eliminate the requirement of obtaining a statement regarding schools, and limit the statement regarding airports to a notice of the location of existing and proposed airports within 2 miles of the subdivision. However, the bill would require a statement giving the name and the location of the public agency where information concerning soil conditions in the subdivision is available to be referenced in the notice of intent to sell or lease subdivided lands submitted to the Real Estate Commissioner It would also make various technical, nonsubstantive changes

(3) The bill would incorporate those changes of Chapter 601 of the Statutes of 1980 which include "time-share projects", as defined, within the terms "subdivided lands" or "subdivisions" for purposes of regulation by the Real Estate Commissioner

(4) The bill would also relocate a provision that exempts certain industrial and commercial subdivisions from subdivided lands requirements

Ch 1106 (SB 1763) Rodda State-mandated local programs

Existing law requires the state to reimburse each local agency for costs mandated by the state and requires funds for this purpose to be appropriated to the Controller for disbursement Claims for reimbursement are generally required to be submitted to the Controller by October 31 of the fiscal year in which such costs are incurred A valid claim filed after the deadline is reimbursed at 80% of the amount which would have been allowed or such lesser prorated amount, as specified

This bill would prohibit payment of any claim filed with the Controller after October 31 of the fiscal year following the fiscal year in which costs are incurred Notwithstanding this prohibition, or any other provision of law, this bill would also require the Controller to consider and pay at 80% or the lesser prorated amount, otherwise valid claims for costs incurred in the 1977–78 and prior fiscal years, which were filed on or before October 31, 1979

Existing law also requires the State Board of Control to consider and pay certain claims

for reimbursement for costs mandated by the state for which funds have not been appropriated to the Controller Such claims are required to be submitted to the board on or before October 31 of the fiscal year following the fiscal year in which costs are incurred

This bill would require a "test" claim to be filed on or before October 31 of the year following the fiscal year for which reimbursement is claimed.

This bill would require that claims filed pursuant to parameters and guidelines issued by the State Board of Control after consideration of the "test" claim be presented to the board no later than one year after the date of adoption of such parameters and guidelines.

This bill would provide that this act shall not become operative if SB 90 is chaptered.

Ch 1107 (SB 1944) Dills State Board of Funeral Directors and Embalmers

Existing law provides that the State Board of Funeral Directors and Embalmers is to consist of 8 members, 3 licensees of the board and 5 public members

This bill would increase the membership of such board to 9 members by adding one licensee member

Ch 1108 (SB 1924) Petris Prisoners: disciplinary proceedings

(1) Existing law provides that if a prisoner is charged with misconduct which also constitutes a crime and the case is referred to the criminal authorities for possible prosecution, the time limits specified for disciplinary proceedings shall not apply

This bill would provide that the time limits do not apply in such circumstances only if the prisoner requests postponement of the disciplinary proceedings pending such referral

(2) Existing law provides that if the district attorney has not filed an accusatory pleading against the prisoner within 60 days of such referral, the prisoner may request that a hearing be held, in which case the department must hold the hearing within 15 days of such request

This bill would delete such provision and provide instead that the prisoner may revoke his request for postponement of the disciplinary proceedings prior to filing of the accusatory pleading If revocation of the postponement has been requested, the hearing would have to be held within 15 days of the revocation

Ch 1109 (SB 1922) Keene. Humboldt wetland restoration and waste water treatment demonstration project

Under existing law, the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes is permitted only in accordance with provisions of the California Coastal Act of 1976, and is limited to specified uses.

This bill would, notwithstanding such limitation of uses, authorize approval of a wetland restoration and waste water treatment demonstration project in Humboldt County within a described area, subject to specified conditions The bill would require, in connection with the project, that the Department of Fish and Game prepare a wetland and habitat restoration and management plan including specified matters

The bill would make legislative findings in such connection

The bill would take effect immediately as an urgency statute

Ch 1110 (SB 1979) Watson Housing finance· insured loans

Under present law, the California Housing Finance Agency may, in accordance with specified criteria, insure loans for acquisition of residential structures; it may insure construction, development, and mortgage loans or participations therein for financing housing developments, it may insure loans for rehabilitation or home improvements if insured or guaranteed by an agency or instrumentality of the United States, and it may insure loans for financing defined limited-equity housing cooperatives

This bill would delete the above authority and would substitute a general authorization to insure loans for housing developments and residential structures that will be occupied primarily by persons and families of low or moderate income Since a special revolving fund known as the Housing Rehabilitation Insurance Fund exists and is continuously appropriated to the agency for purposes of funding the agency's loan insurance programs, this bill would authorize an appropriation of moneys in that fund

Ch 1111 (SB 1896) Robbins Vehicles towing and storing· liens and lien sales

(1) Existing law provides for a lien dependent upon possession for compensation to which a person is entitled for making repairs or performing labor on, or furnishing supplies and materials for, or for parking, or for storage, repair, or safekeeping of vehicles Existing law provides for a lien for a garage keeper for towing and storing unlawfully parked or abandoned vehicles

This bill would increase the limits of the liens, as specified, for repairs or performing labor, furnishing supplies and materials, parking, storage, repair, or safekeeping of vehicles, would condition the lien on presentation of a written statement of charges to the registered owner, would provide for extinguishment of the lien unless authorization for a lien sale is applied for or a court action is filed within 30 days of presentation of such statement of charges, and would specify other conditions on such lien sales

The bill would require the public agency which removes unlawfully parked or abandoned vehicles to estimate the value of the vehicles, would exclude personal property in or on the vehicle from the lien of the garage keeper for towing and storage, and would prohibit the lien from being assigned

(2) Existing law specifies the procedures to conduct a sale to satisfy a lien for the costs of removal and disposition of certain vehicles These procedures are separate for vehicles valued at $200 or less and for vehicles valued over $200

This bill would recast the procedures for conducting lien sales of specified vehicles and would specify separate procedures for vehicles having an estimated value up to $100, vehicles having an estimated value over $100, but not over $300, and for vehicles having an estimated value exceeding $300 The bill would also specify that the lien sale procedures are not applicable with respect to mobilehomes, and that a lien sale of a mobilehome may only be conducted if a judgment has been entered in favor of the lienholder

(3) The bill would make violations of specified lien provisions of the bill a misdemeanor

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1112 (SB 1918) Keene Hazardous waste

(1) Existing law requires any person who cleans, or disposes of cleanings from, septic tanks, chemical toilets, cesspools, or sewage seepage pits to register with, and provide specified statements to, the local health officer, as specified, and provides specified misdemeanor penalties for violations of such provisions Such persons are exempt from the requirement for registration as a hazardous waste hauler with the State Department of Health Services when hauling certain waste from such septic sewage operations

This bill would exempt a person registered as a hazardous waste hauler from the requirement for registration with local health officers when engaged in cleaning, or disposing of cleanings from, such septic sewage operations, but requires, under misdemeanor penalties, compliance with terms, conditions, orders, and directions of the health officer and other specified statement requirements, and requires proof of registration as a hazardous waste hauler to be submitted by mail or in person, as specified

(2) Existing law requires specified vehicles and containers used to transport hazardous waste to be registered, annually inspected, and certified Fees for such inspection are deposited into a continuously appropriated fund

This bill would add semitrailers to such specified vehicles and containers

The bill would place the fees from the inspections in the fund which is continuously appropriated by existing law, therefore, the bill would make an appropriation

(3) This bill would also make additional changes in Section 25163 of the Health and Safety Code proposed by AB 2140 if both this bill and AB 2140 are chaptered and this bill is chaptered last

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review

statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for costs mandated by the state for a specified reason

Ch 1113 (SB 1977) Vuich Consumer credit reporting agencies

Existing law requires consumer credit reporting agencies upon request and proper identification to allow consumers to visually inspect files regarding the consumer

This bill, in addition, would require a consumer credit reporting agency, upon being contacted by a consumer by phone, mail, or in person, to promptly advise a consumer of the agency's obligation to make a disclosure to the consumer of information concerning the consumer, as specified, and, upon request, to provide a decoded written version of the information regarding the consumer either in person, by mail, or by telephone, to provide at no charge a form for requesting the written disclosure

Existing law authorizes a consumer credit reporting agency to make charges for disclosures to a consumer, under certain circumstances, including where the disclosure requires the preparation of special material.

This bill would delete the authority to impose a charge where special materials are prepared and, in addition, where the files contain any inaccuracies or are incomplete.

Existing law authorizes a reasonable charge by a consumer credit reporting agency in an amount not to exceed $5, under certain circumstances, for making disclosures to consumers, as specified

This bill would increase the permissible fee to $8

This bill would provide that nothing contained in provisions relating to requirements on users of consumer credit reports shall be construed to excuse compliance with provisions relating to a notice to an applicant of denial of credit

This bill would make other corresponding changes

Ch 1114 (SB 685) Presley Youths: county justice subventions

Existing law provides for state subventions to counties for numerous programs and services relating to the juvenile justice system up to specified maximum amounts

This bill would revise the method of determining such maximum amounts

Under existing law, the receipt of funds pursuant to the county justice subvention program is contingent upon the county maintaining its funding year commitment rate of juveniles and criminal offenders to the Department of the Youth Authority and the Department of Corrections within a base commitment rate

This bill would authorize the computation of such commitment rate pursuant to an alternative formula under designated circumstances

Under existing law, any funds not used for actual expenditures for the funding year revert to the state, except as specified

The bill would instead make provision for funds allocated to counties to be carried over for 1 subsequent fiscal year, except as specified

The bill would take effect immediately as an urgency statute The bill would become operative July 1, 1980, and would be retroactive to such date if it becomes operative at a later date

Ch 1115 (SB 1834) Marks Property taxation cargo containers

Existing law exempts from property taxation certain cargo containers principally used in the transportation of cargo by vessels in ocean commerce Such exemption is operative from the lien date in 1975 to the lien date in 1980, inclusive, and after that date shall have no further force or effect

In addition, the Legislative Analyst is required to report to the Legislature on the net effect of the exemption on or before July 1, 1983, and to recommend the renewal or the repeal of such exemption

This bill would make such exemption permanent, and would eliminate the requirement of reporting on such exemption by the Legislative Analyst

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to this bill

Ch 1116 (SB 1832) Presley County Employees Retirement Law of 1937 benefits

Existing provisions of the County Employees Retirement Law of 1937 authorize annual surpluses in retirement fund earnings in excess of 1% of the total assets of the retirement fund to be transferred to pay the costs of new benefits which may be made available on a year-to-year basis

This bill would provide that such surplus may be used to pay the cost of all benefits The bill would also repeal a specified statement of legislative declaration

The bill would take effect immediately as an urgency statute

Ch 1117 (SB 1877) Presley Prisons and youth and adult corrections

(1) The Determinate Sentencing Act of 1976 substituted specified prison terms for indeterminate terms for various crimes

This bill would make similar provisions as to crimes not included in the 1976 legislation, and would make related changes relative to pardons

(2) Existing law provides a 16-month or 2- or 3-year prison term for infliction of injury on a spouse, person of opposite sex with whom one is cohabiting, or a child.

This bill would make such term 2, 3 or 4 years

(3) Chapter 255 of the Statutes of 1979 changed the name of the Community Release Board to the Board of Prison Terms

This bill would make related changes.

(4) Existing law authorizes a court to select an upper, middle or lower prison term and to designate terms as consecutive or concurrent

This bill would prohibit use of the same fact to support an upper and a consecutive term.

The bill would also authorize the court to request specified sentence information from the Board of Prison Terms

(5) Existing law limits a prison term to twice the base term except where specified enhancements are imposed

This bill would authorize such limit to be exceeded where the defendant is convicted of felony escape

(6) Existing law requires a transcript to be sent to the Department of Corrections forthwith

This bill would substitute 30 days for forthwith

(7) Existing law makes provisions relative to the place of reception of prisoners and service of terms and credit therefor

This bill would make additional provisions relative to such subjects

(8) Existing law requires various hearings relative to parole dates

This bill would delete a requirement of 90 days within which to provide an opportunity for review of specified action taken by the hearing board

(9) Existing law gives the Board of Prison Terms certain duties relative to children of inmates

This bill would transfer such duties to the Department of Corrections

(10) Existing law authorizes release of confidential mental health services information and records to specified persons

This bill would authorize such release to the Youth and Adult Correctional Agency or any component thereof as necessary to the administration of justice

(11) Existing law provides that various tear gas offenses shall be punished by imprisonment in the state prison not to exceed 2 years or a specified fine or both

This bill would provide instead that such punishment shall be imprisonment in a county jail for not exceeding 1 year or a specified fine or both

(12) Under existing law, the Youthful Offender Parole Board has specified duties relative to persons under the jurisdiction of the Youth Authority

This bill would reduce from 5 to 4 the number of members of the board needed to act, and reduce from 5 to 2 the number of years after which the board shall apply for continued detention of specified offenders

(13) Existing law provides that in counties having a population in excess of 2,000,000 there shall be a probation committee in lieu of the county juvenile justice commission otherwise required by law

This bill would make such provision applicable only to counties having a population in excess of 6,000,000

(14) This bill would incorporate additional changes in Section 1026.5, Penal Code, proposed by AB 2751, to be operative only if AB 2751 and this bill are both chaptered and become effective January 1, 1981, and this bill is chaptered last

(15) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1118 (SB 1366) M Garcia. State funds: intergovernmental loans-interest rates

Existing law (a) provides, when the General Fund is or will be exhausted, for transfer thereto from other funds, for the return of such transferred funds, and for the payment of interest on certain excess transfers from a special fund, as specified, at the current earning rate of the fund from which transferred, as determined by the Pooled Money Investment Board, and otherwise prohibits charging or payment of interest on such transfers, with one exception, (b) provides, when any special fund is exhausted, for transfers thereto from the General Fund, for the return of such transferred funds, and, upon failure within one year to so return, for ineligibility for further transfer; does not generally specify the annual rate of interest on short- and long-term loans of state funds to state or local agencies.

This bill would provide that, unless otherwise provided by law, as specified, the annual interest rate on short-term loans of state funds, as established by the Pooled Money Investment Board, shall be not less than the last available daily rate of return earned by the Pooled Money Investment Account on the actual date of withdrawal or transfer of the loan funds and that the annual interest rate charged on long-term loans of such funds, as established by the Pooled Money Investment Board, would be not less than the lesser of the last available daily rate of return earned by the Pooled Money Investment Account on the actual date of withdrawal or transfer of the loan funds or the average of the annual rates of return earned by the Pooled Money Investment Account for the 3 fiscal years immediately preceding the year in which the loan is executed Interest charges on short-term loans to state departments or agencies could be waived in specified circumstances

This bill further provides that the Director of Finance may extend the loan repayment date of loans of state funds, as specified

The bill also would require the Legislative Analyst to conduct a study regarding such loans and report to the Legislature on or before February 15, 1981

Ch. 1119 (SB 1327) Garamendi. North Delta Water Agency

(1) Under existing law, the North Delta Water Agency is created under the provisions of the North Delta Water Agency Act for the purposes of entering into a contract with the United States and the State of California, or either, for the general purpose of protecting the water supply of the lands within the agency against intrusion of ocean salinity and assuring the lands within the agency a dependable supply of water of suitable quality sufficient to meet present and future needs Under existing law, each landowner has 1 vote for each dollar's worth of assessed value of land to which he holds title

This bill would provide that each landowner shall have 1 vote for each acre or fraction thereof of land to which he holds title, with parcels of 1 acre or less entitled to 1 vote, and would provide for related matters.

The bill would delete from the act provisions providing for the financing of the agency by ad valorem assessments, and would instead provide for the board of directors to fix a uniform charge per acre on each acre of taxable land within the agency, subject to a maximum limit of 35¢ per acre for purposes other than payment under contracts with the United States or the State of California The bill would authorize the board to fix a minimum charge not to exceed $10 for each separately charged parcel

The bill would authorize the board to contract with any district, county, or other

political subdivision within the agency for payment of a collective charge on behalf of all taxable land within the boundaries of such payment contractor in lieu of charges by the agency upon individual parcels within the contracting agency, and would provide for related matters

The bill would authorize the agency, in accordance with prescribed procedures, to make a redetermination of the benefits received by landowners and to establish 1 or more zones of benefit, and to adjust, as prescribed, the charge per acre and landowner voting rights to reflect the percentage of benefit applicable to the zone or zones within which the acreage is located

The bill would prohibit the board from amending or terminating any contract with the United States or the State of California without holding a hearing as prescribed and, if a substantial written protest, as defined, is received, without submitting the question to an election within the agency The bill would prohibit any election to be held to approve a contract prior to December 2, 1980

The bill would specify that the agency shall have no authority or power to affect, bind, prejudice, impair, restrict, or limit vested water rights within the agency

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) The bill would go into immediate effect as an urgency statute

Ch. 1120 (SB 1659) Presley Criminal law

Existing law (a) makes it a felony to bribe or attempt to bribe a witness to influence the testimony of the witness, (b) makes it a felony to attempt by force, threat of force, or fraud to induce a person to give false testimony or withhold true testimony; and (c) makes it a misdemeanor to knowingly induce another person to give false testimony or withhold true testimony

This bill would expand (a) above to include such acts with respect to a person about to give material information pertaining to a crime to a law enforcement official and expand (b) and (c) above to include such acts with respect to inducing a person to give false material information pertaining to a crime to, or to withhold true material information pertaining to a crime from, a law enforcement official, as defined

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1121 (SB 1810) Watson School certificated employees leaves of absence

(1) Existing law prescribes various circumstances under which certificated employees of a school district are granted leaves of absence, including serving as an elected officer of specified public employee organizations

This bill would require school districts and county superintendents of schools to grant leaves of absence to certificated employees, without loss of compensation, to enable such employees to serve, for not more than 20 school days per school year, on specified boards, commissions, committees, and groups so long as such service is performed in the state, the board, commission, committee, or group informs the district of the service, and the board, commission, committee, or group agrees to reimburse the district for the cost of a substitute employee and administrative costs

This bill would require the board, commission, committee, or group to reimburse the

school district or county superintendent of schools for the compensation paid to the employee's substitute and for actual administrative costs related to the leave of absence

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 1122 (SB 1340) Presley Prisons.

Existing law authorizes the Department of Corrections to place inmates in community correctional centers and declares that greater use be made of such authority

This bill would delete such declaration and would express the Legislature's intent that specified use be made of such facilities

Existing law establishes specified correctional institutions

This bill would authorize construction and establishment of specified facilities at the existing Tehachapi site to replace San Quentin facilities to be razed.

The bill would express specified intent regarding housing and custody levels

Existing law specifies the maximum size and location of new prisons.

This bill would alter such requirements as specified.

Under existing law any plan developed for the razing, renovation, or construction of any facility from specified appropriations shall not be adopted or implemented by the Department of Corrections until such proposal is submitted for review by the Legislature, in addition to annual state budget hearings, and enacted into law

This bill would revise such provisions to state that any plan developed for the construction of permanent new capacity shall not be adopted or implemented by the Department of Corrections until such proposal is submitted for review by the Legislature, in addition to annual state budget hearings

Ch 1123 (SB 1323) Keene Public land trust State Coastal Conservancy· State Public Works Board

(1) Under existing law, the Secretary of the Resources Agency is required to serve as the chairman of the 5-member State Coastal Conservancy

This bill, instead, would require the secretary to select one of the 2 public members to serve as the chairman of the conservancy

(2) Under existing law relating to public entity and public employee liability, a public entity is defined to include the state, the Regents of the University of California, a county, city, district, public authority, or public agency, and any other political subdivision or public corporation in the state

This bill would include a public land trust which meets specified requirements and, for lands within the coastal zone, has entered into an agreement with the State Coastal Conservancy, or for lands not within the coastal zone, has entered into an agreement with the State Public Works Board, as a public entity for the purpose of exempting it from liability under public entity liability laws for certain injuries caused by conditions of unpaved roads, trails, paved trails, walkways, paths, or sidewalks providing access to recreation or unimproved property The bill would make legislative declarations and findings with respect to public land trusts Any officer, authorized agent, or employee of such a public land trust would be a public employee for such liability exemption purposes

(3) Under existing law, the State Coastal Conservancy is authorized to award grants to public agencies for acquisition and initial development of public accessways to and along the coast.

This bill would authorize the conservancy to also award grants to public land trusts which are nonprofit organizations if they enter into agreements with the conservancy and meet prescribed requirements.

The bill would authorize the conservancy to provide technical assistance to public agencies and nonprofit organizations for establishing a system of public coastal accessways.

Ch 1124 (SB 1597) Foran Transportation: local transportation fund.

Under the Mills-Alquist-Deddeh Act, with specified exceptions, an operator is eligible for allocation from the local transportation fund if the allocation does not exceed 50% of its budget, excluding federal funds.

An operator eligible for allocation under that act is also eligible for allocation of funds that are allocated by the Secretary of the Business and Transportation Agency from the Transportation Planning and Development Account in the State Transportation Fund to, among others, the transportation planning agencies for subsequent allocations to, among others, operators within their areas of jurisdiction. The funds revert to the account if not committed for a capital expenditure for which an application is pending for federal or state funds, or if not encumbered, within 3 years after allocation by the secretary.

This bill would require that the determination of compliance with the 50% requirement for purposes of that act, and for receiving funds allocated from the account, by an operator for any fiscal year be made in the same manner as the determination was made for the 1978–79 fiscal year.

Ch. 1125 (SB 1588) Mills. Transportation· public transit.

(1) Existing law specifies the guidelines under which variances may be granted from the requirements of zoning ordinances.

This bill would provide additional guidelines and conditions for granting variances from the parking requirement contained in a zoning ordinance if the variance will be an incentive for nonresidential development and will facilitate access to the nonresidential development by patrons of public transit facilities.

(2) Under existing law, the Department of Transportation submits recommendations for allocation from the State Highway Account in the State Transportation Fund for exclusive public mass transit guideway projects to the California Transportation Commission.

This bill would condition such recommendation upon a requirement that the applicant for such a project provide verification that the local ordinances governing offstreet parking requirements do not prohibit the substitution of offsite parking at guideway stations or in-lieu fees or facilities for some or all of the onsite parking required.

This provision would become operative January 1, 1982.

Ch. 1126 (SB 1463) Robbins Debt collection.

Existing law makes it a misdemeanor for any person to engage in the business of a collection agency or to operate a collection agency without a valid unrevoked or unexpired license

This bill would make it a misdemeanor for any person to knowingly engage an unlicensed collection agency to conduct collections on his or her behalf.

Existing law provides that a person applying for a qualification certificate to operate a collection agency shall have, among other things, been a registered employee and engaged in the collection agency business in this state for at least 1 year during the preceding 5 years

This bill would delete the requirement that such experience and registration must be within this state.

Existing law provides that when an audit is performed as a result of specified bank statements filed by a collection agency, such collection agency shall be charged for the cost of such audit subject to a maximum fee, as specified

This bill would require a collection agency to pay for the cost of such audit when such audit is performed as a result of specified financial statements filed by a collection agency rather than bank statements.

Existing law authorizes the Director of Consumer Affairs to inspect and examine the records of any licensed collection agency

This bill would require a collection agency whose office is located in another state, if conducting business in this state, to maintain an office in this state and maintain records

of transactions conducted in this state.

Existing law does not require a collection agency to notify a debtor that a debtor's debt has been cancelled by the agency and returned to the creditor

This bill would require a collection agency to give such a notice in writing under specified conditions.

Under existing law it is a misdemeanor for a creditor or collection agency or an agent, employee, or assignee of a creditor or collection agency or an attorney for any of the foregoing to send a communication which simulates legal or judicial process or which gives the appearance of being authorized, issued, or approved by a governmental agency or attorney when it is not.

This bill would repeal this provision in the Business and Professions Code and move it in substantially the same form to the Robbins-Rosenthal Fair Debt Collection Practices Act.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 1127 (SB 1665) Robbins. Mobilehome parks

Under existing law, requirements are imposed upon an owner, his or her agent, or a subdivider to file a specified notice of intention to sell or lease subdivided lands, and to obtain a public report from the Commissioner of Real Estate Leases of spaces in mobilehome parks are not currently exempted from these requirements

This bill would make such an exemption, except in the case of leases of over 5 years imposed as a mandatory condition of mobilehome park tenancy

This bill would make additional changes in Section 11000 of the Business and Professions Code proposed by SB 1736, if both bills are chaptered and become effective and this bill is chaptered last

Ch 1128 (SB 1645) Sieroty Subdivisions conversions of apartment buildings to condominium, community apartment, or stock cooperative projects.

(1) Existing law prohibits the legislative body of a city or county from approving a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project unless it finds both that each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given a specified 120 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion, and that each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been or will be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant This right under current law runs for a period of 60 days from the date of issuance of the subdivision public report by the Real Estate Commissioner

This bill would extend the running period of the right to purchase from 60 to 90 days and would, additionally, require findings that (a) each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been given at least 10 days' notice of the time and place of any local hearing on the conversion, as specified, including notification of the tenant's rights under existing law, and of the tenant's right to appear and right to be heard at the hearing, and (b) that certain prospective tenants have been given a specified written notice of the filing of a tentative map of the proposed conversion, not less than 60 days prior to the filing Both types of notice would be required to be given by the local agency, which could impose fees upon the subdivider to cover its expenses in giving the notice Civil penalties payable by the subdivider to prospective tenants in certain instances, would be prescribed in cases

where the subdivider fails to give the required notice, unless certain local requirements are applicable.

(2) Existing law requires that any report or recommendation on a tentative map by the staff of the local agency to the legislative body's advisory agency or to the legislative body be in writing, with a copy served to the subdivider at least 3 days prior to any hearing or action on the map The subdivider is given specified rights to appeal any action taken by the advisory agency with respect to a tentative map

This bill would make these rights applicable to tenants of buildings proposed to be converted

(3) This bill would incorporate changes in Section 66427.1 of the Government Code made by SB 1838 which would take effect if this bill and SB 1838 are both chaptered and become effective January 1, 1981, and this bill is chaptered after SB 1838

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch 1129 (AB 1414) Torres. Medi-Cal. fiscal intermediary contracts

(1) Existing law provides for contracts between the State Department of Health Services and Medi-Cal fiscal intermediaries and sets forth requirements for the manner in which such contracts are to be drafted and described in reports to the Legislature

This bill would provide that the Secretary of the Health and Welfare Agency shall be responsible for oversight of State Department of Health Services management of contracts for fiscal intermediary services awarded by the department

This bill would further provide that Computer Sciences Corporation shall follow procedures for system and acceptance testing as specified in its contract with the department, and that the director shall report, as specified, to the Legislature by November 12, 1980.

This bill would further provide that the Joint Legislative Audit Committee shall continue to investigate the implementation of fiscal intermediary contracts in force to ascertain and identify problems relating to the claims processing procedures. A report shall be submitted to the Legislature by January 1, 1981.

This bill would further provide that the Joint Legislative Audit Committee and the Joint Legislative Budget Committee, for specified purposes, shall have access to records of the disbursement of funds of payments including documents identifying names of applicants and recipients of Medi-Cal benefits but the committees shall not disclose the identity of any applicant or recipient

This bill would further provide that no Medi-Cal fiscal intermediary contract shall be approved, renewed, or continued if a state employee, as defined, is employed in a management, consultant or technical position by the contractor or a subcontractor to the contractor within 1 year after the state employee terminated state employment This section would not apply to a state employee who terminated state employment prior to the operative date of this bill

(2) Existing law also provides for the disclosure of the interests of Medi-Cal providers in the services, facilities, and organizations to which they refer Medi-Cal recipients so that it is possible to determine the extent to which conflicts of interest may exist because of such referrals

This bill would conform Medi-Cal state law to federal law which regulates federal employment practices, with certain activities exempted, in order to avoid conflicts of interest which might arise as a result of an employee's previous or current government employment Penalties for violations of the federal conflict of interest provisions are set forth Specifically, this bill would provide that the Director of the State Department of Health Services and those other state and local officers or employees who are determined by the director by regulation to be responsible for the expenditure of substantial amounts of funds, as defined, under the Medi-Cal program, are prohibited from commit

ting any acts, with respect to any activity under the Medi-Cal program, which is prohibited for federal employees

This bill would require the Director of the State Department of Health Services to adopt emergency regulations implementing this act

The provisions of this bill which conform state Medi-Cal law to federal law would remain in effect only until the federal provisions with which it conforms are repealed, held invalid, or otherwise made inoperative

This bill would allocate $150,000 from the Contingent Funds of the Senate and the Assembly to the Joint Legislative Audit Committee for specified purposes This bill would also appropriate $600,000† from the General Fund to the State Department of Health Services for support of additional positions to monitor the fiscal intermediary contract

This bill would take effect immediately as an urgency statute

Ch 1130 (SB 1580) Campbell Amygdalin and laetrile

(1) Existing law contains detailed regulations on drugs, medicines, compounds, or devices used to treat or alleviate cancer, and makes it unlawful for any person to provide any drug for use in the diagnosis, treatment, alleviation, or cure of cancer, unless such use has been approved under the federal Food, Drug, and Cosmetic Act or approved by the State Department of Health Services Existing law also, with certain exceptions, requires new drugs, as defined, to be approved under such federal act or under state law known as the Sherman Food, Drug, and Cosmetic Law, as to safety and effectiveness under the conditions of use for which the drug will be labeled or advertised.

This bill would make such provisions of existing law relating to cancer inapplicable to laetrile or amygdalin or any vitamin, mineral, enzyme, or any food for special dietary use deemed adjunctive or necessary to laetrile or amygdalin therapy, when prescribed for certain terminally ill patients, and for other patients in specified medical school programs by a physician and surgeon who is a board-certified medical oncologist, provided the physician obtains the patient's consent on a form reviewed as specified and meeting certain minimum criteria, and provided a new drug application has been approved under state or federal law for such therapy This bill would require a physician to file a copy of the informed consent form with the Board of Medical Quality Assurance To the extent the process may be solely supported by available federal funds, the bill would require each physician proceeding with authorized therapy to submit a report to the department on a form prescribing certain minimum data, which would be required to be compiled into an annual report to the Legislature The bill would prescribe that failure of a physician to comply with its provisions be deemed to be unprofessional conduct This bill would exempt new drug applications for laetrile and amygdalin therapy, as provided in the bill, from provisions of state law requiring proof of effectiveness, but would not supersede existing provisions requiring proof of safety.

The bill would state that the Legislature finds and declares that the efficacy of the use of laetrile or amygdalin with respect to cancer therapy has not been determined

The changes made by this bill would be repealed January 1, 1985, unless extended by a statute chaptered before such date

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1131 (AB 2916) Gage Mobilehome parks· administration and enforcement

(1) Under existing law, a city, county, or city and county may assume the enforcement responsibility for certain standards relating to mobilehome parks, travel trailer parks, temporary trailer parks, incident camping areas, and tent camps In absence of

†Appropriation reduced to $380,000 by action of the Governor

this assumption, existing law requires the Department of Housing and Community Development to enforce these provisions

Existing law requires the department to evaluate the enforcement of the above-described standards by a local enforcement agency.

This bill would authorize the department to carry out investigations and examine records of local enforcement agencies, as specified, when performing the evaluation.

(2) Existing law defines the term "incidental camping area" for purposes of the Mobilehome Parks Act.

This bill would revise this definition, as specified.

(3) Existing law requires the enforcement agency to issue a permit to operate following notice by the owner in operation of completion of construction and receipt of application and appropriate fees It also requires a local enforcement agency to send a copy of the permit to operate to the Department of Housing and Community Development

This bill would require the department to issue permits to operate following notification by the local enforcement agency of completion of construction It would require that the local enforcement agency, by approving the application for a permit to operate, authorize occupancy of the newly constructed facility

(4) This bill would establish in the State Treasury a Mobilehome Parks Revolving Fund continuously appropriated to the department for purposes of carrying out the provisions of the Mobilehome Parks Act in which the fees collected by the department would be required to be deposited, as specified It would also authorize the department, notwithstanding provisions of existing law which set maximum fees, to by regulation set fees to be charged by the department for all permits and department activities authorized by law, as specified, as long as the aggregate revenue deposited in the Mobilehome Parks Revolving Fund, on an annual basis, does not exceed the costs of the department's activities, as specified. It would require that no such fee increases become effective until 45 days after written notification thereof to the Joint Legislative Audit Committee and the Auditor General and would require the Auditor General to prepare a specified report regarding the fee increases It also repeals the provisions, described in this paragraph effective January 1, 1984, as specified.

(5) This bill would require the Joint Legislative Audit Committee to conduct a study, as specified, of the Department of Housing and Community Development's enforcement program under certain specified statutory provisions relating to mobilehomes. It would require a report of the study to be submitted on or before January 1, 1983.

(6) Under Article XIII B of the California Constitution, certain increases of state fees will result in a reduction of the state's expenditure limitation under Article XIII B

This bill would declare the intent of the Legislature that, if increased revenues under the bill result in a reduction of the state's expenditure limitation, then appropriations to the Department of Housing and Community Development shall be reduced by an equal amount

(7) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified.

Ch 1132 (AB 2998) Knox Local agencies· organization and reorganization

The law presently specifies comprehensive procedures for the formation or dissolution of, or the annexation to, or detachment of territory from, cities, counties, and special districts, and for the merger of districts with a city or the establishment of subsidiary districts

(1) Existing law specifies persons and entities who must be notified of a proposed municipal reorganization

This bill would additionally require that notice be given to owners of land in uninhabited affected territory

(2) Existing law provides that a local agency formation commission (LAFCO) is not prohibited from requiring a city to prezone land proposed for annexation to the city

This bill would make more specific LAFCO's authority to require prezoning of territory proposed to be annexed to a city

(3) Existing law defines the terms "inhabited territory" and "uninhabited territory" for purposes of determining the effect of protests by voters and landowners to a proposed district organization

This bill would redefine the terms "inhabited territory" and "uninhabited territory" for such purposes.

(4) Existing law distinguishes "major" and "minor" districts for purposes of procedures which are prescribed for conducting elections on proposed district reorganizations.

This bill would eliminate the distinction between "major" and "minor" districts

(5) Existing law prescribes procedures for amending or revising a LAFCO resolution of determination imposing terms and conditions on a proposed district reorganization.

This bill provides an abbreviated process for the correction of clerical errors or mistakes in such a resolution

(6) Existing law imposes a one-year moratorium on new proposals for district annexation or detachment after the defeat of the same or a similar proposal

This bill would permit a LAFCO to waive the one-year moratorium on new proposals if it finds it is in the public interest to do so.

(7) Additionally, the bill would make numerous technical changes.

(8) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1133 (AB 2739) Bates. Student and low-income housing.

(1) Under existing law, predevelopment loans are authorized to be made available to persons of low income by the Department of Housing and Community Development through the administration of the Housing Predevelopment Loan Fund (for rural areas, as defined) and the Urban Housing Development Loan Fund (for nonrural areas). Nonprofit corporations may qualify for loans under these provisions

This bill would specifically include nonprofit student housing cooperatives and limited-equity housing cooperatives within the term "nonprofit corporation" for purposes of the Housing Predevelopment Loan Fund and the [Urban]* Housing Development Loan Fund, which are continuously appropriated funds. It would, therefore, make an appropriation by making the money in these funds available for a new purpose

(2) Existing law requires that, after transfer of title to the first lot, apartment, or condominium in a subdivision to any purchaser, the provisions of the declaration of restrictions, articles of incorporation, bylaws, management contracts (and the provisions of any and all other documents establishing, in whole or in part, the plan for use, enjoyment, maintenance, and preservation of the subdivision) as last submitted to the Real Estate Commissioner prior to issuance of the final public report, be binding upon the purchaser and occupant of every other lot, apartment or condominium in the subdivision, including purchasers acquiring title by foreclosure, whether judicial or nonjudicial, or by deed in lieu thereof, under any mortgage or deed of trust, whether or not the mortgage or deed of trust was recorded prior to recordation of the covenants, conditions and restrictions applicable to such first lot, apartment, or condominium

This bill would exempt from this requirement purchasers acquiring title to limited-equity housing cooperatives or time-share projects by foreclosure, whether judicial or nonjudicial, or by deed in lieu thereof, under any mortgage or deed of trust, whether or not the mortgage or deed of trust was recorded prior to recordation of the covenants, conditions, and restrictions.

Ch 1134 (AB 2248) Ingalls. Vehicles: exhaust emission control devices: certificates of noncompliance and certificates of waiver· gasoline cargo tanks; driver's license display.

(1) Under existing law, installers licensed by the Bureau of Automotive Repair of the Department of Consumer Affairs may install, repair, inspect, or recharge motor vehicle pollution control devices

This bill would authorize licensed installers to perform emissions related repairs

[(2) Existing law specifically authorizes the Director of Consumer Affairs, by regulation, after consulting with the Department of the California Highway Patrol and the State Air Resources Board, to approve testing and calibrating of equipment used in official stations for adjusting lamps or brakes and for installing, repairing, inspecting, or recharging motor vehicle pollution control devices and to approve testing laboratories used to certify the performance of such equipment.

This bill would delete this provision]*

~~(2)~~ [3]* Under existing law, the Department of Motor Vehicles requires, in areas of the state other than the South Coast Air Basin, upon initial registration or transfer of a motor vehicle subject to motor vehicle air pollution emission standards, a valid certificate of compliance issued by a motor vehicle pollution control device installation and inspection station indicating that the vehicle is properly equipped with an emission control device, or a certificate of noncompliance, as appropriate In the South Coast Air Basin, the State Air Resources Board entered into a contract with a private entity to conduct a program of exhaust emission inspection of motor vehicles upon initial registration or upon transfer of ownership. The Department of Consumer Affairs is required, upon passage of inspection, to issue a certificate of compliance The department is required to issue a certificate of waiver to a vehicle failing inspection and, after a low-emission tuneup, is in need of further maintenance and repair costing more than a specified amount

This bill would authorize the issuance of certificates of noncompliance in the South Coast Air Basin under the same conditions as those certificates are issued in other areas of the state.

~~(3)~~ [4]* Existing law generally prescribes various penalties and provides for orders of abatement in the enforcement of air pollution control requirements and regulations applicable to gasoline cargo tanks.

This bill would allow alternatives to criminal penalties, in the case of gasoline cargo tanks, by allowing the issuance of a notice to appear and would authorize the court to dismiss the charges if the arrested person presents proof of correction, as specified, to the court on or before the date for appearance

~~(4)~~ [5]* Existing law requires a driver of a motor vehicle to present his or her license for examination upon demand of a peace officer enforcing the provisions of the Vehicle Code.

This bill would prohibit state or local police from demanding a train engineer or crewmember to present his or her motor vehicle operator's license in accidents involving the operation of a train, and would prohibit any citation against such license arising out of the operation of a train

~~(5)~~ [6]* Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 1135 (AB 2264) Mello. San Lorenzo Valley Water District

(1) Under existing law, the powers of a district organized pursuant to the County Water District Law include the acquisition, construction, and operation of sewage treatment facilities, but do not include the power to correct or prevent pollution or contamination of the waters of the district

This bill would authorize the San Lorenzo Valley Water District, a district organized pursuant to such law, to carry on investigations, examinations, and tests of all kinds of the waters within the district, to require persons discharging from onsite waste water

disposal systems to register the system with the district; to charge annual registration fees; to review and comment upon applications to the County of Santa Cruz for permits for such systems; to enjoin such discharges; to prevent or abate pollution or nuisance caused by such discharges; and to recover costs of such abatements from dischargers by civil suit The bill would also provide that such recovery and costs of such abatement would also be a lien on certain real property and collectible in the same manner as district taxes are collected

The bill would also authorize the district to adopt regulations, not in conflict with state law or county ordinances, for onsite waste water disposal systems and would require the district to secure compliance with any federal, state, regional, or local law or regulation relating to water pollution or discharges from such systems. The bill would authorize either the district or the County of Santa Cruz to contract with the other party for any services or activities authorized under the bill A violation of the regulations of the district would be a misdemeanor punishable by a fine not to exceed $500, imprisonment not to exceed 60 days, or both.

(2) The bill would declare that a special act is necessary.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

The bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch 1136 (AB 2740) Mangers Manufactured housing: financing.

(1) Existing law does not contain a comprehensive system for the financing of manufactured housing developments and the purchase of manufactured housing for purposes of meeting the housing needs of persons and families of low and moderate income.

This bill would expressly authorize the Department of Housing and Community Development and the California Housing Finance Agency to conduct programs for the financing of manufactured housing, as defined, including loans for the development of mobilehome parks and manufactured housing subdivisions and the purchase of manufactured housing by persons of low and moderate income. It would make conforming changes in existing law to accomplish these purposes.

It would require both the department and the agency to make prescribed reports.

It would provide for the issuance and guarantee of certain loans for these purposes by the agency.

(2) Under existing law, the California Housing Finance Agency is administered by a board of directors consisting of 11 voting members.

This bill would revise the qualifications of members of the board, but would not affect the tenure of members in office on January 1, 1981.

(3) Under existing law, there is the Veterans' Farm and Home Purchase Act of 1974 administered by the Department of Veterans Affairs which, among other things, provides for loans to eligible persons for the purchase of mobilehomes sited on property owned by the purchaser or in mobilehome parks [and for the purchase of a farm]*

This bill would increase the maximum purchase price and ~~loan~~ [amortization]* period for the purchase of mobilehomes under the act, [and decrease the maximum purchase price for the purchase of farms]* as specified

Ch 1137 (AB 538) M. Waters School districts classified employees: restricted positions

Prior to June 30, 1979, a provision of law defined the categories of positions in the classified service for which the governing board of a school district may establish eligibility restrictions based on low income or area of residence. Such provision of law was repealed June 30, 1979

This bill would reenact such provision of law and would repeal it January 1, 1983

This bill would also require districts which employ persons in "restricted" positions to submit a report to the Superintendent of Public Instruction by August 1, 1981 The

superintendent would be required to submit a report to the Legislature by January 1, 1982.

Ch 1138 (SB 1518) Petris. State real property. letting· term and conditions

Existing law generally limits the period for which state owned personal or real property may be let to not to exceed 5 years

This bill would authorize the Director of General Services, with the consent of the concerned state agency and the approval of the concerned local agency governing body, to let for any period any state owned real property or interest therein when he deems such letting serves a beneficial public purpose limited to the development of housing or park and recreation facilities and would require such leases to be let in accordance with procedures facilitating development of such facilities when such use is compatible with current use and foreseeable future use of such property. All proposed leases would be reviewed by the Public Works Board. At least 25% of the housing units developed on such leased state property would be required to be available for the term of the lease to moderate-income persons, 12.5% to low-income persons, and 12.5% to very low-income persons, as specified The director would be required, in letting such leases, to give preference to projects providing more affordable units than required above and to determine that the project is compatible with local planning goals and environmental objectives. The director would be authorized to enter into such leases at less than market value, provided the lease administration cost is recovered The Department of Housing and Community Development would be required to recommend a lease amount, as specified. Leases would be required to contain specified recitals which would be conclusive in favor of lessees and their mortgagees

Ch. 1139 (AB 3142) McAlister. Loans· interest rates.

Existing law imposes requirements on the issuance of a security document or evidence of debt that contains a provision for a variable rate of interest if the security document or evidence of debt is for the purpose of financing the purchase or construction of real property containing 4 residential units or less.

This bill would exempt from the requirements imposed by existing law on variable interest loans, unamortized construction loans with an original term of 2 years or less, as specified.

This bill would, in addition, permit any lender to make, purchase or participate in a renegotiable rate mortgage loan on a 1- to 4-family home if the loan complies with the provisions of the bill.

Ch. 1140 (SB 2011) Foran. Insurance: general investments.

Existing law provides that domestic incorporated insurers may invest their assets in the purchase of any of specified securities, or in loans upon such securities, if such purchase or loan conforms to specified conditions

This bill would additionally permit an insurer to invest, under specified limitations, in notes or bonds secured by a second mortgage or other second lien, including all inclusive or wraparound mortgages or liens upon real property encumbered only by a first mortgage or lien meeting specified requirements.

Ch 1141 (AB 2803) Costa. Housing: local agency financing of housing

Existing law authorizes a city or county to engage in a house financing program and to issue revenue bonds therefor in a specified manner.

This bill would provide an alternative procedure for cities and counties to issue revenue bonds for such purpose It would authorize the California Housing Finance Agency and any city or county, or a city and a county, to enter into an agreement, containing prescribed provisions, that the agency sell bonds on behalf of any such city or county, or for such city and such county

Ch. 1142 (SB 1960) Rains Zoning: mobilehomes

Existing law does not preclude a city, including a charter city, county, or city and county from prohibiting the installation of certain mobilehomes on foundation systems on lots zoned for single-family dwellings.

This bill would make such a prohibition, but would specify that such installation may be subject to certain other requirements applicable to conventionally constructed sin-

gle-family residential dwellings. However, any architectural requirements imposed on the mobilehome structure itself would be limited to roof overhang, roofing material, and siding material. It would permit the designation of lots for such use within single-family zones in a prescribed manner. It would make a specified finding and declaration.

This bill would become operative July 1, 1981

Ch. 1143 (AB 2853) Roos. Local planning mobilehome parks and housing elements.

(1) Existing law authorizes the legislative body of a county or city to regulate by zoning ordinance the various uses to which property within the jurisdiction may be put, and requires the legislative body to establish a planning agency to, among other things, develop and maintain a general plan

This bill would require the Department of Housing and Community Development, within 30 days after the effective date of this bill, to prepare and send to each county and city a questionnaire requesting prescribed information concerning the zoning regulations applicable to mobilehome parks, and would require the department to evaluate and report to the Legislature on the information received on or before July 1, 1981

(2) Existing law requires the adoption by every county and city of a local general plan, including a housing element. Under present law, the housing element is required to make adequate provision for the housing needs of all economic segments of the community Under present law, there are no specific time limitations for periodic revision of the housing element, and the Office of Planning and Research may grant limited time extensions for completion of the element

This bill would enact substantially more detailed requirements for the housing element and, among other things, would require counties and cities to plan in the housing element for meeting their "appropriate share of the regional demand for housing," as determined pursuant to a specified procedure involving the council of governments for the region, the state's Department of Housing and Community Development, or the department alone in areas not having such a council The bill would require each county and city to conform its housing element to the bill on or before October 1, 1981. The bill would require every city and county to revise its housing element, as specified at least every 5 years, except that the first revision would be due by July 1, 1984.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1144 (AB 3252) Papan Evidentiary presumptions. building restrictions.

Existing statutory law authorizes or requires a city or county to take specific action relating to planning and zoning which may limit the number of housing units which may be constructed within a city or county during a specified period of time. Under decisional law, if a land use restriction significantly affects residents of surrounding communities, the constitutionality of the restriction must be measured by its impact not only upon the welfare of the enacting community, but upon the welfare of the surrounding region. Decisional law also places the burden of proof in any action challenging the validity of such a restriction on the challenging party to show that such action lacks a real and substantial relation to the public welfare

This bill would establish a presumption affecting the burden of proof that an ordinance enacted by the governing body of a city or county, except an ordinance enacted pursuant to the provisions of an initiative or referendum measure adopted prior to the effective date of this bill and meeting certain other conditions, which directly limits building permits or buildable lots by number, has an impact on the supply of housing in an area that includes territory outside the city or county The bill would also shift the

burden of proof to the city or county to establish that the ordinance is necessary for the protection of the public health, safety, or welfare of its population The bill would exempt from its provisions actions involving specified temporary moratoriums, ordinances creating agricultural preserves, and zoning ordinances that restrict available buildable parcels by limiting minimum parcel size or designating lands for nonresidential uses.

Ch. 1145 (AB 2806) Costa. Local agencies LAFCO's

(1) Existing law contains separate procedures for the organization, reorganization, or change of organization of cities and special districts, respectively Under these procedures, there is currently no maximum period within which a local agency formation commission (LAFCO) must certify an application or petition for such proposed actions.

This bill would establish such a period as being within 30 days of receipt of the application, except where a LAFCO is the lead agency in the proposed action

(2) Under existing law, a LAFCO has authority to conditionally approve proposed local agency organizations, reorganizations, or changes of organization, but may not impose conditions which would directly affect land use or subdivision requirements

This bill would additionally prohibit conditions which directly regulate property development.

(3) Deadlines, except for notice requirements under the Municipal Organization Act and the Knox-Nisbet Act, are stated to be directory, rather than mandatory, under current law with regard to any official, conducting authority, or LAFCO involved in a local organization, reorganization, or change of organization involving a city, county, city and county, or district

This bill would require that applications be deemed accepted when the deadlines are not met, and would make the deadline for conducting a hearing under the Municipal Organization Act mandatory

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1146 (AB 3464) Thurman. Agriculture Guayule program. Mediterranean fruit fly.

(1) Existing law provides for a guayule development pilot program administered by the Director of Food and Agriculture to establish 10 test plots in suitable growing areas and to terminate January 1, 1982.

This bill would require the director to continue to administer the existing guayule program and to seek all available federal funding in the amount necessary to support specified projects The bill would also require the director to seek additional public and private funding for specified guayule programs

(2) Existing law does not expressly provide funding for eradication of the Mediterranean fruit fly

This bill would make legislative findings of necessity to eradicate the Mediterranean fruit fly and would require the Department of Food and Agriculture to report on a quarterly basis, as specified, on that eradication program

(3) The bill would appropriate $1,200,000 from the General Fund to the Department of Food and Agriculture for allocation of $200,000 to fund California's existing guayule program and allocation of $1,000,000 to fund the Department of Food and Agriculture Emergency Fund for the eradication of the Mediterranean fruit fly and other authorized purposes. Any of the $1,000,000 not expended by June 30, 1981, would revert to the General Fund.

(4) The bill would take effect immediately as an urgency statute

Ch 1147 (AB 3455) Perino Motor vehicles: cotton module mover

Under formerly existing law, until July 1, 1980, cotton module movers were authorized to carry a gross weight on each set of tandem axles in excess of 34,000 pounds, on any county highway in specified counties, unless the board of supervisors having jurisdiction over the county highway adopted a resolution prohibiting or limiting the operation of any cotton module mover exceeding the allowable axle weight limits on that county highway or all county highways under its jurisdiction These provisions were repealed on July 1, 1980

This bill would reenact these provisions, and extend the excess weight authorization to crossing state highways The bill would limit such provisions to cotton module movers registered in California before July 1, 1980. The provisions of the bill would be repealed on July 1, 1984

The bill would take effect immediately as an urgency statute.

Ch 1148 (AB 3173) Greene California Exposition and State Fair.

Under existing law, the California Exposition and State Fair is administered by the Division of Exposition and State Fair in the Department of Parks and Recreation. There is in such division the California State Fair Advisory Commission

This bill would repeal the existing law relating to organization and administration of the California Exposition and State Fair The bill would create in state government a separate independent entity known as the California Exposition and State Fair which would be governed by an 11-member board of directors appointed by the Governor with the consent of the Senate The 2 Members of the Legislature who represent the Assembly and Senate district in which the California Exposition and State Fair facilities are located would meet with and, except as otherwise provided by the Constitution, advise the board to the extent that such advisory participation is not incompatible with their duties as Members of the Legislature. The board would serve as the policymaking body for the California Exposition and State Fair and would have full responsibility for the management and operations of all of its facilities The board would have specified powers and duties and would be authorized to appoint advisory committees to provide information and advice

The bill would transfer records, information, equipment, and real and personal property held by the Department of Parks and Recreation relating to the former California Exposition and State Fair to the new entity

Ch 1149 (AB 2915) Gage Mobilehomes· commercial coaches: titling: registration taxation

(1) Existing law contained in the Vehicle Code, prescribes certain requirements for dealers pertaining to mobilehome escrow accounts for the sale of new or used mobilehomes

This bill would repeal these provisions and place them in the Health and Safety Code with prescribed revisions. It would define the terms "dealer" and "retailer" for purposes of these provisions

(2) Existing law requires mobilehomes to be registered annually by the Department of Motor Vehicles, except for mobilehomes installed on foundation systems pursuant to a specified Health and Safety Code section, which are subject to local property taxation, and certain mobilehomes sold and installed for occupancy on or after July 1, 1980, which are subject to local property taxation and which are subject to registration only at the time of initial sale, resale, or transfer of title. Under existing law the Department of Motor Vehicles also administers the provisions of law applicable to mobilehomes relating to vehicle license fees

This bill would require the Department of Housing and Community Development to title or register mobilehomes, in a specified manner It would authorize the department to charge a prescribed annual registration fee It would prescribe that the department shall issue a registration decal, as specified. It would require the department to administer the vehicle license fee provisions of existing law in a prescribed manner. It would authorize the department to adopt rules and regulations for the orderly transfer of these registration and taxation functions from the Department of Motor Vehicles

This bill would make other conforming changes

It would also make commercial coaches, as defined, subject to the jurisdiction of the department for purposes of registration, titling, multiple listings by dealers, and taxation, as specified It would define certain terms for purposes of its provisions, including

"registered owner," "legal owner," and "junior lienholder "

(3) Existing law requires that prior to installation of a mobilehome on a foundation system pursuant to a specified provision in law that the owner obtain a permit from the appropriate local agency which would require, among other things, written evidence acceptable to the local agency that the mobilehome owner owns or holds title to the real property where the mobilehome is installed, and written consent from any person that holds legal title to the mobilehome to make such installation.

This bill would permit, in lieu of holding title to the real property where the mobilehome is to be installed, the holding by the owner of the mobilehome of a prescribed long-term lease or the purchasing of the real property where the mobilehome is to be installed It would require instead of written consent from the person that holds title to the mobilehome to install the mobilehome, that evidence be provided by the legal owner that indicates the mobilehome owner owns the mobilehome or has agreed to discharge upon installation any encumbrance or security interest in the mobilehome. It would authorize the department to adopt regulations regarding such acceptable evidence.

(4) Under existing law there is a Mobilehome Revolving Fund which is continuously appropriated to the Department of Housing and Community Development for purposes of carrying out specified statutory provisions relative to mobilehomes. Under existing law, certain fees received by the department and deposited in this fund for mobilehome installations are designated for enforcement of specified consumer protection.

This bill would delete the requirement that these fees be used for the enforcement of the specified consumer protections

(5) Under existing law there is a Division of Codes and Standards in the Department of Housing and Community Development.

This bill would divide these divisions into two sections, the Housing Standards Section and the Manufactured Housing Section Each section would be in the charge of an assistant chief, as specified

(6) Existing law contains provisions relative to the termination of tenancy of owners of mobilehomes occupied within mobilehome parks, which, among other things, requires that the mobilehome park management, prior to such termination or refusal to review a tenancy, give a specified notice to the tenant Pursuant to these provisions, tenancy may be terminated in a specified manner for nonpayment of rent, utility charge, or reasonable incidental service charges.

This bill would require the notice of termination of tenancy or refusal to renew tenancy to be sent in a specified manner to the legal owner and registered owner, as defined, if other than the tenant. It would also provide a procedure whereby the legal owner or registered owner would be permitted to pay the rent or other charges due

(7) Under existing law the Unruh Act which governs retail installment sales applies to sales or tangible chattels bought primarily for personal family or household purposes.

This bill would amend provisions of this act which will take effect January 1, 1981, to expressly exclude from the act the construction, sale, or construction and sale of a mobilehome which is a residence.

(8) This bill would make substantive changes in provisions of existing law relative to conditional sales contracts involving mobilehomes, as specified.

(9) Existing law, as provided for by the Governor's Reorganization Plan No 1 of 1980, authorizes the Department of Housing and Community Development to license mobilehome dealers, transporters, manufacturers, manufacturers' branches, distributors, or distribution branches.

This bill would add provisions relative to the suspension or revocation of these licenses, as specified.

(10) Existing law provides for summary probate proceedings when a decedent leaves no property in this state and the total value of personal property, excluding any motor vehicle and excluding certain salaries owing to the decedent is under a certain amount

This bill would expressly exclude a mobilehome or commercial coach, as specified, from the property taken into account for purposes of determining eligibility for the summary probate proceedings

(11) This bill would make clarifying and other substantive changes in existing law relative to the property taxation and sales and use taxation of mobilehomes

(12) This bill would incorporate changes proposed by SB 1595 in Section 10131 7 of

the Business and Professions Code to become operative only if this bill and SB 1422 are both chaptered and this bill is chaptered last.

(13) This bill would repeal Section 11950 of the Vehicle Code and recodify certain provisions of this section in a revised form in Section 18065, proposed to be added to the Health and Safety Code, by this bill. SB 1992 would amend Section 11950 of the Vehicle Code. This bill would incorporate changes in Section 18065 of the Health and Safety Code proposed by SB 1992 in Section 11950 of the Vehicle Code to become operative only if this bill and SB 1992 are both chaptered and this bill is chaptered last

(14) This bill would incorporate changes proposed by AB 3393 in Sections 2981, 2982, 2982.8, and 2984.2 of the Civil Code to become operative in each instance only if this bill and AB 3393 are both chaptered and this bill is chaptered last.

(15) This bill would appropriate $1,500,000 to the Department of Housing and Community Development, with the approval of the Department of Finance, for purposes of funding the preparation of the assumption of the department titling and registration responsibilities and other duties, as prescribed in the bill It would specify that in no case shall the appropriation be used for the provision of services, but only for such preparation, as specified

It would prescribe that the department reimburse the amount appropriated with interest, as specified.

(16) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1150 (AB 2698) Roos. Manufactured homes. zoning: movement.

(1) Present law for purposes of the exercise of zoning powers by a city, including a charter city, county, or city and county, does not expressly require certain mobilehomes installed on foundation systems be permitted in zones in which conventionally constructed family dwellings are permitted without the requirement of any use permit, except as otherwise required for conventionally constructed single-family dwellings.

This bill would make such a requirement, but would permit certain specified requirements and standards, as long as they do not exceed those imposed on conventionally constructed single-family dwelling units. It would also permit such local agencies to establish certain zones for these mobilehomes and factory-built housing as long as the effect of such establishment is not to prohibit these structures within the agency's jurisdiction It would exempt from its requirements any city with a population of 1,000 or less within which 10% or less of the land area is zoned for residential uses. It would make conforming changes in existing law.

(2) Existing law contained in the Vehicle Code establishes certain width requirements for all vehicles, including mobilehomes, moved on the highway. Existing law additionally permits the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, upon application by licensed manufacturers, dealers, and transporters, to issue permits, authorizing the applicant to move any trailer coach in excess of a prescribed width, but in no case exceeding 10 feet, as prescribed, upon any highway under the jurisdiction of the party granting such permit.

Existing law requires that a power unit used to tow overwidth trailers meet certain specifications. Existing law makes a permit issued for the movement of any trailer coach invalid between sunset and sunrise of the following day, between sunset on Friday to sunrise on Monday following, and on legal holidays of this state Existing law also requires that the permit be carried in the trailer coach or power unit to which it refers

This bill would, generally, increase the width limitation from 10 feet to 12 feet with the exception of mobilehomes or factory-built housing, in which case, it would permit 14 feet in total width. It would delete the provisions in existing law relative to specifications for a power unit used to tow overwidth trailers and the above-described provision

relative to the invalidity of the permit on specified days following issuance. It would require a copy of the tax clearance certificate, certificate of origin, or dealer's notice of transfer, to be carried with the permit when such certificate or notice is required to be issued It would expressly require the applicant to receive approval of a city or county if the trip will include movement on streets or highways under jurisdiction of the city or county, as specified. It would make it a violation of any permit, issued by the Department of Transportation, for the move to be extended to streets or highways under the jurisdiction of a city or county without such entity's approval.

It would define the terms mobilehome, manufactured home, and factory-built housing for purposes of provisions in the Vehicle Code.

It would make other conforming changes.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1151 (AB 3439) Hughes Subdivision approval.

(1) The Subdivision Map Act presently prescribes time limitations for consideration of subdivision maps, but permits waiver by mutual consent of the local agency and the subdivider

This bill would preclude local advisory agencies and legislative bodies from requiring routine waiver of any statutory time limit for review of subdivision maps, unless for the purpose of permitting concurrent processing of related approvals or environmental review on the same development project

(2) Existing statutes require notice of public hearings on subdivisions to be given by publication or posting, as specified. Decisional law also requires that, whenever approval of a tentative subdivision map will constitute a substantial or significant deprivation of the property rights of other landowners, the affected persons are entitled to reasonable notice of the hearing.

This bill provides that, whenever approval of a tentative subdivision map will constitute a substantial or significant deprivation of property rights of other landowners, this notice, as specified, shall be given to owners of property within 300 feet of the property proposed to be subdivided, as such owners are shown on the last equalized assessment roll.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1152 (AB 2320) McCarthy Housing, land use, and development

(1) Existing law relating to subdivision public reports requires that, prior to the time when subdivided lands are to be offered for sale or lease, the owner, his agent or subdivider notify the Real Estate Commissioner in writing (containing certain designated information) of his intention to sell or lease such offering Existing statutes do not limit the time within which the commissioner is to prepare subdivision public reports

This bill would delete or revise the requirements for certain of the information requirements for such notices This bill would also require the commissioner to respond in writing to such a notice and application for issuance of a public report with a listing of deficiencies, if any The bill would specify time limitations for such response and for preparation of subdivision public reports by the commissioner The bill would preclude

denial of a public report for reasons of inadequate information if the cause thereof is the commissioner's failure to comply with the above requirements of the bill

(2) Present law prohibits a person from selling or leasing or offering for sale or lease lots or parcels in a subdivision without first obtaining a public report from the commissioner, except that the commissioner is required to waive this requirement, in writing, for certain expressly zoned industrial subdivisions and expressly zoned commercial subdivisions

This bill would delete the requirement that prior to the offering of the expressly zoned subdivisions described above that a notice of intention be submitted to the commission and would expressly prescribe that no public report is required for such subdivisions.

(3) Present law precludes amendment of mandatory elements of local general plans more than 3 times per year

This bill would make an exception for amendments requested and necessary for development, according to a specific proposal, of residential units for defined persons and families of low or moderate income

(4) Existing state law expressly provides for zoning of lands by counties and cities However, such provisions are not applicable to charter cities, except to the extent made applicable by the charter or ordinance of such city

This bill would require the zoning power to be exercised in a specific manner for purposes of meeting housing needs as identified in the general plan

(5) The Subdivision Map Act presently authorizes counties and cities to, by ordinance, regulate the design and improvement of land subdivisions.

This bill would require such local agencies to consider housing needs within its jurisdiction and region when developing, adopting, revising, or applying such an ordinance, to refrain from imposing criteria for design or improvements, as defined, for the purpose of rendering infeasible the development of housing for any and all economic segments of the community

(6) The Subdivision Map Act presently prescribes time limitations for consideration of subdivision maps, but permits waiver by mutual consent of the local agency and the subdivider

This bill would shorten certain of such time limitations applicable to tentative and final subdivision maps, and would preclude a local agency from requiring waiver of any statutory time limit for review of subdivision maps on the basis of a uniform policy or standard operating precedure It would require the local agency to determine at the time the subdivider makes an application whether or not it is able to meet such time limits If it makes such determination in the negative, it would require the local agency, upon request of the subdivider, to contract such services to a private entity or persons, and except as specified it would permit a fee to be charged in this regard, as specified

(7) Present law prohibits a hearing for purposes of bringing zoning into consistency with the general plan from being held within 2 weeks of the date on which the general plan, or any element thereof, has been recommended for adoption or amendment, or adopted or amended by the planning commission or legislative body when the recommendation, adoption, or amendment is the action from which inconsistency arises

This bill would delete this prohibition, and, instead, permit the hearings held for the purpose of adopting or amending a general plan, or any element thereof, and the hearing for bringing zoning into consistency with the general plan to be held together, or, at the discretion of the local agency, the hearing would be authorized prior to the consideration of a zoning change

(8) Present law establishes a 180-day statute of limitations for purposes of bringing judicial actions under the Subdivision Map Act

This bill would revise this to 90 days after the decision

(9) Counties and cities presently have authority to zone for land uses, and to regulate land subdivisions consistent with state law

This bill would specify certain considerations, relating to housing production, to be observed in exercising such authority This bill would also require local agencies on or before January 1, 1983, upon request of developers, and to provide for administrative review of all applications and permits for housing development by a single administrative entity, as defined and would permit fees to be charged in this regard as specified The portion of the bill described in this paragraph would be expressly made applicable to charter cities and cities and counties

(10) Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, which they propose to carry out or approve and which may result in a substantial, or potentially substantial, adverse change in the environment. In the event the agency determines that a proposed project does not have a significant effect on the environment, the agency is required to adopt a negative declaration to that effect.

This bill would specifically provide that the commissioner is not a responsible agency for such purposes, and that receipt by the Real Estate Commissioner of a copy of an environmental impact report or negative declaration pursuant to the act constitutes conclusive evidence of compliance with the act

(11) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 1153 (AB 2780) Hughes Housing Demonstration Program for elderly and handicapped: relocation assistance· Business and Transportation Agency.

(1) Under present law which authorizes the Demonstration Housing Rehabilitation Program for the Elderly and Handicapped, persons and families of low or moderate income displaced by rehabilitation of rental housing developments financed pursuant to such program are entitled to prescribed monthly assistance and temporary housing if they will reoccupy the premises as eligible households, but if permanently displaced, are entitled to a displacement payment of $1,000.

This bill would delete such provisions and, instead, provide for relocation assistance, as authorized under general provisions of existing law, for persons and families permanently displaced by such rehabilitation. The bill would require the Department of Housing and Community Development to provide affordable housing for elderly and handicapped households of low and very low income who will reoccupy units in the rehabilitated housing, until such units are available for reoccupancy.

The bill would authorize the use of specified moneys already appropriated for such program to fund relocation assistance authorized by the bill and would, thus, constitute an appropriation measure.

It would revise the definition of "rental housing development" contained in existing law to include a structure or structures intended for use as a group home by 5 or more handicapped individuals

(2) Existing law authorizes the department to provide financial assistance in accordance with prescribed provisions, to households residing in rental housing, or a mobilehome park in which such households rent spaces, which is to be converted to condominium ownership or ownership by a stock cooperative corporation for the purpose of assisting such households in acquiring their dwelling unit or a share in the stock cooperative corporation which entitles such households to occupancy of their dwelling unit. Existing law also authorizes the department to provide financial assistance for the purpose of assisting households to purchase a mobilehome which is located outside of a mobilehome park and which is affixed to a permanent foundation Under existing law, upon the sale of a dwelling unit, mobilehome, or share in a stock cooperative for which assistance was provided, the recipient of the assistance is required to pay to the department from the portion of the proceeds of the sale, an amount proportionate to the percentage of the initial purchase price which was paid with the provided financial assistance However, if the recipient has made improvements to the dwelling unit or mobilehome, existing law requires that the cost of such improvements be added to the purchase price in determining relative financial participation for purposes of apportioning the proceeds of the sale

This bill would, instead, require, if the recipient has made improvements to the dwelling unit or mobilehome, that the increase in the fair market value of the unit or mobilehome arising from the improvement be added to the fair market value of the recipient's share in such unit or mobilehome immediately before such improvements are made, in determining the recipient's relative financial participation for the purpose of calculating the amount to be paid to the department. It would also prescribe that the contract for assistance may provide that the department not receive less than the amount of assistance provided, as specified

(3) Existing law authorizes the department to provide financial assistance to nonprofit corporations and stock cooperative corporations to enable such corporations to develop or purchase a mobilehome park to be occupied by persons and families of low or moderate income and, in addition, to provide financial assistance to persons or families with incomes not in excess of the median income for the county to enable such persons or families to purchase a share in a stock cooperative corporation which owns a mobilehome park Upon the sale of a mobilehome park or share in a stock cooperative corporation for which assistance was provided, existing law requires the payment to the department from the proceeds of the sale, an amount proportionate to the percentage of the initial purchase price or development cost of the mobilehome park or purchase price of the share which was paid with financial assistance provided by the department, adjusted for improvements made by the corporation or shareholder.

This bill would prescribe how the adjustment for improvements is to be made It would delete the requirement that the park be occupied by persons of low or moderate income and instead require that the financial assistance not exceed 49 percent of the purchase price or development cost of the park which may be attributed to the number or ratio of persons or families with incomes, not in excess of the medium income of the county, who will occupy the park It would also prescribe that the contract for assistance may provide that the department not receive less than the amount of assistance provided, as specified

(4) Present law establishes the Business and Transportation Agency in state government

This bill would rename the agency as the Business, Transportation and Housing Agency The bill would authorize the Governor to appoint within the agency a Deputy Secretary of Housing, who would receive a salary as fixed by the secretary of the agency with the approval of the Department of Finance The bill would also make technical, nonsubstantive changes and delete obsolete provisions

(5) This bill would take effect immediately as an urgency statute

Ch 1154 (AB 2153) Hughes Governmental actions

(1) Existing law authorizes the Department of Housing and Community Development to financially assist specified rental housing developments by making deferred payment loans, as specified for the acquisition and rehabilitation of defined rental housing Ten million dollars was appropriated from the General Fund to the department for such purpose

This bill would reappropriate the unencumbered balance of such appropriation for transfer to the Housing Rehabilitation Loan Fund, an existing fund which is continuously appropriated to the department for the above purposes

This bill would require the department to ensure that not less than 20% of the deferred-payment rehabilitation loans for financing the cost of rehabilitating existing housing to meet rehabilitation standards be allocated to rural areas

(2) Existing law authorizes the department to provide a portion of the development costs of prescribed low- and moderate-income rental housing and to provide certain other assistance in exchange for reserving occupancy of units constructed, for occupancy by persons and families of low or moderate income

This bill would authorize such reservation to be by household, would make cooperative housing and specified mobilehome parks eligible for such assistance, would revise the priorities and conditions for such assistance and, would extend a specified rental subsidy program to include certain housing authority programs This bill would specifically define the types of assistance that could be provided under the program

(3) Under present law all interest or other increment resulting from investment or deposit of moneys in the Rental Housing Construction Incentive Fund is required to be

deposited in the Management Reserve Account of such fund.

This bill would rename such fund as the Rental Housing Construction Fund, and would, instead, provide that only such interest or increment produced by investment or deposit of moneys in the Management Reserve Account would accrue to that account Interest or increment earned by other moneys in the fund would, under the bill, accrue to the fund generally.

(4) Present law authorizes the department to provide specified financial assistance to enable households renting their dwelling unit or mobilehome space to acquire the unit or space or a share in a stock cooperative, where the unit or space is to be converted to condominium or stock cooperative ownership

This bill would authorize such assistance to households acquiring a unit or space other than the one they are renting prior to conversion, would authorize such assistance to include acquisition of a rental mobilehome located in a mobilehome park to be so converted, and would make other changes in the eligibility criteria, priorities, and conditions of such assistance.

(5) Under existing law the department is authorized to financially assist nonprofit corporations and stock cooperatives in acquiring mobilehome parks, provided the stockholders are persons and families of low or moderate income, and to provide financial assistance to eligible persons to purchase a share in such a corporation or cooperative.

This bill would extend such program to include limited equity housing cooperatives and would revise the conditions and priorities for such assistance The bill would prohibit the use of assistance provided by the department to reduce the purchaser's downpayment below 3% of the total purchase price

(6) Under existing law, moneys in the Urban Housing Development Loan Fund on January 1, 1981, which were transferred from the General Fund and are unencumbered as of such date, will be transferred to the General Fund

This bill would delete provisions for such retransfer of funds

(7) Present law requires the Department of General Services, with the approval of the State Public Works Board, to convey a specified 25-acre parcel to the City of Commerce for development of low- and moderate-income housing. Present law prescribes that the city shall pay current market value for the land

This bill would specify that, in determining market value for such purpose, the value shall be established for the residential uses for which the land is to be conveyed. The bill would declare that this is not a change in existing law

(8) This bill would incorporate changes in Section 50737 of the Health and Safety Code proposed by SB 1721, to be operative on the effective date of SB 1721 if SB 1721 and this bill are both chaptered and this bill is chaptered last

(9) The California Environmental Quality Act generally requires preparation of an environmental impact report or negative declaration in connection with the consideration by a public agency of a discretionary project, as prescribed

This bill would exempt from the coverage of such act (a) extensions of time for the preparation of local general plan elements granted by the Director of Planning and Research and (b) actions of the Department of Housing and Community Development to financially assist low- and moderate-income housing if the project will be reviewed under the act by another agency

(10) Existing statutes require notice of public hearings on subdivisions to be given by publication or posting, as specified Decisional law also requires that, whenever approval of a tentative subdivision map will constitute a substantial or significant deprivation of the property rights of other landowners, the affected persons are entitled to reasonable notice of the hearing.

This bill would provide that, whenever approval of a tentative subdivision map will constitute a substantial or significant deprivation of property rights of other landowners, this notice, as specified, shall be given to owners of property within 300 feet of the property proposed to be subdivided, as such owners are shown on the last equalized assessment roll

(11) This bill would incorporate changes in Sections 50776 and 50777 of the Health and Safety Code proposed by AB 2780, to be efffective if AB 2780 and this bill are both chaptered and this bill is chaptered last

(12) This bill would take effect immediately as an urgency statute

Ch 1155 (AB 3343) Knox Entities

Existing law requires a corporation, in the case of a reorganization, to mail to certain shareholders, including those shareholders who demand that the corporation purchase the shareholder's shares, a notice of approval of the reorganization within 10 days after the date of the approval. Existing law also requires a shareholder who desires to exercise the right to require the corporation to purchase the shareholder's shares for cash, in the case of a reorganization, to make a demand upon the corporation within 30 days after the notice of approval was mailed to the shareholder, except in certain circumstances

The bill would require the corporation to mail such notice to any shareholder who has a right to require the corporation to purchase their shares for cash, in the case of a reorganization.

Under existing provisions of law relating to public benefit and mutual benefit corporations, the board of directors may declare vacant the office of a director in specified circumstances

This bill would add to those circumstances failure to attend a specified number of meetings if the bylaws so provide at the time the director is elected

Under existing law relating to public benefit corporations an action brought against a director or directors on the basis of a self-dealing transaction must be commenced 10 years after the cause of action has accrued Under these provisions the person asserting the validity of the transaction has the burden of proving various matters

This bill would shorten the period to 3 years after the transaction occurred, except for the Attorney General, who shall have 10 years after the transaction occurred to commence an action. It would also eliminate the burden of proof upon the person asserting the validity of the transaction

Effective January 1, 1980, a new comprehensive Nonprofit Corporation Law was enacted, consisting of the Public Benefit Corporation Law, the Mutual Benefit Corporation Law and the Religious Corporation Law With respect to public benefit corporations and mutual benefit corporations, the new law provides that it governs the indemnification of agents of a corporation whether the events upon which the indemnification is based occurred before or after January 1, 1980

This bill would extend the foregoing provision to religious corporations.

Under existing law relating to public benefit corporations, directors may be elected for terms not to exceed 3 years

This bill would provide that the articles or bylaws of a corporation without members may provide that directors may be elected for one or more terms of up to 6 years

Under existing law relating to public benefit corporations, in the case of a corporation which has no members, all rights which would otherwise vest in the members vest in the directors

This bill would repeal that provision

Under existing law, the bylaws of a mutual water company may not set a quorum of less than 20 percent of the voting power

This bill would repeal that provision

Under existing law, every public benefit and mutual benefit corporation is required to annually furnish to its members a statement of certain transactions and indemnifications

This bill would require such statements be given to directors as well

Under existing law relating to religious corporations, a person asserting the validity of a self-dealing transaction, as defined, has the burden of proving various facts

This bill would eliminate such burden of proof

Under existing law, persons desiring to form a nonprofit hospital service plan may incorporate pursuant to either the Nonprofit Public Benefit Law or the Nonprofit Mutual Benefit Law

This bill would eliminate the option of incorporating under the Nonprofit Mutual Benefit Law

Existing law authorizes action to be taken by members of a nonprofit corporation without a meeting if the corporation distributes a written ballot, as specified

This bill, in addition, would authorize such action if all members, individually or collectively, consent in writing thereto

Existing law provides for 8 directors of Hastings College of the Law and provides that vacancies are to be filled by the board

This bill would increase the number of directors to 11 and would require vacancies to be filled by the Governor, subject to approval by the Senate, and would set the terms of newly appointed directors at 12 years

Existing law provides that the Chief Justice of California is president of the Board of Directors of Hastings College of the Law

This bill deletes such provision.

Existing law provides that a professorship for Hastings College of the Law may be established in the name of any founder who pays $30,000 to the directors

This bill would increase the minimum at $100,000 or a greater sum as determined by the directors.

This bill would incorporate additional changes in Section 39363.5 of the Education Code, proposed by AB 2215, to be effective only if AB 2215 and this bill are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered last.

Ch. 1156 (AB 3367) Knox Legal status. secured transactions. fixtures.

This bill would revise Division 9 (commencing with Section 9101) of the Commercial Code relating to secured transactions to include provisions relating to fixtures which have previously been omitted These provisions would conform substantially to the 1972 Official Text of the Uniform Commercial Code and would define "fixture," provide for the establishment and enforcement of rights in such property, and make related changes.

Existing law provides that a nonprofit hospital service corporation may be incorporated as a nonprofit mutual benefit corporation. AB 3343 would delete this provision

This bill would restore the foregoing to existing law if AB 3343 is also chaptered and this bill is chaptered last.

Ch 1157 (AB 2215) Greene School property

(1) Existing law provides a system for the sale and lease of surplus school property by the governing board of a school district Under this system, the property must be offered for sale or lease, as the case may be, according to specified priorities, including, in the third priority, the former owner. Under existing law, the former owner has the right of first refusal. In addition, the governing board is required to hold a public meeting at which it receives and considers proposals to purchase or lease the property, as the case may be.

This bill would delete the former owner from the third priority and would delete the provisions regarding the right of first refusal This bill would require the governing board of a school district intending to sell surplus school property to take reasonable steps to ensure that the former owner receives written notice, by certified mail, of the public meeting at least 60 days prior to the meeting.

(2) This bill would make technical changes

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(4) This bill would incorporate changes proposed by AB 3343 to be effective only if both this bill and AB 3343 are chaptered and become effective January 1, 1981, and this bill is chaptered last

Ch 1158 (SB 1845) Presley Domestic violence.

Existing law establishes a procedure whereby defendants charged with acts of domestic violence, as defined, who meet specified criteria, may be diverted from the criminal justice system to a treatment or rehabilitation program

This bill would provide that persons charged with assault with a deadly weapon or instrument or by any means likely to produce great bodily injury, the infliction of corporal injury upon his or her spouse or upon the person with whom he or she is cohabiting willful cruelty or unjustifiable punishment of a child under circumstances

likely to cause great bodily harm or death, or the willful infliction upon a child of cruel or inhuman corporal punishment or injury resulting in a traumatic condition is not eligible for the program, would require a court to set forth in writing or to state on the record its reasons for granting or denying diversion, and would make other related changes.

Existing law provides for a Domestic Violence Prevention Act, operative July 1, 1980, which generally speaking, will expand the powers of courts to issue restraining orders and other orders in cases of domestic violence.

This bill would make various technical and definitional changes with regard to such provisions

Ch 1159 (AB 469) Mori Joint Legislative Audit Committee—Auditor General access to records, powers and duties

(1) Under existing state law, the use or disclosure of records regarding applicants for and recipients of specified public social services is limited to specified purposes Existing law further provides that the Joint Legislative Audit Committee has access to such records and the committee may use the records only for the purpose of investigating the administration of the specified public social service programs and reporting the investigation results to the Legislature The committee is prohibited from using the records for commercial or political purposes or disclosing the identity of applicants for or recipients of public social services, except in criminal or civil proceedings conducted in connection with the administration of public social services Such law is operative only to the extent permitted by federal law.

This bill would require that access to public social services records be provided, for investigative purposes, to any governmental entity, committee, or legislative body authorized by law to conduct an audit or similar activity in connection with the administration of public social services The bill would prohibit disclosure of the identity of any applicant or recipient except for specified purposes

This bill would add disclosure of records of recipients of Medi-Cal and adult health care to the Auditor General and the Joint Legislative Audit Committee, as specified, and subject to limited purposes. This bill would further enable the Auditor General and the Joint Legislative Audit Committee to gain access to any records where access is barred by a specific statute, upon the approval of a majority of the members of the Joint Legislative Audit Committee, except criminal arrest records, where an additional authorization by the Attorney General would be necessary to gain access This bill would further provide that it shall be a misdemeanor for the Auditor General, the members of the Joint Legislative Audit Committee, or any member of the respective staffs, to disclose information received pursuant to this act, that is otherwise prohibited by law

(2) An existing statute requires the Joint Legislative Audit Committee to establish priorities and assign all work to be done by the Auditor General

This bill would provide: that the committee shall not be required to direct the Auditor General to conduct an audit or investigation unless the statutory mandate specifically waives such provision and appropriates to the committee sufficient funds therefor, that the Auditor General shall conduct only audits and investigations approved by the committee, and that any provision of law directing the Auditor General to conduct an audit or investigation is deemed a request to the committee to direct the Auditor General to undertake an audit or investigation

(3) Existing statutes require the Auditor General to

(a) Review and report annually to the Legislature on concession contracts awarded by the Department of Parks and Recreation,

(b) Report annually to the Legislature and the State Lands Commission specified matters relating to Santa Monica tide and submerged lands, receive related financial condition and operation reports, and perform other related duties,

(c) Audit or report annually to the Legislature on the Long Beach tidelands revenues and expenditures;

(d) Evaluate the program conducted by the State Department of Health Services for the control of high blood pressure, after 18 months of operation, and

(e) Study and report annually, commencing October 31, 1980, to the Legislature on the effect and the costs avoided in affected counties by the provisions providing for mandatory submission of certain civil actions to arbitration, which reports are required

to be the basis for related reductions by the State Controller of claims of local governmental entities for state-mandated local program cost reimbursement

This bill would repeal such statutes

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

(5) This bill would incorporate additional changes in Section 10850 of the Welfare and Institutions Code proposed by AB 2274 and AB 2790 to be operative on the operative date of either or both of those bills only if AB 2274 or AB 2790, or both, are chaptered and become effective on or before January 1, 1981, and this bill is chaptered last.

(6) This bill would take effect immediately as an urgency statute

Ch 1160 (AB 85) Papan Medi-Cal: pilot programs.

Existing law authorizes the State Director of Health, or his successor, the State Director of Health Services, to continue a Medi-Cal pilot program comparing patient treatment profiles and prior authorization as controls of overutilization in Fresno County and other areas determined by the director until January 1, 1981

This bill would authorize the continuation until June 30, 1982, of the pilot program in Fresno County and such other areas as determined by the State Director of Health Services in order to provide additional time to complete the evaluation of that pilot program.

This bill would appropriate $169,300 from the General Fund to the State Department of Health Services to carry out the purposes of this act.

Ch. 1161 (AB 2370) Filante. Hazardous waste: disposal sites

(1) Existing law does not require an owner, lessee, or occupier of land onto or into which hazardous waste has been disposed, or any other person, to furnish information related to the disposal to the State Department of Health Services

This bill would require, whenever there is reasonable cause for the department to believe that any land is hazardous waste property, as defined, and when requested by the department, that the owner, lessee, or occupier of the land, or any other person who has information relating to such land, to provide prescribed information within 90 days to the department

(2) Existing law does not require persons to have a determination of whether their land is hazardous waste property or border zone property or restrict use of such land or building on it.

This bill would define hazardous waste property and border zone property. Excepting hazardous waste facilities which have a permit or for which a permit application has been submitted, the bill would make any person who knowingly does not apply for a determination of whether his or her land, designated by the State Director of Health Services, is hazardous waste property or border zone property, under specified conditions, or who, except as specified, and after designation by the director, puts his or her land to new use, subdivides it, or builds specified structures on it without a variance, subject to a civil penalty of 25% of the fair market value or sale value of the land and improvements, or $50,000, whichever is greater.

(3) Existing state law does not restrict use of land which has hazardous waste or extremely hazardous waste deposited on or in it or land adjacent to such hazardous waste property

Excepting hazardous waste facilities which have a permit or for which a permit application has been submitted, this bill would provide a procedure for designation of hazardous waste properties and border zone properties after specified special and public notice and public hearing The bill would require the State Director of Health Services to give specified notice of the designation to the owner, to the legislative body of the affected city or county, and other specified persons, and to give orders to the owner

requiring recordation of a hazardous waste easement of specified effect The bill would require the recordation to be indexed, as specified. The bill would prohibit during the pendancy of the proceedings, or after designation by the director, except as specified, any new use or subdivision of affected land or construction for specified uses.

The bill would authorize the State Director of Health Services to grant a written variance to the prohibitions on new land use, building on the designated hazardous waste property or the designated border zone property, or dividing it The bill would provide a procedure for removal of a designation for specified reasons

The bill would provide a procedure for court review of the designation of the land pursuant to the bill and a review of a request to remove the designation or to provide a variance thereto.

The bill would require, after designation and notice by the director to the owner, that a specified statement be written in any specified conveyance of an interest in land designated as hazardous waste property or border zone property

The bill would require that the costs associated with the administration of the bill be paid from the Hazardous Waste Control Account in the General Fund, which is a continuously appropriated fund, and, therefore, the bill would make an appropriation

(4) Existing law would make violation of an order of compliance with the provisions of the bill, issued after public hearing by the State Department of Health Services, subject to criminal penalties

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(6) This bill appropriates $105,000 to the State Department of Health Services for the purpose of establishing a staff to administer the provisions of the bill

Ch 1162 (AB 2437) Filante Unemployment disability benefits. waiting period

Existing law provides that in order to qualify for disability benefits under the disability insurance law, an unemployed and disabled worker must wait for a period of 7 consecutive days However, the remainder of the waiting period is waived where such a worker is confined in a hospital for at least 1 day pursuant to the orders of the worker's physician

This bill would extend the same waiver to any worker who receives treatment in a hospital surgical unit or a surgical clinic, as defined, which requires a stay of less than 24 hours, provided the individual is disabled for at least 8 days during the disability benefit period as a result of such treatment

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act because there are no new duties imposed on local government by this act

Ch 1163 (AB 2866) Ellis Swap meets

Existing law requires junk dealers and secondhand dealers, as defined, to require from sellers adequate evidence of authority to sell various new and finished products Violation of this requirement and resale of a product acquired without requiring presentation of adequate evidence of authority to sell are criminal offenses

This bill would expressly exempt swap meet operators and vendors from the application of these requirements

Existing law requires the reporting to law enforcement officials on prescribed forms of sales or exchanges of new or personal property at swap meets Swap meet operators are required to furnish such forms to vendors, to submit the completed forms to local law enforcement officials, to retain copies of the completed forms and make them available for inspection by peace officers or State Board of Equalization representatives.

This bill would provide that no vendor shall offer or display at a swap meet any new or used personal property or merchandise of a kind which the swap meet operator has expressly prohibited The swap meet operator would be required to give, post or display in prominent places or at the swap meet written notice prior to commencement of the swap meet of the prohibited kinds of personal property or merchandise. This bill would also provide that violation of the new requirements is not a misdemeanor

Under existing law every person whose principal business is dealing in or collecting used merchandise, and every agent, employee or representative of such person, who buys any property which has been stolen under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought had the legal right to sell it, without making such reasonable inquiry, is presumed to have bought such property knowing it to have been stolen

This bill would make the foregoing presumption applicable to swap meet vendors

Ch 1164 (AB 2947) Mello Medicare supplemental health policies.

Existing law makes no provision with respect to the specific regulation by the Insurance Commissioner or the Commissioner of Corporations of policies of so-called "Medi-Gap" health insurance, including group supplemental Medicare coverage

This bill would require that such insurance policies and plans must·

(a) Meet the minimum benefit standards as established by the commissioners, jointly.

(b) Have a free examination period for review of 30 days, as specified

The bill would provide that issuers of such policies and plans must

(a) Explain their relationship of supplemental coverage to benefits provided by Medicare.

(b) Not be limited to coverage exclusively for a single disease or affliction

(c) Comply with specified disclosure provisions

The bill would also require the commissioners, jointly, to provide a buyer's guide to be disseminated by admitted health insurers to potential purchasers of Medi-Gap policies at the time of initial contact with the potential purchaser

Ch 1165 (AB 2912) Gage. Apprenticeship workers' compensation

Existing law provides that the school under whose supervision work experience education or occupational training classes are provided shall be considered the employer of persons receiving such training for workers' compensation purposes, unless such persons during training are being paid a cash wage or salary by a private employer

This bill would specify that an apprentice, while attending related and supplemental instruction classes, shall be considered to be in the employ of the apprentice's employer for workers' compensation purposes, unless the apprentice is unemployed

This bill would also declare the intent of the Legislature in this regard

Existing law requires the Governor to appoint a California Apprenticeship Council, with specified powers and duties relating to apprenticeship Each member of the council receives $25 for each day of attendance at specified meetings and hearings

This bill would instead provide each member of the council with $50 for each day of such attendance

Ch 1166 (AB 2749) Alatorre Emergency services for needy children

Existing law provides for aid to families with dependent children boarding homes and institutions

This bill would repeal the provisions with respect to the boarding homes and institutions and provide instead for a program of Aid to Families With Dependent Children-Foster Care (AFDC-FC) and would specify the responsibilities of the State Department of Social Services with respect to this program It would also set forth the criteria for eligibility under this program

The bill sets forth the circumstances under which children shall be deemed eligible for the AFDC-FC program

The bill also provides that counties must fulfill specified requirements in order to assist applicants for, or recipients of, the AFDC-FC program

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would make additional changes in Section 11450 of the Welfare and Institutions Code proposed by AB 2982, to be operative only if this bill and AB 2982 are chaptered and this bill is chaptered after AB 2982

Ch. 1167 (AB 2829) Goggin Health care service plans· price advertising

(1) The Knox-Keene Health Care Service Plan Act of 1975 presently authorizes health care service plans and specialized health care service plans to solicit or advertise with regards to the cost of subscription, enrollment, facilities, and services rendered

This bill would establish specified requirements respecting such price advertising and would prohibit fraudulent, deceitful, or misleading advertising

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1168 (AB 2837) Lancaster Public retirement systems: generally

(1) The law presently permits a person who has been a member of the Public Employees' Retirement System and the State Teachers' Retirement System to receive increased benefits if the person retires concurrently from both systems

This bill would provide that enrollment as a disabilitant under the State Teachers' Retirement System and for disability retirement under the Public Employees' Retirement System on the same effective date would satisfy the concurrence requirement

(2) The Public Employees' Retirement Law presently permits local employers to pay all or a portion of their employees' contributions

This bill would permit contracting agencies to pay all or a portion of a member's normal contribution

(3) The Public Employees' Retirement Law presently contains various provisions requiring state and local agencies to provide information for the administration of the system

This bill would combine those provisions

(4) The Public Employees' Retirement Law presently provides that unpaid normal contributions not be included in death payments

This bill would also include arrears contributions and public service credit payments within such limitations

(5) The Public Employees' Retirement Law presently permits installment payments in lieu of lump sum payments for certain survivor benefits

This bill would delete the authorization for such installment payments

(6) The bill would delete various outdated provisions

(7) The bill would take effect immediately as an urgency statute

Ch 1169 (AB 2843) Ingalls Mental health court ordered evaluation

(1) Under existing law, a person may be ordered by a court to undergo 72-hour evaluation and treatment when it appears to the court on the basis of a petition and a prepetition screening report, that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or greatly disabled The prepetition report is confidential

This bill would require the person or agency providing prepetition screening to conduct a reasonable investigation of the allegations and a reasonable effort to personally interview the subject of the petition

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1170 (AB 1198) Levine Vehicles seat restraints

(1) Existing law does not require the Secretary of the Business and Transportation Agency to conduct a public education campaign to educate the public about the importance of using seat restraints for infants and children under 15 years of age who are passengers in vehicles

This bill would require the secretary to conduct such a public education campaign

(2) Existing law does not require the secretary to conduct a survey to ascertain the seat restraint utilization rate for infants and children under 15 years of age during various periods of the public education campaign and whether such seat restraint use has the effect of reducing infant or child mortality in motor vehicle accidents

This bill would require the secretary to conduct such a survey and to report his findings and conclusions to the Legislature

(3) Existing law does not authorize members of law enforcement agencies to issue hazard warnings to persons operating vehicles in which infants or children under 15 years of age who are passengers are not restrained by the use of seat restraints

This bill would require the secretary to enter into an arrangement with appropriate law enforcement agencies to issue oral hazard warnings, as specified

(4) The bill would not apply to schoolbuses

(5) The bill would require the secretary to attempt to obtain federal funds to carry out the provisions of the bill If such funds are not secured on or before January 1, 1981, the bill would appropriate $150,000 from the Motor Vehicle Account in the State Transportation Fund to the secretary to carry out the provisions of the bill

The bill would require, if federal funds are subsequently obtained, that the costs incurred to carry out the provisions of the bill be funded from those federal funds

(6) The provisions added by the bill would be repealed on January 1, 1983, unless a later enacted statute deletes or extends that date

Ch 1171 (AB 2152) Felando Blind and visually handicapped persons

Existing law makes no provision for the State Department of Rehabilitation to contract with private nonprofit organizations serving the blind for the provision of specified services to blind and severely visually impaired persons over 55 years of age

This bill would provide for a 2-year pilot project under which the State Department of Rehabilitation would contract with organizations serving the blind to provide the services specified herein

Funding for the second year of the project shall be subject to appropriation in the 1981–82 Budget Act

The bill would further provide that organizations receiving contracts under this act would submit yearly evaluations to the Legislative Analyst, who would in turn report to the Legislature

Ch 1172 (AB 2861) Hannigan Arrest records destruction

Existing law does not provide for the destruction of arrest records except in certain marijuana cases Existing law provides that in any case in which a person is arrested and released and no accusatory pleading is filed, any record of arrest shall include a record of release and the arrest shall be deemed a detention only Existing law provides for

sealing of records if a person is found factually innocent by a court after acquittal

This bill would provide a procedure whereby a person who has been arrested or detained and is factually innocent may request a law enforcement agency or the court to provide for the sealing and destruction of the arrest record, as specified

This bill would require the Department of Justice to furnish forms relating to such procedure and to request destruction of arrest records forwarded to other recipient agencies, persons or entities, as specified

The provisions of the bill would be repealed and existing law restored if a court decision prevents evidence from being used to determine factual innocence, as specified.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

The bill would take effect immediately as an urgency statute

Ch 1173 (AB 2238) Vicencia Medi-Cal eligibility working disabled

Existing law provides that a disabled person who engages in substantial gainful activity and who would be eligible for in-home supportive services except for his or her excess income may become eligible for Medi-Cal benefits if that person's income does not exceed the maximum income for supplemental security income

This bill would provide that costs for in-home supportive services are to be disregarded when considering an employed, physically impaired person's income and resources for purposes of determining such person's eligibility for Medi-Cal

Ch 1174 (AB 2239) McAlister Unemployment compensation

Existing federal law provides that an employer may credit against the federal unemployment tax the amount of contributions paid by him into a certified state unemployment compensation law A certified state unemployment compensation law must require, among other things, that unemployment compensation payable to an individual shall be reduced by the amount of any pension, retirement or retired pay, annuity, or other similar periodic payment which is received by the individual and is based on the individual's previous work This federal requirement was implemented in this state on April 1, 1980

This bill would limit such reduction of benefits by the provisions of any amendment to a specified paragraph of the federal law, enacted before January 1, 1981, which requires or permits a limitation on the above reduction of benefits

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, and provides that the other remedies and procedures for providing reimbursement shall have no application to the bill The bill also provides that no appropriation is made and no reimbursement is constitutionally required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 1175 (AB 1797) Chacon Public education employer-employee relations classified employees salary deductions

The existing law governing employer-employee relations in the public schools, including community colleges, permits the public school employer and the employee organization which is the exclusive representive of employees to agree to an organizational security arrangement, including one which requires an employee, as a condition of continued employment, either to join the employee organization, or to pay the organization a specified service fee

Existing law also provides that the governing boards of school districts and community college districts are authorized to make specified deductions from a classified employee's salary, provided that such deduction is for the payment of dues or any service supplied by an employee organization, and is authorized in writing by the employee

This bill would, in addition, authorize the governing boards of school districts and community college districts to make deductions from the salaries of classified employees who are members of the employee organization that is the exclusive representative for the payment of dues or other services provided by the exclusive representative, and from the salaries of other classified employees who are not members for the payment of service fees as required by an organizational security arrangement between the exclusive representative and the public school employer This bill would require the organizational security arrangement to permit any employee who is not a member to pay service fees directly to the exclusive representative in lieu of the deduction

This bill would also require that an organizational security arrangement covering classified employees under which the governing board deducts such dues or fees provide that an employee who is a member of a religion, body, or sect which has historically held conscientious objections to joining or financially supporting employee organizations be permitted to pay sums equal to the service fee to a nonreligious charitable fund in lieu of such service fee

This bill would provide that specified provisions of the bill relating to conscientious objections to supporting employee organizations, discussed in the previous paragraph, shall not become operative if SB 2030 is chaptered and becomes effective January 1, 1981

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1176 (AB 2730) Levine Neighborhood dispute resolution centers

Existing law makes no provision for the resolution of civil claims or criminal matters by an informal resolution procedure

The bill would authorize the Executive Director of the Office of Criminal Justice Planning, in the event federal funds are made available, to select and grant funds to agencies to assure the continuation of dispute resolution services, as specified

The bill would also declare the findings and intent of the Legislature with regard to neighborhood dispute resolution centers, and would encourage the California Council on Criminal Justice and the Office of Criminal Justice Planning ~~other state and local agencies~~* to make [funds available from]* federal funds ~~available~~ [under their control]* for such purposes

This bill would provide that its provisions shall cease to be operative and shall be repealed on January 1, 1982, unless a later enacted statute chaptered prior to such date deletes or extends such date

Ch 1177 (AB 1550) Vasconcellos Community colleges certificated employees

Existing law requires the governing board of a community college district to employ a certificated employee as either a temporary, contract, or regular employee and specifies the rights of each person employed in those classifications

This bill would require the Board of Governors of the California Community Colleges to publish a statewide report on part-time employment patterns and practices in community college districts to be submitted to the Legislature no later than January 1, 1982

Ch. 1178 (AB 1387) Goggin. Grade separation projects

(1) Under existing law, in the absence of specific legislative authorization, the maximum amount that may be allocated for a grade separation project is $5,000,000

This bill would increase the $5,000,000 amount that could be made for a grade separation project to either (a) an amount that includes the increase in the federal construction cost index since 1976, or (b) an amount not to exceed ⅓ of the grade separation project funds appropriated for the year of allocation, whichever is less

(2) Under existing law, the Department of Transportation has no authority to submit its comments and recommendations to the California Transportation Commission on a grade separation project for which an allocation is to be made

This bill would grant such authority to the department

(3) This bill would incorporate additional changes in Section 2454 of the Streets and Highways Code made by SB 675 only if both bills are chaptered and this bill is chaptered last.

Ch. 1179 (AB 2805) Costa. California Housing Finance Agency· priorities

Present law requires the California Housing Finance Agency to balance its financing activity between urban metropolitan, nonmetropolitan, and rural metropolitan areas of the state in general proportion to the needs identified in the California Statewide Housing Plan

This bill would specify that, in meeting such requirement in nonmetropolitan and rural metropolitan areas, the agency shall pursue the development and financing of projects in communities of various sizes in general proportion to the communities' needs. It would require a prescribed annual report of the agency to specifically enumerate the agency's progress toward meeting its mandate to serve nonmetropolitan and rural metropolitan areas and to assess any obstacles or problems which it has encountered in meeting this mandate, and suggest legislative and administrative solutions to overcome these obstacles or problems

Ch 1180 (AB 1310) Young. Peace officer training

Existing law requires the Commission on Peace Officer Standards and Training to adopt and amend rules establishing minimum standards relating to physical, mental, and moral fitness governing the recruitment of specified local law enforcement officers.

This bill would require the commission to conduct research concerning job-related educational standards and job-related selection standards relating to vision, hearing, physical agility, and emotional stability, to consult with local entities while conducting such research, and to adopt such standards prior to January 1, 1985 This bill would provide that local law enforcement agencies are not prohibited from establishing selection and training standards exceeding such minimum standards

This bill would become operative only if SB 1428 is chaptered, and would become operative on the operative date of SB 1428

Ch. 1181 (AB 1215) Cline. Air pollution· motor vehicle

Under existing law, for purposes of air pollution control, the term "new motor vehicle" means a motor vehicle, the equitable or legal title to which has never been transferred to an ultimate purchaser ~~For purposes of State Air Resources Board certification of emission standards prior to use, registration, or resale,~~ a [A]* new motor vehicle ~~is~~ [includes]* any vehicle with an odometer reading of less than 3,000 miles [for purposes of determining whether a motor vehicle is required to meet the state emission standards for new motor vehicles prior to its use, registration, or resale in the state by a state resident]*

This bill would revise the definition of "new motor vehicle" for [these]* purposes ~~of state board certification of emission standards prior to use, registration, or resale to create~~ [by creating]* a conclusive presumption that the equitable or legal title of a motor vehicle with an odometer reading of 7,500 miles or more has been transferred to an ultimate purchaser and that a motor vehicle with an odometer reading of less than 7,500 miles has not been transferred to an ultimate purchaser

The bill would also exempt, from the prohibitions on use, registration, or resale [of vehicles by state residents of vehicles not meeting the state emisison standards for new motor vehicles, ~~vehicles~~ a vehicle]* transferred by inheritance or by a decree of divorce, dissolution, or legal separation, ~~and vehicles~~ [or a vehicle]* sold after the effective date of the bill if the vehicle was registered in this state before such date.

The bill would take effect immediately as an urgency statute.

Ch 1182 (AB 2699) M. Waters. Relocation assistance

Existing law provides that public entities shall adopt rules and regulations to implement payments and administer relocation assistance, which shall conform to the guidelines adopted by the Commission of Housing and Community Development, as specified

This bill would provide that such rules and regulations shall conform to the guidelines adopted by the Department of Housing and Community Development, as specified.

Existing law provides that guidelines shall be adopted by the Commission of Housing and Community Development and shall achieve various purposes

This bill would repeal such provision

This bill would also make technical conforming changes

Ch. 1183 (AB 2687) Bates Disabled individuals independent living centers.

Existing law provides for the establishment of independent living centers which shall provide specified services to disabled individuals One such service is the providing of referrals

This bill would specify that the services include the providing of information and referral

Existing law does not provide for adequate comprehensive service centers for disabled persons

This bill would provide for a feasibility study to be conducted into the plausibility of establishing such centers If it appears that such centers would be feasible, such projects shall be established in order to provide social, vocational, and health services

The Department of Rehabilitation would administer this program. Its duties would include, determining the feasibility of such centers, developing criteria for such centers, and selecting center sites such as independent living centers, as well as other public or private agencies, to be funded as pilot projects.

The bill would provide that the Department of Rehabilitation would submit annual reports to the Legislature and the Governor on the administration of the program if a determination is made to establish comprehensive service centers for the disabled

The bill would provide that the provisions relating to comprehensive service centers for the disabled would be repealed on July 1, 1985 unless a bill chaptered before June 30, 1985 extended or deleted such date

This bill would appropriate the following sums from funds appropriated to the contingency reserve for economic uncertainties in the General Fund for the purpose of administering the comprehensive service centers for the disabled program: (1) the sum of $129,500 for fiscal year 1980–81, to the Department of Rehabilitation, (2) the sum of $64,800 for fiscal year 1981–82, to the Department of Rehabilitation, and (3) the sum of $505,700 for the fiscal year 1981–82, to the Department of Finance for allocation to the Department of Rehabilitation upon submission and approval of the feasibility report required by the act

Ch 1184 (AB 2616) Chacon Department of Housing and Community Development loans and grants

Existing law prescribes procedures and priorities for disposition of state surplus property

This bill would generally authorize the Department of Housing and Community Development to sell property acquired by it due to default in repayment of a loan or performance under a grant or loan made by the department Under the bill, the department would establish the terms of such sales, which would be exempted from existing provisions of law relating to state surplus lands The bill would require such sales to be conducted by the Department of General Services and to be at market value, with the proceeds to be deposited in the fund from which the general loan or grant was made The bill would, however, provide that failure to comply with its provisions would not invalidate any right, title, or interest acquired by a bona fide purchaser or encumbrancer for value

Ch 1185 (AB 2113) Cline State Teachers' Retirement System benefits.

Existing State Teachers' Retirement Law permits retirants to work for 120 days or earn up to $5,000 in a fiscal year in specified school positions without reinstatement or reduction of retirement allowances

This bill would delete the limitation on working days and provide that the maximum amount earnable by retired ~~classroom~~* teachers would be annually adjusted by 50% of the increase in the All Urban California Consumer Price Index until June 30, 1983, with December 1980 as the base

The bill would also provide that Public Employees' Retirement Law employment limitations would apply to any retirant whose last employment was in the California State University and Colleges as a member of the State Teachers' Retirement System or the Public Employees' Retirement System

Ch. 1186 (AB 2006) Hughes School employees dismissal procedures

Existing law authorizes a permanent certificated employee who has received notice of a governing board's intention to dismiss him or her to demand a hearing, which is required to be conducted according to specified procedures before a Commission on Professional Competence A place for the hearing is not specified, and no instructions for the selection of such a place are given.

This bill would require that the members of the commission select by agreement the place of the hearing. In the absence of an agreement, the place would be selected by the hearing officer.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 1187 (AB 2042) Perino. Civil service employees: Youth Authority and Corrections. military reserve drill periods

Existing law requires that state civil service employee members of reserve military units and the National Guard required to attend scheduled reserve drill periods shall use their own free time, overtime, or vacation time to fulfill such reserve obligations.

Existing law does not specifically provide when a civil service employee must return to work after his scheduled drill period, nor does it grant specified rights to those employees hospitalized or disabled incident to the performance of their military reserve obligations.

This bill would apply only to the Department of Corrections and the Department of the Youth Authority, would authorize, rather than require, that civil service employees of such departments so use their own free time, overtime, or vacation time, or, if requested by the employee at least 20 days prior to the commencement of the requested leave of absence, require that civil service employees of such departments be granted temporary leaves of absence covering scheduled drill periods and during periods of hospitalization incident to the performance of an employee's reserve training obligations, would require, upon the employee's release from such drill periods or discharge from such hospitalization, reinstatement of such employee to his former position. This bill would authorize, in the event of a public agency emergency, cancellation of such leave of absence This bill would, where such leaves of absence are not granted hereunder, urge military reserve units and the National Guard to not consider the employees absent without leave

This bill would prohibit any employee granted such a leave of absence from receiving any state salary or compensation for any leave of absence for weekend drill

This bill would require, upon termination of the leave of absence, the appointing power to return the employee to his former position and would authorize, if the employee is unable to perform the duties of his former position, the appointing power to grant a leave of absence or take other specified actions.

Ch 1188 (AB 2088) Naylor Wills revocation and revival

Under existing law, a dissolution or declaration of nullity of a marriage does not affect any disposition or appointment of property made by a testator's will or by a codicil thereto to the former spouse of the testator

This bill would provide with respect to a will executed on or after January 1, 1981, that, if a specified property settlement agreement has been executed by the parties to a dissolution or declaration of nullity of marriage, the former spouse and his or her lineal descendants, as specified, shall be deemed to have predeceased the testator, unless the will or codicil expressly provides otherwise. It also would specify that such provision is inapplicable if the testator's death occurs during the remarriage to the former spouse.

The bill would also require that a final judgment of dissolution or declaration of nullity of a marriage contain a notice that the judgment may affect a party's will and the ability of the party's former spouse to take under it, as specified

Ch. 1189 (AB 2607) Nolan Insurance.

The recent case of Metro U.S. Services, Inc. v. City of Los Angeles (96 C.A 3d 678) held that specified provisions of the Insurance Code, regarding primary and secondary liability in the case where two or more policies of automobile liability insurance are involved, is inapplicable to self-insurers.

This bill would provide that a certificate of self-insurance issued pursuant to specified provisions of the Vehicle Code or a report indicating that the vehicle is a government owned vehicle filed pursuant to specified provisions of the Vehicle Code shall be considered an automobile liability policy for purposes of such provisions of the Insurance Code.

Ch. 1190 (AB 3010) Moore. Insurance adjusters· licensing.

Under existing law, insurance adjusters are licensed by the Bureau of Collection and Investigative Services within the Department of Consumer Affairs, pursuant to the Private Investigator and Adjuster Act Existing law contains detailed provisions regarding registration, discipline, bonds, expiration and renewal of licenses and cards, and related provisions

This bill would transfer such licensing provisions from the bureau to the Insurance Commissioner and would authorize the commissioner to establish license periods and renewal dates, as specified It would exempt specified insurance adjusters and retired peace officers from specified provisions.

This bill would also provide that, on the effective date of this act, the Controller shall transfer $32,000 from the Private Investigator Fund to the Insurance Fund for the purpose of carrying out the provisions of the Insurance Adjuster Act

This bill would, in addition, provide that its provisions shall become operative on July 1, 1981.

Ch. 1191 (AB 1202) Hart Special education and related services: state hospitals.

Under existing statutes, any school district or county superintendent of schools may request the State Board of Education to grant a waiver of any provision of the Education Code if such waiver is necessary or beneficial to comply with Public Law 94-142, the federal Education for All Handicapped Children Act of 1975 and Section 504 of Public Law 93-112, the federal Rehabilitation Act of 1973, regarding the provision of a free and appropriate education for handicapped children.

This bill would provide for special education programs for individuals with exceptional needs residing in state hospitals This bill would require appropriate interagency agreements to be entered into for the provision of special education programs and related services to these individuals, individualized educational programs to be developed by the state hospital in conformity with federal law for appropriate individual state hospital residents, and the State Department of Developmental Services and the State Department of Mental Health to contract, and pay the costs for, such services provided by local education agencies, nonpublic schools, or other agencies, outside state hospital grounds The bill would require the Department of Education to specifically review the appropriateness of pupil placement for educational services

This bill would also require that certificated state hospital employees hired to provide educational services possess the appropriate California credential for special education, except current certificated state hospital employees would be given a period of not more than 5 years to obtain an appropriate California credential in special education This bill would authorize the employment of instructional permit teachers, as specified, by state

hospitals

This bill would require the State Departments of Developmental Services, Education, and Mental Health to submit a joint report, as specified, by December 1, 1980, to the Legislative Analyst

The bill would require the Legislative Analyst to make a report regarding the provisions of the bill

The bill would require the State Departments of Developmental Services and Mental Health to complete a quarterly review and submit a report to the Department of Finance, as specified.

The bill would require the Superintendent of Public Instruction, with the approval of the appropriate departments, to notify, within 30 days after the effective date of this bill, the parents of pupils in state hospitals eligible for educational services of the bill's provisions and their right to initiate a review of such placement

This bill would authorize the directors of the State Departments of Mental Health and Developmental Services to establish certain positions in hospital facilities, as specified

The bill would in addition appropriate to the State Departments of Developmental Services and Mental Health $926,000 for the 1980–81 fiscal year for the purposes of this bill, and would appropriate $750,000 for the purposes of the Emergency School Classroom Law of 1979 for specified capital outlay needs in accordance with criteria adopted by the State Allocation Board to provide services required by the act

This bill would also require the Superintendent of Public Instruction to certify to the Controller, and the Controller to transfer specified sums to the State Department of Developmental Services for local assistance for the developmental disabilities program and to the State Department of Mental Health for assistance to local agencies in the establishment and operation of mental health services This bill would reappropriate funds for this purpose

This bill would take effect immediately as an urgency statute

Ch 1192 (AB 3018) Naylor School districts reorganization finance teacher layoffs

(1) Existing law makes extensive provision for the organization and reorganization of school districts, and provides for a county committee on school districts to approve or disapprove of various aspects of the reorganization.

This bill would consolidate and recast the law relating to the organization and reorganization of school districts

(2) Under existing law, the site of a school must, except as otherwise provided, be within the territorial boundaries of the school district to which it belongs

This bill would authorize an elementary school district with an average daily attendance of less than 1,000 to enter into a joint operating agreement with an adjacent school district or school districts to provide educational services to pupils in grades 6 to 8, inclusive, at a school site not within the boundaries of the elementary school district but which is located within 6 miles of the border of the elementary school district

(3) Existing law authorizes the governing board of a school district to terminate the services of certificated employees whenever there is a decline in enrollment in all of the schools of the district when compared to prior school years, whenever the attendance in a district will decline in the following year as a result of the termination of an interdistrict tuition agreement, or whenever a particular kind of service is reduced or discontinued, as specified

This bill would specify that for purposes of computing a decline in average daily attendance for purposes of that provision for a newly formed or reorganized school district, each school of the district shall be deemed to have been a school of the newly formed or reorganized district for both of the 2 previous school years

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by

this act for a specified reason

Ch 1193 (AB 2980) Alatorre Public social services.

Existing law does not contain provisions which require the State Department of Social Services to implement an Emergency Assistance for Needy Families With Children Program under the federal Social Security Act in order to prevent the need for out-of-home placement, and to provide short-term emergency out-of-home care

This bill would, if federal funds are available, require the department to implement such a program by July 1, 1981 It would also require the department to submit a report to the Legislature, containing certain specified recommendations, by April 1, 1981

The provisions of this bill which relate to needy families with children would remain in effect only until July 1, 1983, and as of that date are repealed.

Existing law provides for a division within the State Department of Social Services for blind persons, but does not provide for such a division for deaf and hearing impaired persons

This bill provides that such a division for deaf and hearing impaired persons shall be formed, and this division shall be managed by a chief who shall have experience in programs for the deaf and hearing impaired.

Existing law does not provide a comprehensive program of social services geared to deaf and hearing impaired persons.

This bill would provide for a comprehensive program of services to be delivered to deaf and hearing impaired persons Services delivered under this program would include: employment services, counseling, interpreting services, education on deafness, and advocacy

This bill would further provide that such services could be delivered by public agencies or private nonprofit corporations The State Department of Social Services would be authorized to administer this program, and would have authority to contract with such entities for the provision of services to deaf and hearing impaired persons Entities delivering the specified services would give consideration to hiring deaf and hearing impaired persons, and in the case of private nonprofit corporations, consideration would be given to placing deaf and hearing impaired persons on their board of directors.

This bill would provide that specified funds appropriated in Item 312 of the Budget Act for the 1980–81 fiscal year for demonstration projects for the deaf shall be transferred to the State Department of Social Services by the Director of Finance and used by that department in order to implement the provisions of this act relating to social services for the deaf.

AB 2982, Chapter 511, Statutes of 1980, makes changes in the manner in which cost-of-living adjustments are to be made for recipients of the SSI/SSP program and other specified programs which use the cost-of-living adjustment formula provided for the SSI/SSP program That bill provides such changes shall not affect benefit levels during the 1980–81 fiscal year for these programs

This bill would provide that such changes shall affect benefit levels for the 1980-81 fiscal year for the aid to the potentially self-supporting blind program

Existing law provides that specified amounts of money, increased by annual cost-of-living adjustments, shall be paid to specified aged and disabled persons who do not have or are unable to use cooking facilities, or who reside in out-of-home nonmedical facilities

This bill would increase the amounts paid to such individuals and provide that future cost-of-living adjustments shall be made as specified in AB 2982 regarding the SSI/SSP program

Ch 1194 (AB 2991) Mello. Governmental regulation

Existing law requires the Department of Alcoholic Beverage Control, prior to issuance or transfer of an alcoholic beverage license, to, among other things, investigate all matters which may affect the public welfare and morals

This bill would, until January 1, 1983, specify that such matters be directly related to the issuance or transfer of such license It would, until January 1, 1983, with respect to retail package off-sale beer and wine licenses, specifically prohibit the department from investigating any matters connected with the operation of a premises, as specified.

Existing law specified instances where the department may reject protests against the issuance or transfer of an alcoholic beverage license

This bill would, until January 1, 1983, require the department to reject any protest against an off-sale retail license based on evidence, information, or conditions resulting from operation of the premises, as defined, not resulting solely from the sale of alcoholic beverages.

Under existing law, the Department of Alcoholic Beverage Control is permitted, but not required, to refuse to transfer any license when the applicant is delinquent in payment of any taxes due under, among others, the Sales and Use Tax Law, when such liability arises in full or in part out of the exercise of the privilege of an alcoholic beverage license The transfer may be permitted upon payment of the tax delinquency out of an escrow required of license transfer transactions

This bill would permit the State Board of Equalization to seize and sell any off-sale or on-sale general license when the applicant, upon termination of business under the license, as defined, and either surrender of the license to the department or failure to pay the annual renewal fee, is delinquent in the payment of taxes due under the Sales and Use Tax Law, when the liability arises in full or in part out of the exercise of the privilege of the alcoholic beverage license It would also provide for redemption by the licensee of the license prior to sale by the board, as well as reinstatement of the license by a new purchaser. It would specify that existing provisions of law prohibiting any license issued by the state from being subject to levy or execution are inapplicable to such seizure and sale by the board

Existing law authorizes 2 or more alcoholic beverage retail licensees of the same type to agree to group purchase distilled spirits from a wholesaler or rectifier through a designated agent under specified conditions.

This bill would additionally authorize the purchase of wine subject to the same conditions.

The bill would also provide that no interest or penalties shall be assessed against any person for failure to make payments of any taxes on leases of personal property to the United States government while the board is enjoined from collecting such taxes pursuant to court order, as specified

The bill would also require the Governor to appoint a citizens committee to study and report to the Governor and the Legislature the effects of specified provisions of this bill

Ch 1195 (AB 2952) Moore Repossessors

Existing law does not require employees of licensed repossessors to be registered

This bill would provide for the registration of such employees with the Director of Consumer Affairs.

Existing law provides that the renewal fee for a licensed repossessor shall be fixed at not more than $100

This bill would increase the maximum for such fee to no more than $300

Existing law provides that all money derived from the Private Investigator and Adjuster Act is to be deposited in the Private Investigator and Adjuster Fund which is available for carrying out the provisions of such act

The fees provided for in this bill would result in an increase in moneys in such fund available for expenditure.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1196 (AB 3062) Levine Powerplant certification conservation program load management standards, residential buildings

(1) Under the existing provisions of the Warren-Alquist State Energy Resources Conservation and Development Act, every electric utility is required, among other things, to prepare a biennial report specifying 5-, 12-, and 20-year forecasts of loads and resources for its service area and transmit the report to the State Energy Resources

Conservation and Development Commission

The commission is required, among other things, to adopt a program of electrical load management, as defined, for each utility service area, which requires consideration of designated load management techniques With prescribed exceptions, existing law prohibits certification of a site or related facility unless the applicant certifies, to the commission's satisfaction, that load management standards have been complied with or that, with respect to a publicly owned utility, its governing body has found the standards unsuitable and has reported such finding to the Legislature

This bill would require every utility, in its load forecast reports, to certify that it is pursuing energy conservation programs, including, among other things, the load management standards adopted by the commission, and would delete the provisions conditioning site or related facility approval on compliance with the commission's load management standards.

(2) This bill would, also, require the Public Utilities Commission and the State Energy Resources Conservation and Development Commission to jointly develop and adopt a common methodology for cost-effectiveness calculations, for residential buildings, using common data to the maximum extent feasible, and provide that this shall be accomplished by December 31, 1981, as required by designated provisions. It would make the operation of this provision contingent upon the enactment of SB 1185.

Ch. 1197 (SB 1383) Campbell Franchise Tax Board executive officer.

(1) Existing law provides that the Executive Officer of the Franchise Tax Board shall receive an annual salary of $27,500.

This bill would provide that the salary of such officer shall be $51,624, and that such salary shall be adjusted in the same manner as provided in the Budget Act for state officers whose salaries are prescribed by statute.

(2) Existing law authorizes the Franchise Tax Board to appoint an executive officer

This bill would allow the board to appoint an executive officer only with the consent and approval of ⅔ of the membership of the Senate

(3) Existing law authorizes state agencies, including the Franchise Tax Board, to hold executive sessions for specified reasons as exceptions to the requirements that state agencies and legislative bodies of local agencies hold open and public meetings

This bill would allow the Franchise Tax Board to hold executive sessions for the purpose of considering matters pertaining to the appointment or removal of the board's executive officer

The bill would also incorporate changes in Section 11126 of the Government Code proposed by SB 1850 to be operative only if this bill and SB 1850 are both chaptered and this bill is chaptered last

Ch 1198 (AB 1143) Frazee. Public resources.

Under existing law, the Department of Parks and Recreation is not required to undertake repairs of the seawall in the City of Pismo Beach, and the Department of Boating and Waterways is not required to repair and restore the beach and shoreline in the City of Oceanside.

This bill would authorize the Department of Parks and Recreation to participate or contract with the United States Army Corps of Engineers, the County of San Luis Obispo, or the City of Pismo Beach in repairing and improving the seawall at Pismo State Beach in the City of Pismo Beach.

The bill would require the Department of Boating and Waterways to conduct the repair and restoration of the beach and shoreline located in the City of Oceanside under specified conditions.

The bill would appropriate $600,000† from the Energy and Resources Fund to the Department of Boating and Waterways and $1,100,000†† from the State Parks and Recreation Fund to the Department of Parks and Recreation for the purposes of the bill

The bill would permit the County of San Diego to transfer title to a specified parcel in Eden Gardens Park under specified conditions

The bill would take effect immediately as an urgency statute

†Appropriation reduced to $1,700,000 by action of the Governor
††Appropriation deleted by action of the Governor

Ch 1199 (SB 713) Nimmo. Beach projects. seawall City of Pismo Beach

Under existing law, the Department of Parks and Recreation is not required to undertake repairs of the seawall in the City of Pismo Beach

This bill would authorize the Department of Parks and Recreation to participate or contract with the United States Army Corps of Engineers, the County of San Luis Obispo, the City of Pismo Beach, or any or all of them in repairing and improving the seawall and related facilities in the City of Pismo Beach

The bill would appropriate $1,100,000 from the State Parks and Recreation Fund to the Department of Parks and Recreation for purposes of the bill, reduced by any federal funds made available, and conditioned on AB 2973 being chaptered before this bill and transferring moneys to that fund, and if not, from state lands revenues, moneys, and remittances, as specified, subject to reimbursement from the State Parks and Recreation Fund if AB 2973 is chaptered after this bill and transfers moneys to that fund

The bill would take effect immediately as an urgency statute.

Ch. 1200 (SB 502) Holmdahl Criminal procedure

Under existing law, an official reporter must record all proceedings in a criminal action in municipal court upon order of the court and in a criminal action in superior court upon order of the prosecutor, the defendant or the court

This bill would require a verbatim record of all proceedings in any misdemeanor or infraction matter upon request by a party and the deposit of required fees, provided that the requesting party pay the costs thereof except as otherwise provided by law or rule. Such requirement would become inoperative upon a specified, final appellate court decision.

Ch. 1201 (AB 2882) Imbrecht. Motor vehicles· alcohol fuels.

Under existing law, there is no program for the testing of pure alcohol fuels in publicly owned motor vehicle fleets

This bill would require the Secretary of the Business and Transportation Agency, subject to specified conditions, to reimburse the County of Ventura from funds appropriated for alternative motor vehicle fuels for the cost of conversion of fleet vehicles to pure alcohol fuels if the secretary determines that the County of Los Angeles and the State Energy Resources Conservation and Development Commission have not agreed by December 31, 1980, to conduct a similar demonstration program for the testing of alcohol fuels The bill would make legislative findings and declarations and would declare legislative intent in such connection.

Ch 1202 (AB 2918) Greene. Developmentally disabled· regional centers.

Under existing law the State Department of Developmental Services contracts with regional centers to provide services for persons with developmental disabilities. Regional centers are authorized to purchase care for their clients in residential care facilities. The client or any representative acting on behalf of the client has a right to a fair hearing to contest a regional center decision.

This bill would prohibit a regional center from removing a client from a residential care facility without the consent of the client and without a 15-day written notice to the administrator of the facility, except in an emergency or other circumstances, as specified.

The bill would require the regional center to designate a staff person to be principal liaison to a facility and to monitor client program plans.

The bill would require the regional center to provide the facility with any information relating to the dangerous propensity of a client prior to placement.

The bill would also require the department to develop and implement regulations to assure uniformity of care of services in residential facilities by regional centers

Ch 1203 (AB 3093) McVittie Schools notification

Existing law requires the governing boards of school districts to notify a pupil's parent or guardian of specified provisions relating to, among other things, absences, immunizations, and class participation

This bill would require the Department of Education to establish a notification pilot program in five selected school districts, with schools located in high crime areas. Only school districts which requested to participate could be selected. This program would serve to notify parents and guardians of junior high and high school pupils enrolled in schools located in such districts of laws relating to parent and guardian liability for a

pupil's act, criminal acts committed by a pupil, status offenses, and truancy This program would terminate on December 31, 1983.

Ch. 1204 (AB 3122) Moorhead Public health nurses

(1) Existing law requires a person who applies for certification as a public health nurse to pay a nonrefundable fee, as determined by the State Department of Health Services, not to exceed $10.

This bill would increase the maximum amount of such fee to $35

(2) Existing law requires public health nurses to be registered nurses who are certified as public health nurses by the State Department of Health Services and possessing the qualifications prescribed by the department

This bill would require the department to implement a pilot program which allows registered nurses to qualify for certification as public health nurses based on a combination of education, practical public health nursing experience, and successful passage of an examination.

This bill would limit participation in the pilot program to California-licensed registered nurses graduated from nursing schools in the United States who hold a baccalaureate degree in a field other than nursing and have public health nursing course work and experience, hold a baccalaureate degree in nursing from a school not accredited by the National League of Nursing, or have public health nursing experience and additional public health nursing course work but no baccalaureate degree

This bill would require the department to charge each applicant for participation in the pilot program a fee equal to the cost of implementing the program for persons seeking qualification under the program, but not to exceed $35

These provisions of the bill would be repealed on January 1, 1985. The bill would require the department to make a specified report to the Legislature by July 1, 1983

Ch 1205 (SB 1352) Marks State and local government

Proposition 4 on the ballot for the Special Election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of state and local government

This bill would provide for the implementation of Article XIII B by defining various terms used in this article and prescribing procedures to be used in implementing specific provisions of the article.

Ch 1206 (SB 1688) Maddy Psychologists court-ordered mental examination and treatment

(1) Under existing law, a court may order a party in certain civil actions, as specified, to submit to a mental examination by a physician

This bill would authorize a court in such a civil action to order a party to submit to a mental examination by a clinical psychologist who meets specified criteria

(2) Also under existing law, any person who, as the result of a mental disorder, is a danger to others or to himself or herself, or gravely disabled, may be certified and detained for court-ordered, intensive, and involuntary treatment under specified procedures Psychologists having certain qualifications are authorized to sign the notice of certification for such a commitment Every person so detained has a right to a hearing by a writ of habeas corpus for his or her release after the person, or another person acting on his or her behalf, has made a request for release under the existing judicial review process The person requesting release may, upon advice of counsel, waive the presence at the evidentiary hearing of the physician or other professional person who certified the petition and of the physician providing intensive treatment.

This bill would specifically include licensed psychologists who meet the existing qualifications for signing the notice of certification or a licensed psychologist providing intensive treatment to the person, within such right of waiver.

(3) The bill would also make a technical, nonsubstantive change in provisions relating to information required to be provided by the court to the probation officer, and by the probation officer to a court-appointed clinical psychologist, in a mentally disordered sex offender case

Ch. 1207 (AB 3138) Harris AFDC: child support and payments.

Existing law does not require a county to notify a custodial parent of a child receiving assistance under the AFDC program of the amount of child support which the county is receiving from the absent parent.

This bill would require that a county give notice to the custodial parent of such a child that this information is available, and upon the request of a custodial parent, the county must provide the parent with such information.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1208 (AB 3155) Deddeh. Property taxation: assessment ratio

Under existing law, assessment ratios for purposes of property taxation were recently changed from 25% to 100% of full value.

This bill would conform additional sections of law to this change.

Existing provisions of the Education Code provide for the levy and collection of local property taxes but these provisions have been superseded by other provisions respecting the taxes

This bill would repeal many of such provisions.

This bill would also restate the method of computing school district bonding limitations and state school building aid repayments

The bill would incorporate additional changes in Section 533 of the Revenue and Taxation Code proposed by AB 2479 if that bill and this bill are chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Ch. 1209 (AB 3214) Nolan. Litigation costs.

Existing law provides generally that the prevailing party in a civil action is entitled to court costs, not including attorneys' fees unless the parties have agreed therefor, except that in certain instances the statutes provide for attorneys' fees to the prevailing party or to the plaintiff in specified actions.

This bill, in addition, would require a court, upon motion of the defendant or cross-defendant, whenever certain civil proceedings are not brought with reasonable cause and in the good faith belief that there is a justiciable controversy under the facts and law which warranted the action, to award all reasonable and necessary costs incurred in defending against such action, including attorneys' fees, expert witness fees, and cost of services of experts, advisers, and consultants to the defending party. Motion for costs pursuant to the bill would have to be made before discharge of the jury or entry of judgment and would constitute a waiver of the right to seek damages for malicious prosecution

Ch 1210 (AB 3196) Thurman Business and professions

Existing law prescribes the fees to be assessed for persons licensed pursuant to provisions regulating landscape architecture

This bill would increase the fee for examination for a certificate to practice landscape architecture from $75 to $125 and would increase the renewal fee for such certificate from $120 to $150

Existing law provides that all fees collected under provisions regulating landscape architecture are to be paid into the California State Board of Landscape Architects Fund and continuously appropriates money in such fund to the California State Board of Landscape Architects to carry out such provisions

The fees provided in this bill would result in an increase in such fund, thereby causing an increase in money appropriated to the board.

Existing law requires all accusations against licensed contractors to be filed within 3 years after the act or omission alleged as grounds for disciplinary action

This bill in addition would require accusations regarding an alleged breach of an express, written warranty for a period in excess of 3 years issued by a contractor to be filed within the duration of that warranty and would declare that the provisions of law relating to filing of accusations against licensed contractors shall not be construed to affect the liability of a surety or the period of limitations prescribed by law for the commencement of actions against a surety or cash deposit.

Existing law specifies the fees to be assessed for persons licensed pursuant to provisions relating to fabric care

This bill would authorize the State Board of Fabric Care to fix specified fees and would provide that certain established present fees shall constitute a maximum fee thereby authorizing the board to fix a lower fee.

Ch. 1211 (SB 1583) Petris Skilled nursing care: study.

State law presently requires licensure of skilled nursing facilities and provides for regulation of the care provided in such facilities.

This bill would require the State Department of Health Services to study specified matters relating to the care and treatment of persons in such facilities The bill would also require the department to preliminarily report the results of the study and the recommendations therein to the Legislature by September 1, 1981. The final report would be due on or before February 1, 1982. Finally, the bill would appropriate $130,000 to the State Controller, without regard to fiscal years, for allocation and disbursement to the department for costs incurred in implementing and complying with the bill.

Ch. 1212 (AB 3127) Duffy. Physician incentive loans

Under existing law, the Division of Licensing of the Board of Medical Quality Assurance administers a program of loans for medical students. The loans are to be repaid over a 10-year period, with provision made for cancellation, in whole or part, of the unpaid balance of a loan under described circumstances

This bill would require the California Postsecondary Education Commission to issue a report to the Legislature and the Governor on the loan program, addressing specified matters, on or before April 1, 1981

This bill would in addition establish a physician and surgeon incentive pilot program to be administered by the Division of Licensing. Each loan would be for not more than $10,000 and there would be 10 loans available annually until June 30, 1986. The loans would be available to licensed physicians and surgeons meeting specified criteria and intending to establish their medical practice in an area deficient in physician services Provisions would be made for repayment of the loans over a 10-year period commencing 1 year after ceasing practice in an area deficient in primary care services or cancellation of the loans, in whole or in part, depending on the length of service in such area by such physician and surgeon The entire loan would be canceled if the physician serves over 2 years in an area deficient in primary care services.

The California Health Manpower Policy Commission would be required to make a determination in priority as to which areas of the state are deficient in primary care services and the degree to which these areas are underserved.

The bill would appropriate $110,000 from the Contingent Fund of the Board of Medical Quality Assurance as specified for the purposes of the bill.

The bill would incorporate additional changes proposed by SB 1558 to become operative if both bills are chaptered, and this bill is chaptered last

Ch. 1213 (AB 2800) Hayden. Public officers· legislative compensation: retirement systems

(1) Existing provisions of law permit members of the Legislators' Retirement System who become judges to transfer service to the Judges' Retirement System upon payment of contributions to the Judges' Retirement Fund and provide for refund of member contributions from the Legislators' Retirement Fund.

This bill would provide for the direct transfer of such contributions from the Legislators' Retirement Fund to the Judges' Retirement Fund.

(2) Existing provisions of the Legislators' Retirement Law permit members, upon payment of contributions, to receive service credit for the remainder of their terms if they are elected or appointed to another public office and resign from the Senate or

Assembly

This bill would require that the amount of such contributions be based upon the salary in effect on the date of resignation

(3) Under the Legislators' Retirement Law, the Board of Administration of the Public Employees' Retirement System is required to submit, not later than March 15th, to the Assembly and the Senate a copy of the report it filed with the Governor on its work on the Legislators' Retirement System for the prior fiscal year.

This bill would authorize the board to transmit a copy of the report to every member and beneficiary of the system

(4) This bill would also delete outdated and inoperative provisions and make nonsubstantive conforming changes in specified provisions. The bill would also provide that the retirement system established under the Judges' Retirement Law shall be known and may be cited as the "Judges' Retirement System."

(5) Existing law specifies the annual compensation of Members of the Legislature.

This bill would authorize the Legislature to provide, by concurrent resolution, that each member, at his option, may elect to receive one or more employee benefits, in lieu of a portion of such compensation

Ch. 1214 (AB 3333) McAlister. Insurance Information and Privacy Protection Act.

Existing law prohibits the unauthorized acquisition and disclosure of medical information about an individual which is requested with regard to that individual's insurance or insurability Existing law also regulates investigative consumer reports and credit reports regarding an individual Existing law also makes provision for the notification of a person of reasons for the cancellation of certain forms of insurance.

This bill would enact the Insurance Information and Privacy Protection Act containing comprehensive provisions regarding the collection, use, and disclosure of information gathered in connection with insurance transactions, as defined

Among other things, it would prohibit pretext interviews, that is, interviews made with certain forms of pretending or misrepresenting regarding the interview, by insurance institutions, agents, or support organizations

It would require insurance institutions or agents to give a person who is a policyholder or applicant notice regarding whether personal information may be collected, types of personal information which may be collected, whether and to whom such information may be disclosed, and that the individual may have access to, and an opportunity to correct or supplement such information. It would specify the form and contents of any statement or form, authorizing the disclosure of personal or privileged information, and would limit the unauthorized disclosure of such information.

The bill would prohibit the preparation or request of an investigative consumer report in connection with certain insurance transactions unless the individual is informed that he or she may request an interview and may receive a copy of the report if no personal interview is conducted

It would require the disclosure of certain personal information to the individual upon request

The bill would provide that in the event of an adverse underwriting decision, the individual would be provided with or allowed to request the specific reasons for the adverse underwriting decision

The bill would prohibit an insurance institution, agent, or support organization from basing an adverse underwriting decision on a previous adverse underwriting decision, or the fact that the individual previously obtained insurance through a residual market mechanism, or from insurance support organizations whose primary source of information is insurance institutions, but would permit the use of information obtained from an insurance institution or agent responsible for a previous adverse underwriting decision, and other information obtained from certain sources.

Such information, when requested, would be considered necessary to perform the requesting insurer's function in connection with an insurance transaction involving the individual and, when reasonably available, it would be required to be furnished the requesting insurer and the individual.

The bill would provide for enforcement by the Insurance Commissioner and, where applicable, by the Commissioner of Corporations, and by courts. It would also specify limits of liability Persons who knowingly and willfully obtain information about an

individual from an insurance institution, agent, or support organization would be guilty of a misdemeanor

The bill would become operative on July 1, 1981, and would remain in effect until January 1, 1989

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 1215 (SB 1761) Holmdahl. Mentally disordered persons: civil detention

Under existing law, a peace officer, as defined, may take into civil custody any person, where the officer has probable cause to believe that the person is a danger to others, to himself or herself, or gravely disabled as a result of a mental disorder Once taken into such custody, existing law prescribes certain procedures to be followed Currently state park peace officers and regional park police officers are not included as "peace officers" under these provisions.

This bill would make such an inclusion

This bill would also incorporate additional changes proposed by AB 1873, contingent upon the enactment of both bills and this bill being chaptered last

Ch. 1216 (AB 3211) Hayden. Jury trials.

(a) Existing law provides that trial by jury may be waived in several ways, including by failing to announce that a jury is required at the time the cause is first set for trial or within 5 days of notice of setting if it is set without notice or stipulation In justice courts, such waiver may be made by failure to demand a jury trial within 2 days of notice of trial, and in any superior court action, if a jury is demanded by either party in the memorandum to set a trial date and the party thereafter waives a trial by jury, any adverse party has 5 days following receipt of notice of the waiver to file and serve a demand for a jury trial and to deposit advance jury fees for the first day's trial if required.

This bill would delete such special provisions regarding justice court and superior court actions.

(b) Existing law provides that failing to either deposit, 14 days before trial, a sum equal to 1 day's jury fees, or to deposit, promptly after impanelment of the jury, mileage fees of the jury accrued up to that time, can cause the right to trial by jury to be waived.

This bill would provide for the waiver of the right to trial by jury for failure to deposit advance jury fees 14 days before trial, not to exceed the amount necessary for 20 jurors in the court to which jurors are summoned, and in a superior court action, within 5 days of notice of waiver by an adverse party who previously requested a jury.

(c) Existing law provides that the county may pay jury fees in civil cases from general funds of the county available therefor, but this does not change the requirements for the deposit of jury fees in any civil case by the appropriate party to the litigation or preclude the right of the county to be reimbursed by the party to the litigation liable therefor for any payment of jury fees

This bill would provide that the party who has demanded trial by jury shall reimburse the county for the fees and mileage of all jurors appearing for voir dire examination, except those jurors who are excused and subsequently on the same day called for voir dire examination in another case

This bill would apply only to courts in Santa Clara County

This bill would remain operative only until January 1, 1982, and would be repealed as of that date

Ch. 1217 (AB 2456) Robinson Subdivision Map Act exemptions

(1) The Subdivision Map Act exempts various types of actions from its provisions

This bill would add an additional exemption for the financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or

industrial buildings on a single parcel unless such financing or leasing is not subject to review under other local agency ordinances regulating design or improvement. The bill would add an exemption for the financing or leasing of existing separate commercial or industrial buildings on a single parcel It would incorporate the exemption to the Subdivision Map Act made by Senate Bill 1640

(2) Under the doctrine of merger, when 2 separate contiguous parcels of land come into single ownership, a merger occurs, so as to create one undivided parcel.

A provision of the Subdivision Map Act, applicable after July 7, 1977, provides that no such merger shall occur by virtue of 2 contiguous parcels being held by the same owner, and that no further proceedings under the Subdivision Map Act or any ordinance enacted pursuant thereto are required in order to sell, lease, or finance such contiguous parcels An exemption exists, permitting a city or county to adopt an ordinance retaining the doctrine of merger if either of the contiguous parcels does not conform to local standards prescribing minimum lot sizes.

The Subdivision Map Act also authorizes a city or county to adopt an ordinance pursuant to which all parcels of land which had merged prior to July 7, 1977, are deemed unmerged and separate parcels.

This bill would delete authority for the latter type of ordinance and would, instead, provide that any parcels which had merged by operation of law, and which had not been deemed merged pursuant to a local ordinance retaining the doctrine of merger are deemed to be unmerged.

(3) Finally, the bill would take effect immediately as an urgency statute

Ch. 1218 (SB 1616) Watson. Handicapped children. education and services, federal funds coordination

Existing statutes prescribe various duties of the Superintendent of Public Instruction with respect to special education

This bill would require the Superintendent of Public Instruction to be responsible for assuring provision of, and supervising education and related services to handicapped children specifically required pursuant to the federal Education for All Handicapped Children Act of 1975, as specified

This bill would require the Superintendent of Public Instruction and the directors of specified state departments to develop written interagency agreements for providing special education and related services to handicapped children, as specified, and would require the superintendent to develop, as deemed necessary, interagency agreements with other state and local public agencies to carry out state and federal law. This bill would require these agreements to be submitted to specified legislative committees and would prohibit these agreements from becoming effective until at least 30 days after they had been submitted to these committees

This bill would require identification by the superintendent and the appropriate state agency secretary of failures of his or her agency to provide services to handicapped children in accordance with state and federal law and interagency agreements. This bill would require, if the failure were not remedied, as specified, that the Director of Finance take whatever action is deemed appropriate to ensure provision of the services. This bill would require any state agency providing related services to obtain Department of Finance approval before reducing or eliminating such services.

This bill would also require specified reports and plans by state agencies of disapprovals of applications for specified federal funds to be submitted to the Department of Finance, the Office of Planning and Research, the Joint Legislative Budget Committee and would require such committee to submit related summaries to specified legislative members and committees

Ch 1219 (AB 2481) Hannigan Agricultural use of land

Existing law, in the California Land Conservation Act of 1965 (also known as the Williamson Act), declares that preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources Agricultural use for purposes of the act is defined as the use of land for the purpose of producing an agricultural commodity for commercial purposes The law provides for restricting the use of land to open-space purposes by means of contracts and allows cancellation of contracts only under specified circumstances

This bill would include the construction of housing for agricultural laborers within the meaning of compatible uses of land for such purposes

This bill would authorize a landowner to petition the board or council, as specified, for cancellation of any contract if the board or council has determined that agricultural laborer housing is not a compatible use on the contracted land. Such petition or subsequent cancellation shall, among other things, stipulate that the cancellation is to allow the land to be used exclusively for laborer housing facilities.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

The bill would require the Controller to report to the Legislature on the amount of the claims made pursuant to Section 2229 of the Revenue and Taxation Code by county auditors for state reimbursement for property tax revenues lost by reason of this enactment.

Ch. 1220 (SB 246) Marks. Local agency finances· state subventions property taxes: labor relations.

(1) Existing law pertaining to property taxation provides for the reimbursement, in the 1980–81 fiscal year and thereafter, to local government jurisdictions for revenue loss by reason of exclusion for air and ground time spent within the state by certificated aircraft prior to its first revenue flight.

This bill would revise the computation for this reimbursement in those fiscal years

(2) Existing law pertaining to the Financial Aid to Local Agencies Fund requires certain allocations to be made to local agencies on or before the last day of June and on or before the last day of December

This bill would require the allocation be made on or before the last day of March instead of on or before the last day of December

(3) Existing law contains provisions relative to property tax exchanges between local agencies in the case of jurisdictional changes.

This bill would make certain clarifying revisions to specified provisions of existing law in this regard. It would also prescribe that certain amendments made by any chapter of the Statutes of 1980 be construed to apply prospectively to jurisdictional changes, as specified

(4) Existing law authorizes the legislative body of certain cities to elect to pay a special district, as defined, an amount equal to the amount a district would derive from its tax on all property within the incorporated limits of the city In the case of such an election it authorizes the legislative body of the city to increase its property tax rate by such amount and requires the increases to be paid to the special district.

This bill would revise these provisions to make them consistent with provisions of existing law relative to property tax allocations, as specified. It would require the county auditor to make a specified report to the State Controller

(5) Under existing law, whenever a fire protection district or city fire department is dissolved or the area it serves is decreased by reason of a consolidation, merger, incorporation, annexation, or contract, the fire protection district or city fire department taking over the duties of the dissolved or decreased district or department is required when hiring additional firemen to give first choice for the positions to firemen employed by the dissolved or decreased district or department Existing law requires when such employees are hired as a result of consolidation, merger, incorporation, annexation, or contract, the seniority or other employment rights of the employees of the district or department taking over the duties not be impaired

This bill would permit the seniority or other employment rights of such employees to be impaired in certain counties where a specified memorandum of understanding has

been reached, as specified.

(6) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(7) This bill would take effect immediately as an urgency statute.

Ch. 1221 (SB 940) Marks. Appropriations limit. charter city and county.

Proposition 4 on the ballot for the special election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of state and local government.

This bill would provide for the implementation of Article XIII B by authorizing a charter city and county to adjust its appropriations limit in a specified manner if certain circumstances exist.

Ch. 1222 (SB 1535) Presley Controlled substance offenses· penalty assessments.

(1) The California Uniform Controlled Substances Act presently authorizes fines to be imposed as punishment upon conviction of certain offenses relating to controlled substances. However, nothing in present law authorizes a fine or surcharge for support of laboratories performing controlled substance analysis in connection with criminal investigations.

This bill would require every person who is convicted of prescribed controlled substance offenses to pay an additional $50 as part of any fine imposed; the total fine would be increased to include the increment. The bill would authorize $50 fines to be imposed for such purpose with respect to offenses for which fines are not presently authorized. The bill would require the county treasurer to maintain a criminalistics laboratories fund Fifty dollars of the fines, forfeitures, and fees for each conviction for any controlled substance offense would be deposited in this fund from fines, forfeitures, and other moneys transmitted by the courts to the county treasurer under the California Uniform Controlled Substances Act Moneys in each county's criminalistics laboratories fund would be used to defray prescribed costs and programs of defined criminalistics laboratories providing controlled substances analysis for criminal investigations in the county, except that in counties served by criminalistics laboratories of the Department of Justice, such money, after deduction of county overhead charges, would be required to be paid monthly to the Controller for deposit in the state's General Fund. Moneys not utilized for the purposes specified by the bill during any fiscal year would be distributed in the same manner as prescribed by law for distribution of moneys, forfeited bail, or fines received by any court under the California Uniform Controlled Substances Act.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

Ch. 1223 (AB 2378) Statham Controlled substances

(1) Under present law, isomers of any salt, compound, derivative, or preparation of coca leaves are not expressly scheduled as a controlled substance under the California Uniform Controlled Substances Act, although the definition of "narcotic drug" in such act expressly includes such isomers that are chemically equivalent or identical to any

such salt, compound, derivative, or preparation.

This bill would include in Schedule II of such act the above-described isomers, so as to conform to the definition of "narcotic drug."

(2) Presently, the California Uniform Controlled Substances Act authorizes physicians, dentists, podiatrists, and veterinarians (and pharmacists, registered nurses, and physician's assistants acting within the scope of a health manpower pilot project) to administer controlled substances classified in Schedule II to a patient for the patient's immediate needs. Current law does not, however, permit such practitioners to directly dispense Schedule II controlled substances to patients for their future needs, with the exception of hospital orders Generally, such practitioners must, under present law, make out prescriptions for Schedule II controlled substances to be dispensed for other than the patient's immediate needs, and such prescriptions must be filled by a pharmacy

This bill would authorize physicians, dentists, podiatrists, and veterinarians (and pharmacists, registered nurses, and physician's assistants acting within the scope of a health manpower pilot project) to directly dispense a 72-hour supply of a Schedule II controlled substance only whenever the patient is not expected to require additional amounts of the controlled substance beyond the 72 hours

The bill would require a practitioner dispensing Schedule II controlled substances under the bill to make and transmit to the Department of Justice a specified record thereof on the official prescription forms issued by the department.

(3) Existing law requires written prescriptions for controlled substances classified in Schedule II which are narcotic drugs to be on the official triplicate prescription forms issued by the Department of Justice and to contain specified information

This bill would make these requirements applicable to all controlled substances classified in Schedule II.

(4) Existing law provides that probation shall not be granted, except in unusual cases where the interests of justice would best be served, to any person who knowingly manufactures phencyclidine (PCP).

This bill would provide that, notwithstanding existing law, probation shall not be granted to, nor shall the execution or imposition of sentence be suspended for, any person convicted of specified offenses relating to phencyclidine (PCP).

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

Ch. 1224 (AB 3051) Goggin. Pulmonary disease.

Existing law does not require the State Department of Health Services to conduct a study on the extent of chronic obstructive pulmonary diseases in the State of California.

This bill would require the department to develop estimates on the extent and prevalence of chronic lung diseases and to transmit such estimates to the Legislature by July 1, 1982.

This bill would make an appropriation for the purposes of the above provisions The bill would provide that to the extent federal funds are made available, that portion of the appropriation would revert back to the General Fund

This bill would require the State Department of Health Services to seek federal funds for the purposes of the above provisions

Ch. 1225 (AB 3485) Roos Appropriation payment of claims

This bill would appropriate $80,000 from the Motor Vehicle Account in the State Transportation Fund to the Department of Justice to settle a specified claim against the state.

This bill would take effect immediately as an urgency statute

Ch 1226 (AB 732) Bane Horseracing· race tracks

Under existing law, the California Horse Racing Board is prohibited from issuing a license to conduct a horseracing meeting at any track not used for meetings prior to July 1, 1941, unless the board has determined that the conduct of the meeting will be in the public interest and serve the purposes of the Horse Racing Law.

This bill would prohibit the establishment of a horseracing track in any flood control basin on specified property owned by the federal government in any city with a population of more than 2,750,000 until the city council has called a special election in the precincts in the 3-mile surrounding area and ⅔ of the registered voters who cast ballots approve of the establishment of the race track. The bill would prohibit the California Horse Racing Board from issuing a license to conduct horseracing at such a track until ⅔ of the registered voters voting approve of the establishment.

Ch. 1227 (AB 3285) Goggin Jurors

Existing law provides that a person is competent to act as juror if the person, among other things, is in possession of his or her natural faculties

This bill would specify that no person shall be deemed incompetent to act as a juror solely because of the loss of hearing, but would specify that any person, including a deaf person, deemed not incompetent to act as a juror may be challenged for cause upon specified grounds

The bill also would require that, if a deaf juror is not challenged for cause, the parties shall stipulate to the presence of a sign language interpreter in the jury room during jury deliberations and would require the court to instruct the jury and the interpreter as to the particular role of the interpreter in the course of the jury's deliberations

Ch 1228 (AB 3384) Ingalls Pawnbrokers

Existing law regulates the maximum interest rates and charges which may be imposed by a pawnbroker Among other things, the maximum rate that may be imposed on the unpaid principal balance of the loan in excess of $225 but less than $600 is 2% per month, and the maximum rate for the unpaid principal balance of the loan in excess of $600 but less than $1650 is 1½% per month.

This bill would permit a rate of 2% per month on the unpaid principal balance of the loan in excess of $225 but less than $900

Under existing law, pawnbrokers are authorized to impose charges on loans as prescribed in a schedule of charges

This bill would revise the schedule of charges, as specified

Ch 1229 (AB 3070) Egeland Child care

Existing law delineates a procedure whereby an action may be brought for the purpose of having a minor declared free from the custody and control of either or both of his or her parents when specified conditions exist

This bill would specify that such a declaration terminates all parental rights and responsibilities with regard to such a child It also would specify that a relinquishment for an adoption also has such an effect

Existing law provides that no agency shall place a child for adoption unless a medical report on the background of the child has been filed

This bill would provide that such report would, if such information is available, provide information concerning not only the child's medical condition, but also information concerning psychological evaluations, scholastic evaluations and family life

This bill would set forth legislative policy declaring that foster care should be a temporary method of care

The bill would provide that in furtherance of this policy, counties shall submit to the State Department of Social Services information necessary to establish a foster care information system, and assessments of children currently receiving foster care

The bill would require the State Department of Social Services to report to the Legislature by October 1, 1981, on the current status of foster care services, and analyze whether these services meet legislative policy declared in the bill

Existing law provides for the payment, in an amount not to exceed $600, of burial expenses for children who received foster care services

This bill would remove this limit, and would allow an amount equal to that allowed under the Victims of Violent Crime program

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local

agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year. This statutory provision will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill appropriates the sum of $250,000 from the General Fund to the Controller for allocation and disbursement to local agencies and school districts, pursuant to Section 2231 of the Revenue and Taxation Code, for costs mandated by the state and incurred by them pursuant to this act Future appropriations would be subject to the Budget Act.

This bill would make additional changes in Section 224s of the Civil Code as proposed by AB 1426, to be operative only if this bill and AB 1426 are chaptered and this bill is chaptered after AB 1426.

Ch 1230 (AB 3337) Frazee Municipal courts.

(1) Existing law provides for the number, classification, and compensation of municipal court personnel in San Bernardino County and San Diego County.

This bill would revise the number, classification, and compensation of municipal court personnel in San Bernardino County and San Diego County.

(2) Existing law specifies the divisions of the San Bernardino Municipal Court

This bill would modify the divisions of the San Bernardino Municipal Court

(3) Existing law specifies the number of municipal court judges in the North County Municipal Court District in San Diego County at 7 and provides that there shall be 8 judges at such time as the San Diego County Board of Supervisors adopts a resolution finding there are sufficient funds for an 8th judge.

This bill would delete the above provisions regarding the adoption of a resolution by the board of supervisors and would increase the number of judges to 9, operative July 1, 1981.

(4) Existing law establishes municipal courts in various counties

This bill would establish a municipal court in Yuba County.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1231 (SB 1479) Craven. Courts judges.

(1) Existing law specifies the number of municipal court judges in the North County Municipal Court District in San Diego County at 7 and provides that there shall be 8 judges at such time as the San Diego County Board of Supervisors adopts a resolution finding there are sufficient funds for an eighth judge.

This bill would increase the authorized number of judges to 10 effective upon such a resolution or resolutions

(2) Existing law establishes municipal courts in various counties

This bill would establish a municipal court in Yuba County

(3) Existing law provides for 171 judges of the superior court in Los Angeles County, provided that when the board of supervisors finds there are sufficient funds therefor, there shall be 196 judges.

This bill would provide for 171 judges of the superior court in Los Angeles County, provided that when the board of supervisors finds there are sufficient funds for any number of additional judges up to 35 therefor, there shall be 171 judges plus the additional judges, as specified

(4) Existing law specifies the number of judges in the Los Angeles Municipal Court District at 64

This bill would authorize an increase in the number of judges in the Los Angeles Municipal Court District up to 74 upon a specified resolution or resolutions of the board of supervisors

(5) Existing law specifies the number of municipal court judges in San Francisco at 19

This bill would authorize an increase in the number of municipal court judges in San Francisco to 20 upon a specified resolution of the board of supervisors.

(6) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill would appropriate $837,075 to the Controller without regard to fiscal year for allocation and disbursement, as specified, and provides that no other appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1232 (AB 3381) Boatwright Water use. migratory waterfowl habitat

Under existing law, it is declared to be the established policy of this state that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation

This bill would declare that water delivered under existing contracts between the United States and the Grassland Water District and between the United States and the State of California for the purpose of providing migratory waterfowl habitat in the Counties of Merced and Fresno shall be allocated, as determined by the Secretary of the Interior, in accordance with the provisions of such existing contracts, but would require a shortage of water available arising from a drought to be allocated as prescribed

Ch 1233 (SB 1662) Rodda Superior courts Sacramento County

Existing law provides for 23 judges of the superior court in Sacramento County

This bill would increase the number of judges of the superior court in Sacramento County from 23 to 26, provided that upon a specified vacancy there shall be 27 judges of the superior court in Sacramento County

The bill would appropriate $358,538 to the Controller for allocation and disbursement, as specified, and further provide that, otherwise, no appropriation is made by the act pursuant to Section 2231 or 2234 of the Revenue and Taxation Code or Section 6 of Article XIII B of the California Constitution because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act, and that the act does not create any present or future obligation to reimburse the agency or district for any costs incurred because of the act

Ch. 1234 (SB 1328) Keene. Coastal resources; state park system wilderness areas real property exchange

(1) Existing law describes the attributes of a state wilderness area for purposes of classification of units of the state park system and states, among other things, that such areas are without permanent improvements, other than semi-improved campgrounds and primitive latrines

This bill would add to the permanent improvement exception, structures which existed at the time of classification of the area as a state wilderness and which the State Park and Recreation Commission has determined may be maintained and used in a manner compatible with the preservation of the wilderness environment

(2) Existing law does not provide for the exchange of portions of Reynolds Wayside Campground and Sinkyone Wilderness State Park, units of the state park system, for specified private real property in the vicinity of Sinkyone Wilderness State Park

This bill would authorize the Department of General Services, with the approval of the State Public Works Board, the Director of Parks and Recreation, and, after a public hearing at a location within a 100-mile radius of the park, the State Parks and Recreation Commission, to exchange such properties, subject to specified conditions, and would make legislative findings and declarations with regard to the exchange The property transferred to the state would be an addition to Sinkyone Wilderness State Park

The bill would require the state and any private landowner participating in the

exchange to share 50-50 the costs of appraisals, land surveys, and other necessary expenses of the exchange.

The bill would provide that any roads defining the boundaries of exchanged property be for the mutual use of the state and the private landowner

The bill would prohibit the exchange unless the appraised value of real property received by the state is equal to or greater than the appraised value of the real property it transfers to private ownership, provided that, if the appraised value of the real property transferred to private ownership is greater than the appraised value of real property received by the state, the private landowner may pay the state the difference in appraised value and the money shall be deposited in the State Parks and Recreation Fund.

(3) The bill would, upon completion of the property exchange, require the Department of Parks and Recreation to prepare a general plan or revise any existing general plan, as the case may be, for Sinkyone Wilderness State Park to include specified provisions, and, in preparing the plan, to hold at least 1 public hearing in each of Mendocino and Humboldt Counties The commission would be required to conduct at least 1 public hearing at a location within a 100-mile radius of the park to consider approval of the department's general plan

(4) The bill would, after the property exchange and effective upon approval of the general plan, designate land in the Sinkyone Wilderness State Park to be a component of the California wilderness preservation system

(5) This bill would also, provided that Proposition 1 on the November 4, 1980, general election ballot is not approved by the voters, transfer $5,000,000 to the Coastal Conservancy Fund from the State Parks and Recreation Fund, conditioned on AB 2973 being chaptered before this bill and transferring moneys to that fund, and if not, from state lands revenues, moneys, and remittances, as specified, subject to reimbursement from the State Parks and Recreation Fund if AB 2973 is chaptered after this bill and transfers moneys to that fund It would appropriate the $5,000,000 to the State Coastal Conservancy for specified purposes in accordance with the laws governing the State Coastal Conservancy

(6) The bill would revise the requirements in order for a public land trust to be a "public entity" for purposes of certain provisions relating to exempting public entities from liability for injuries caused by conditions of unpaved roads, trails, paved trails, walkways, paths, or sidewalks providing access to recreation or unimproved property The bill would also authorize the State Coastal Conservancy to provide assistance, rather than only technical assistance, to public agencies or nonprofit organizations for establishing a system of public coastal accessways These changes would be operative only if SB 1323 is chaptered, in which case they would be operative on January 1, 1981

(7) The bill would take effect immediately as an urgency statute.

Ch 1235 (SB 1811) Carpenter Health care service plans· mental health services

(1) Existing law, authorizes a health care service plan to provide for coverage, or for payment for, professional mental health services, or for the exclusion of such services

This bill would require health care service plans and individual practice associations, as defined, which offer mental health benefits to make reasonable efforts to make available to their members the services of licensed psychologists A violation of the provisions of this bill would constitute a misdemeanor

(2) This bill would amend Section 1373 of the Health and Safety Code to incorporate the changes in that section proposed by both this bill and AB 2211 if both bills are chaptered and become effective January 1, 1981, both bills amend Section 1373, and this bill is chaptered last

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1236 (SB 1803) Wilson Insurance.

Existing law requires the Insurance Commissioner to keep offices in San Francisco, Sacramento, and Los Angeles

This bill would additionally require the commissioner to keep an office in San Diego

Existing law requires each insurer transacting insurance, as defined, covering liability for any public entity, where the public entity is the named insured, to annually report specified statistics to the Insurance Commissioner by type of public entity and by type of claim

This bill would instead require such statistics to be reported only by type of claim

Ch 1237 (SB 1742) Speraw Developmentally disabled persons

Existing law defines "developmental disability" and "services for persons with developmental disabilities" for purposes of state and local programs for developmentally disabled persons Existing law also prescribes certain nonexclusive rights of developmentally disabled persons

This bill would to the extent required by federal law, redefine such terms to conform to the federal definition, under the Developmental Disabilities Assistance and Bill of Rights Act for any organization or agency receiving federal funds under such act

This bill would also change the composition of, and increase the number of members of, the State Council on Developmental Disabilities and require the Secretary of the Health and Welfare Agency to contract out for a study on the potential impact if a specified definition of "developmental disabilities" were applied to the existing state service system

This bill would take effect immediately as an urgency statute

Ch 1238 (SB 1754) Holmdahl Building standards local modifications. state administrative law

(1) Existing law requires the Commission of Housing and Community Development to adopt and submit building standards for approval by the State Building Standards Commission and to adopt other building regulations Except for building standards enacted on or before November 23, 1970, counties and cities are required to impose the same requirements as such state standards and regulations, but, except for certain noise control standards, if the city or county makes an express finding of necessity due to local conditions, it may modify or change such standards or regulations A copy of the finding of necessity is required to be filed with the Department of Housing and Commmunity Development

This bill would require the Department of Housing and Community Development to transmit a report to the State Building Standards Commission relating to such findings of necessity, as specified, by October 1, 1981, and annually thereafter, with respect to changes and modifications made after January 1, 1980 These changes made by the bill would remain in effect only until January 1, 1986, unless that termination date is deleted or extended by a later enacted statute which is chaptered on or before January 1, 1986

The bill would also require that, except as to a city and county, the finding of necessity in existing law relate to local geographical or topographical conditions, rather than local conditions generally

(2) Existing law formerly contained provisions (a) requiring state agencies proposing to adopt, amend, or repeal a regulation to include in the notice of the proposed action any finding as to a significant effect of the proposed regulation on housing costs and (b) requiring consideration of action to offset increased housing costs

This bill would enact such a requirement

(3) Existing law, which became operative July 1, 1980, prescribes that when any city or county issues a building permit that certain declarations be included with the permit executed by the owner, applicant, or agent of the owner or applicant, as the case may be, as a condition of such issuance

This bill would expressly include a contractor or agent of the contractor, as persons who may execute a declaration

(4) Existing law contains provisions for the adoption of regulations by state agencies as defined, including emergency regulations Under existing law, no regulation adopted by an agency can remain in effect more than 120 days unless the agency complies with the other provisions of the chapter relating to the procedure for adoption of regulations

This bill would, instead, prohibit any regulation adopted as an emergency regulation from remaining in effect more than 120 days unless the adopting agency has complied

with specified provisions in that chapter prior to the adoption of the emergency regulation, or has, within the 120-day period given prescribed notice and has afforded interested persons the opportunity to present statements, arguments, or contentions in a specified manner. It would also require the agency, prior to the expiration of the 120-day period, to transmit a prescribed certification to the Office of Administrative Law for filing with the Secretary of State.

(5) Existing law prohibits readoption of a regulation as an emergency regulation, or adoption of an emergency regulation substantially equivalent thereto, except with the express prior approval of the Governor

This bill would, instead, require the express prior approval of the Director of the Office of Administrative Law

(6) Existing law authorizes the Governor, within a prescribed time, to overrule the decision of the Office of Administrative Law disapproving a proposed regulation.

This bill would also authorize the Governor, within such time, to overrule the decision of the office refusing to allow the readoption of an emergency regulation

(7) Existing law requires the Office of Administrative Law to order the repeal of an emergency regulation if it determines that the regulation is not necessary for the immediate preservation of the public peace, health and safety, or general welfare

This bill would, in addition, require the office to order the repeal of an emergency regulation if it determines that the regulation fails to meet the standards set forth in prescribed provisions

(8) This bill would also revise and clarify other provisions relating to the Office of Administrative Law

(9) This bill would make additional changes in Section 17958 7 of the Health and Safety Code proposed by AB 2707, if this bill and AB 2707 are both chaptered and this bill is chaptered last These changes would become operative on the effective date of AB 2707

(10) This bill would take effect immediately as an urgency statute.

Ch. 1239 (SB 1984) Garamendi Mental health complex. San Joaquin County; Department of Mental Health: additional data processing equipment or services

This bill would appropriate $3,000,000 from specified funds to the Director of Mental Health to be allocated to San Joaquin County for the purposes of building a mental health complex in the county Construction of the complex would be funded on an 85% state-15% county cost-sharing basis, except, that the state appropriation would be the maximum state responsibility for the project The bill would prohibit funds under the appropriation from being used for acute hospital beds, with the exception of use for a psychiatric health facility, as defined in existing law. The county would be required under the bill to contract with the state to ensure that there will be a bed-for-bed reduction in state hospital utilization by San Joaquin County for each bed established pursuant to the bill

This bill would also require the State Department of Mental Health and the Department of Finance to develop specified criteria for evaluating future proposals for the state funded construction of mental health facilities and to report to the Legislature by April 1, 1981

The Budget Act of 1980 (Ch 510, Stats 1980) prohibited the use of any of the $12 341,-008 appropriated for the support of the Department of Mental Health for the acquisition of additional data processing equipment or services sooner than 30 days after the department has provided the Joint Legislative Budget Committee and the appropriate fiscal subcommittees a statewide management informations systems plan which has been approved by the State Data Processing Management Office

This bill would delete this prohibition

This bill would take effect immediately as an urgency statute

Ch 1240 (SB 1263) Montoya Medi-Cal

Existing law contains separate eligibility provisions under Medi-Cal for patients needing dialysis and related services if the patients have a net worth, as defined, above the Medi-Cal eligibility levels or if the patients are eligible for Medi-Cal either as medically needy or medically indigent persons, are employed, and earning an amount which exceeds the minimum needs standard and receive certain specified dialysis services

Existing law does not contain such separate Medi-Cal provisions for parenteral hyperalimentation services

This bill would extend the separate Medi-Cal eligibility provisions for dialysis services to include authorization for parenteral hyperalimentation services.

The bill would further provide that if Proposition 9, on the June 3 ballot passes, the bill would become inoperative unless funds were appropriated under the 1980 Budget Act for purposes of implementing this act

Ch 1241 (SB 2040) Alquist. Appropriation State-mandated local costs additional reimbursement.

This bill would appropriate $7,571,804 90 to the State Board of Control to pay claims against the state of local agencies and school districts for additional reimbursement for specified state mandated local costs, awarded during calendar year 1980.

This bill would also prohibit the board from reimbursing for any indirect costs for professional and consultant services and require the board to amend its parameters and guidelines to prohibit reimbursement of such costs.

This bill would take effect immediately as an urgency statute

Ch 1242 (SB 1989) Maddy Punitive damages.

Under existing law, in a civil action for the breach of a noncontractual obligation, the plaintiff may recover exemplary and punitive damages if the defendant has been guilty of oppression, fraud, or malice.

This bill would define malice as conduct intended by the defendant to cause injury to the plaintiff or conduct which is carried on by the defendant with a conscious disregard of the rights or safety of others, would define oppression as subjecting a person to cruel and unjust hardship in conscious disregard of that person's rights, and would define "fraud," as an intentional misrepresentation, deceit, or concealment of a material fact known to the defendant with the intention of thereby depriving a person of property or legal rights or otherwise causing injury

Under existing law an employer can be vicariously liable for punitive damages for an act of an employee under certain circumstances, as where the employer ratifies the willful and malicious acts of an employee

This bill would provide that an employer is not liable for punitive damages for an act of an employee unless the employer had advance knowledge of the unfitness of the employee and employed him or her with a conscious disregard of the rights or safety of others or authorized or ratified the wrongful conduct or was personally guilty of oppression, fraud, or malice

Under existing law, a defendant may obtain a protective order requiring the plaintiff to produce evidence of a prima facie case of liability for punitive damages before introducing evidence of profits the defendant gained because of the wrongful act complained of or of the financial condition of the defendant

The bill, in addition, would preclude pretrial discovery as to such profits and financial condition unless ordered by the court upon a finding that the plaintiff has established a substantial probability that the plaintiff will prevail on the claim authorizing an award of punitive damages

Ch 1243 (AB 3432) Ingalls Department of Transportation employees, occupational safety study.

This bill would direct the Division of Occupational Safety and Health in the Department of Industrial Relations, working with the Department of Transportation and other appropriate state agencies, to study and recommend to the Legislature no later than January 1, 1981, methods to improve the occupational safety of certain employees, as specified

This bill would take effect immediately as an urgency statute

Ch 1244 (AB 2674) Boatwright Public Employees' Retirement System cost-of-living increases

The Public Employees' Retirement Law presently authorizes cost-of-living adjustments not to exceed 2% per year and, in addition, authorizes contracting agencies to elect to increase this adjustment to 5% per year

This bill would require the transfer of all funds in the reserve for deficiencies maintained in the Public Employees' Retirement Fund in excess of 2% of its total assets, for purposes of quarterly increases, as specified by the Board of Administration of the Public Employees' Retirement System, in the monthly allowances from October 1, 1980, through September 30, 1982, whenever the board determines that sufficient funds exist for this purpose. The amount would be appropriated without regard to fiscal years The actual amount of increase would be subject to specified limitations. [This provision would remain in effect until January 1, 1983, and as of such date would be repealed unless a later enacted statute deletes or extends such date.]*

The bill would state that an appropriation may be included in the Budget Bill for each fiscal year to provide supplementary increases in state member retirement allowances and that the funding may be considered in the meet and confer process and dealt with in the Budget Bill in conjunction with salary increases for active state employees.

~~The provisions of this bill would remain in effect until January 1, 1983, and as of such date would be repealed unless a later enacted statute deletes or extends such date.~~*

The bill would take effect immediately as an urgency statute

Ch. 1245 (SB 1306) Alquist. Property tax

Existing law defines the term "newly constructed" for purposes of implementing Article XIII A of the Constitution

This bill would provide that for purposes of Article XIII A of the Constitution, "newly constructed" shall not include the construction or addition of any solar energy system In the case of solar swimming pool heaters, "new construction" shall not include the increment of cost in excess of the cost of a comparable conventional fossil fuel heating system

This bill would not become effective until Senate Constitutional Amendment No 28 of the 1979–80 Regular Session is adopted by the voters and shall apply only to lien dates for fiscal years commencing 1981 through 1985, inclusive.

Existing law provides that all classifications or exemptions of property for purposes of ad valorem property taxation enacted by the Legislature shall be reimbursed by the state

This bill would provide that there shall be no reimbursement for property tax revenues lost as a result of this act because the act would implement a proposed amendment to the California Constitution which must be approved by the voters

Ch 1246 (SB 1474) Presley Sales and use tax. factory-built housing.

The existing Sales and Use Tax Law contains an inoperative provision defining the "gross receipts" from the sale of factory-built housing, and the "sales price" of factory-built housing to be 40% of the sales price of the factory-built housing to the consumer Such provision ceased to be operative on December 31, 1979.

This bill would repeal the inoperative provision, would define "factory-built housing," and would add a new provision to the Sales and Use Tax Law to provide that the "gross receipts" and "sales price" with respect to factory-built housing shall be 40% of the sales price of such housing to the consumer for purposes of the Sales and Use Tax Law

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions

This bill would appropriate $100,000 to the Controller to make the reimbursements to counties and cities specified in Section 2230

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate for reimbursement or Section 2230, 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would take effect immediately as a tax levy

Ch 1247 (SB 1497) Greene Workers' compensation

Existing law provides that where an injured employee claiming workers' compensation benefits is requested to submit to examination by a physician, he shall receive, among other things, mileage fees of 14 cents a mile

This bill would increase such mileage fees to 21 cents a mile

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement were supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1248 (SB 1576) Nielsen Sales and use tax exemption waste products.

Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax

Moreover, counties, cities, and certain transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the transit districts, for revenue losses caused by the enactment of sales and use tax exemptions

This bill would exempt from state and local sales and use taxes organic products grown expressly for fuel purposes and waste products from agricultural or forest products operations, municipal refuse, or manufacturing waste which is delivered in bulk and used as industrial fuel in lieu of oil, gas or coal

This bill provides that this act shall be in effect until December 31, 1986, and would be repealed as of that date unless a later enacted statute deletes or extends such date

This bill would further require the Legislative Analyst to report to the Legislature on or before December 31, 1985, concerning the economic impact of this act

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill

This bill would take effect immediately as a tax levy, but its operative date would depend upon its effective date

Ch 1249 (SB 1577) Greene Pipeline safety

Existing provisions governing public works contracts require the public agency involved to remove, relocate, or protect any main or trunkline public utility facilities located on the construction site

This bill would authorize certain local governments, as specified, to require by ordinance that public utility companies and other owners or operators of subsurface installations within public streets become members and share in the costs of a regional notification center providing advance warning of excavations close to existing installations

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1250 (SB 1598) Holmdahl Inheritance tax· carryover basis

The Tax Reform Act of 1977 conformed various provisions of the Inheritance Tax Law to the Internal Revenue Code as revised by the Federal Tax Reform Act of 1976

This bill would repeal the carryover basis rules for property passing from a decedent to conform to the provisions of the present federal tax law and would make further conforming provisions relating to income from certain dispositions of property.

The bill would take effect immediately as a tax levy

Ch. 1251 (SB 1609) Maddy. Mentally retarded persons pilot project

Chapter 797 of the Statutes of 1980 repealed provisions for a dual system of special education and added provisions for a uniform system of special education to be implemented statewide by June 30, 1982. Chapter 797 deleted references to specific handicapping conditions and substituted the all-inclusive term "individuals with exceptional needs." In addition, Chapter 797 authorized the continued operation during the 2-year implementation of certain special education programs authorized under the former law

One of the programs authorized under the former law was the establishment and maintenance of occupational training programs for physically handicapped and mentally retarded pupils under the age of 21

This bill would authorize the County Superintendent of Schools of Fresno County to establish and maintain a pilot project, for a 3-year period, to extend the occupational training program presently maintained for individuals with exceptional needs under age 21, to persons over the age of 21 but under the age of 25 who but for their age would be "individuals with exceptional needs".

This bill would, if the pilot project were established, require the County Superintendent of Schools of Fresno County and the Department of Rehabilitation, individually, to prepare and submit specified reports to the Department of Education and the Legislature This bill would authorize the County Superintendent of Schools of Fresno County to adopt rules and regulations to implement the pilot project

This bill would appropriate from the General Fund to the Department of Education $75,000 to be allocated to the County Superintendent of Schools of Fresno County at the rate of $25,000 per specified period for the project's duration

Ch. 1252 (SB 433) Wilson Taxation Mobilehomes. Senior Citizen Property Tax Assistance

Under existing law, residents of mobilehomes which are subject to the Vehicle License Fee, and who otherwise qualify, may elect to claim assistance under the Senior Citizens Property Tax Assistance Law as either homeowners or renters Such assistance applies to mobilehomes purchased on or before July 1, 1980

This bill would extend such assistance indefinitely

Ch 1253 (SB 579) Roberti Mentally retarded defendants diversion

Existing law provides that for a criminal defendant who is found to be mentally incompetent to stand trial and to be developmentally disabled, the criminal process is suspended and the defendant is delivered to a state hospital or other available residential facility approved by the director of a regional center for the developmentally disabled for treatment or is ordered to undergo specified outpatient treatment Upon restoration of the defendant's competency, the criminal process is resumed

This bill would provide procedures whereby a mentally retarded defendant who is charged with an offense charged as, or reduced to, a misdemeanor and who has not been diverted within two years prior to the criminal proceedings, could be diverted for treatment and habilitation, specifically related to his or her individual developmental needs and the charged criminal offense If such a person is not represented by counsel the court would be required to appoint counsel

As a precondition to a diversion order by the court, the prosecutor, the county probation department, and the appropriate regional center for the developmentally disabled would each submit a report to the court which would include their recommendations for or against diversion In determining whether the defendant should be diverted, the court would consider specified criteria involving his or her past criminal record, if any the pending criminal charge, and other factors relating to his or her suitability for treatment

This bill would provide to the court a choice between a dual agency diversion program administered jointly by the probation department and the regional center, and a single

agency diversion program administered by the regional center alone Under either dual or single agency diversion, the court would receive from the responsible administrative agencies periodic reports on the divertee's progress during the period of diversion

The bill would specify the conditions and time period for such diversion and the conditions for the resumption of the criminal process or for dismissal of the criminal charges upon completion of the diversion program

The bill would require the State Department of Developmental Services to report annually to the Legislature regarding the diversion program, as specified

The bill would appropriate $350,000 to the State Department of Developmental Services

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year This statutory provision will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill appropriates $130,000 to the Controller for allocation and disbursement to local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act

Ch 1254 (SB 782) Rains Juvenile court law

Existing law requires the appointment of counsel to represent the interest of a minor who is alleged to come within the jurisdiction of the juvenile court on the basis that his home is an unfit place for him by reason of neglect, cruelty, depravity or physical abuse

This bill would detail the rights and responsibilities of such appointed counsel Additionally, the counsel would be required to investigate the interests of the child beyond the scope of the juvenile proceeding and report to the court other interests of the child that may be protected by other administrative or judicial proceedings, including, but not limited to, designated civil action The court would be required to take whatever appropriate action is necessary to fully protect the interests of the child

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1255 (SB 357) Greene School and community college districts building repair limitations

Existing law authorizes the governing body of a school district or a community college district to do certain work by day labor, or by force account, whenever the total cost of labor on the job does not exceed (1) $3,000 or the total number of hours on the job does not exceed 750 hours, whichever is greater, if the school district or community college district is located within a city containing a population in 1950 of over 1,900,000, or (2) $3,500 or the total number of hours on the job does not exceed 350 hours, whichever is greater, for any other school district or community college district

This bill would, instead, authorize any school district or community college district to do such work by day labor or by force account, whenever the total cost of labor on the job does not exceed $7,500, or the total number of hours on the job does not exceed 350 hours, whichever is greater This bill would also permit any school district or community college district to perform maintenance, as defined, by day labor or by force account

This bill would further provide that in any school district having an a d a of 35,000 or greater or community college district with an a d a of 15,000 or greater, such work can be done by day labor or force account whenever the total cost of labor on the job does not exceed $15,000, or the total number of hours on the job does not exceed 750 hours, whichever is greater

This bill would authorize any school district and community college district to conduct informal bidding on projects up to $7,500, and further provides for school districts with

an a d a of 35,000 or community colleges with an a d a of 15,000 to conduct informal bidding on projects up to $15,000, as provided

The bill would also require the district to maintain job orders or similar records indicating the total cost expended on each project, as specified, for at least 3 years after project completion

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1256 (SB 90) Russell State-mandated local programs

Existing law specifies various procedures relating to claims that may be made to the State Controller for reimbursement to a local entity for costs mandated by the state

This bill would revise such procedures

Existing law requires the state to reimburse each local agency for costs mandated by the state and requires funds for this purpose to be appropriated to the Controller for disbursement Claims for reimbursement are generally required to be submitted to the Controller by October 31 of the fiscal year in which such costs are incurred A valid claim filed after the deadline is reimbursed at 80% of the amount which would have been allowed or such lesser prorated amount, as specified

This bill would prohibit payment of any claim filed with the Controller after October 31 of the fiscal year following the fiscal year in which costs are incurred Notwithstanding this prohibition, or any other provision of law, this bill would also require the Controller to consider and pay at 80%, or the lesser prorated amount, otherwise valid claims for costs incurred in the 1977–78 and prior fiscal years, which were filed on or before October 31, 1979

Existing law also requires the State Board of Control to consider and pay certain claims for reimbursement for costs mandated by the state for which funds have not been appropriated to the Controller Such claims are required to be submitted to the board on or before October 31 of the fiscal year following the fiscal year in which costs are incurred

This bill would require a test claim to be filed on or before October 31 of the year following the fiscal year for which reimbursement is claimed

Under existing law, the Department of Finance is required to review, and report to the Legislature, on all statutes enacted during the calendar year which contain provisions making inoperative the statutory reimbursement requirements for certain local tax revenue losses and state-mandated local costs and all statutes which result in costs or revenue losses which were not identified when the statute was enacted

This bill would require, in addition, that the Legislative Analyst report to specified committees of the Legislature on the estimated future costs of statutes which the Board of Control has determined contain any unfunded statutory mandate and recommendations as to whether or not the Legislature should reconsider its original enactment of the statute to repeal or modify its provisions

Ch 1257 (SB 56) Roberti Taxation charitable contributions

Under existing Personal Income Tax Law, charitable contributions are deductible in the computation of taxable income

This bill would permit transportation expenses necessarily incurred by an individual in rendering donated services to a governmental entity or a nonprofit organization to be treated as a deductible charitable contribution, as specified It would provide for a rate of reimbursement of 10¢ per mile traveled and would provide that if the rate of reimbursement under federal income tax law exceeds the rate authorized by this act the state rate shall be increased to conform to the federal rate

The bill would take effect immediately as a tax levy, but its operative date would depend upon its effective date It would also repeal the act January 1 of the year 5 years subsequent to the first taxable year for which the act is effective

Ch 1258 (SB 1735) Sieroty Exemplary Arts Education Programs

Existing law prescribes specified education programs

This bill would establish exemplary arts education programs Such programs would integrate basic arts disciplines with the total curriculum of public elementary and secondary schools

This bill would provide that a school district or county office of education may apply for a grant of up to $50,000 per year, for a period not to exceed 2 years, for the development, implementation, and review of an exemplary arts education program Each application would include specified provisions

This bill would require the California Arts Council and the Department of Education, in cooperation with the State Alliance for Arts Education Committee, to establish a 15-member advisory committee to assist in the administration of this program The council and the department, with the assistance of the advisory committee, would review all applications for participation in the program The council and the department would rank and develop a list of the applications in order of priority from most to least deserving

This bill would appropriate $750,000 from the General Fund to the California Arts Council each fiscal year for the 1981–82 to 1983–84, inclusive, fiscal years for allocation of grants to school districts and county offices of education for the development, implementation, and review of an exemplary arts education program This bill would also provide that $25,000 of that appropriation in the 1981–82 and 1982–83 fiscal years may be allocated for an independent evaluation of the programs established pursuant to this bill The contractor for the independent evaluation would be required to report to the Legislature on specified matters on or before December 31, 1983

This bill would also state the Legislature's intent that no portion of the funds appropriated by this bill be used by the council or the department for administrative costs

The provisions of this bill would be repealed as of June 30, 1985

Ch 1259 (SB 1676) Dills Vehicles records confidentiality

Under existing law, various records of the Department of Motor Vehicles are, generally, open to public inspection during business hours However, the home address of district attorneys, probation or parole officers, and various peace officers is confidential, if so requested by such officers, and may only be disclosed to a court, a law enforcement agency, or certain governmental agencies

This bill would also make the home address of Members of the Legislature, judges, and court commissioners confidential, if so requested, and make conforming changes

Ch 1260 (SB 125) Garamendi Emergency medical care personnel

(1) Under existing law, the State Department of Health Services is required to maintain, in cooperation with local agencies, an emergency medical services program Existing federal law provides for regional emergency medical care systems Existing state law does not provide for the training in approved training programs and the certification of prehospital emergency medical care personnel, except county pilot programs for mobile intensive care paramedics and educational or training pilot programs approved by the Office of Statewide Health Planning and Development

This bill would require the Emergency Medical Service Authority, created by the bill in the Health and Welfare Agency, to establish planning and implementation guidelines, as specified, for emergency medical service systems, as defined, and adopt rules and regulations and minimum standards for training and practice, training programs, and for the education and certification of prehospital emergency medical care personnel, as specified, except as provided in the bill The local EMS agency, as defined, designated pursuant to the bill by the county, as specified in the bill, would be responsible for administration of emergency medical services, and the county health officer or county designated physician would be responsible for determining that the operation of training programs are in compliance with state standards, for certifying an individual upon completion of an approved training program, and for issuing certificates to qualified

persons The state standards for advanced life support and limited advanced life support personnel would be as provided in the bill until new standards are developed by the Emergency Medical Service Authority, approved as specified, and adopted

The bill would authorize a county, as a condition of employment in an advanced life support or limited advanced life support prehospital care system, to require additional training and qualification which are greater than those provided in the bill

The bill would authorize probation, suspension, or revocation of any certificate after a hearing on specified grounds by a county

The bill would require the state authority to promulgate regulations to provide for the assessment of emergency medical facilities The authority would be required to make specified annual and biennial reports to the Legislature relating to certain of such activities

This bill would authorize the Director of the Emergency Medical Service Authority to coordinate emergency medical services systems, as defined, and contract with medical consultants

The bill would create the Interdepartmental Committee on Emergency Medical Services

The bill would create the Commission on Emergency Medical Services, with specified duties

(2) Existing law limits liability for firemen, policemen, other local law enforcement officers and paramedics, as defined, for civil damages for emergency services

This bill would provide for immunity from liability for civil damages allegedly resulting from training programs and additionally limit liability for actions of certificated persons to gross negligence or other actions not performed in good faith except at an emergency department and other places where medical care is usually offered

(3) Existing law provides immunity from liability for civil damages resulting from any act or omission for any person who renders emergency care at the scene of an emergency in good faith Persons, other than specified persons who are liable only for grossly negligent acts, rendering such care for compensation are excepted from such existing immunity

This bill would repeal certain of such provisions, and, instead, provide immunity from liability for civil damages resulting from any act or omission for any person who renders emergency care at the scene of an emergency, except in emergency departments and other places where medical care is usually offered, in good faith and not for compensation and, for physicians and nurses, for giving emergency instruction to designated prehospital emergency medical care personnel, and, for such personnel, for following such instructions

The bill would also repeal and reenact provisions providing limited liability for specified emergency and public safety persons for rendering emergency medical services at the scene of an emergency, except that the bill would delete services performed at emergency departments and other places where medical care is usually offered from such limited liability

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

This bill would appropriate $94,482 from the General Fund to the Emergency Medical Service Authority for the purposes of this act

Ch 1261 (AB 2615) Chacon Bilingual education teacher grant program

Under current law the Student Aid Commission administers the Bilingual-Crosscultural Teacher Development Grant Program

Current law provides for the establishment of a Bilingual Teacher Corps Program

which provides a stipend for individuals pursuing an education program directed toward a teaching credential and serving as teacher aides

This bill would, as of July 1, 1981, delete existing law and establish a Bilingual Teacher Grant Program administered by the Student Aid Commission for low-income persons who demonstrate upon entry to an educational institution oral proficiency in a non-English target language

This bill would require that grants be awarded to persons enrolled in 4-year institutions as undergraduate and graduate students pursuing a course of study in a Commission for Teacher Preparation and Licensing approved bilingual program and to persons enrolled as community college students pursuing a course of study in the chancellor's office approved program leading to bilingual certification

The amount of all grants would be determined on the basis of financial need as determined by the Student Aid Commission, not to exceed $3,600 per year

This bill would require all recipients of the grants to pursue a course of study in a bilingual program approved by the Teacher Preparation and Licensing Commission

This bill would prescribe various duties for participating postsecondary institutions

This bill would require the California Postsecondary Education Commission in cooperation with specified organizations to review the current status of the transfer of student credit and identify issues relative to the transferability of credit among the community colleges and four-year institutions of higher education involved in the Bilingual Teacher Grant Program and make recommendations to the Legislature and the statewide articulation conference by May 1, 1981 The commission would be aided in its review by a specified group of institutions

This bill would appropriate $80,000 for the period January 1 to July 1, 1981, from the General Fund to the Student Aid Commission for initiating the operation of the Bilingual Teacher Grant Program

This bill would provide that it is the intent of the Legislature that money for the Bilingual Teacher Grant Program be appropriated each year in the Budget Act

Ch 1262 (AB 2655) Mello First Brick House and Whaling Station, Neary-Rodriguez School Street Adobe· repairs

Existing law does not presently appropriate any money for emergency repairs to the First Brick House and the Whaling Station or to the Neary-Rodriguez School Street Adobe

This bill would, operative July 1, 1980, amend and supplement the Budget Act of 1980 to appropriate $125,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the Department of Parks and Recreation, of which amount, $100,000 would be allocated for repairs to the First Brick House and the Whaling Station and $25,000 would be allocated for repairs to the Neary-Rodriguez School Street Adobe, subject to a proviso The bill would make legislative findings in such connection

The bill would take effect immediately as an urgency statute

Ch 1263 (AB 2632) M Waters Discovery

Existing law provides for the use of interrogatories and requests for admission as tactics to discover evidence and information relevant to an ongoing civil action, but does not provide for the use of official forms therefor, although various rules of court, adopted by the Judicial Council and the Supreme Court, prescribe requirements as to the format of documents offered for filing in a court

This bill would require the Judicial Council to develop and approve official form interrogatories and requests for admission of the genuineness of any relevant documents or the truth of any relevant matters of fact in specified types of civil actions Use of the forms would be optional and would not restrict the right to propound different or additional interrogatories and requests for admission

This bill would appropriate $59,244 to the Judicial Council for the purposes thereof

Ch 1264 (AB 2626) Tucker Public Employees' Retirement System generally

(1) The Public Employees' Retirement Law presently authorizes contracting agencies to elect to make safety member benefits applicable to specified employees

This bill would permit members who are reclassified from local miscellaneous to local safety to elect not to change classification

(2) The law presently permits certain reemployed University of California members to elect membership in the Public Employees' Retirement System rather than the university retirement system

The bill would permit reemployed university employees who were excluded from resuming membership in the Public Employees' Retirement System by former provisions of law, to have their allowances calculated on the basis of their more recent university compensation

(3) The law presently excludes part-time employees from membership with specified exceptions

The bill would clarify the membership status of such employees

(4) The law presently requires former Comprehensive Employment and Training Act employees, upon transferring into positions eligible for membership, to receive service credit for their excluded service upon payment of contributions, without interest

The bill would permit such employees to elect whether or not to purchase such service credit, and would require the payment of interest

(5) The law generally prohibits employment of persons retired under the retirement system in any capacity by the state, the university, a school district, or a contracting agency without reinstatement from retirement

The bill would instead prohibit employment in service which qualifies such retired person for membership in the retirement system

(6) The law presently permits contracting agencies to elect to be subject to specified increased survivors' benefit provisions

The bill would, in addition, permit such contracting agencies to elect to make such benefits available to beneficiaries of retired members who predeceased the effective date of such benefit increases

(7) The bill would provide that the state's continuously appropriated contribution of 19 91% during the 1979–80 fiscal year shall continue during subsequent years.

(8) The bill would take effect immediately as an urgency statute

Ch 1265 (AB 2688) Bates Public educational employment judicial review.

Existing law governing public school employer-employee relations provides that if the time to petition for extraordinary relief from a decision of the Public Employment Relations Board has expired, the board may seek enforcement of any final decision or order in a district court of appeal or superior court in the district where the case occurred.

This bill would, in addition, require the board to respond within 10 days to any inquiry from a party to the action as to why the board has not sought court enforcement of the final decision or order, would require the board to seek such enforcement upon the request of the party, and would require the board, when seeking such enforcement, to file in the court the record of the proceeding, certified by the board, and evidence disclosing the failure to comply with the decision or order

Ch 1266 (AB 2136) D Brown Taxation

Under existing law, certain property is assessed for property tax purposes by the State Board of Equalization, and such state assessees are required to file annual statements of their property holdings To the extent that property escapes assessment because of inaccuracies in such statements, the board is required to apply a 10% penalty to the assessment, regardless of the reason for the inaccuracy

This bill would permit the board, upon application by the assessee, to waive the penalty if good cause for that inaccuracy can be shown

The existing personal income tax law authorizes a deduction for specified taxes However, taxes assessed against local benefits of a kind tending to increase the value of the property assessed are not allowed as a deduction

This bill would provide that charges or taxes imposed for fire suppression and police protection, as specified, shall be deductible in computing the personal income tax

This bill would take effect immediately as an urgency measure provided however, that the income tax provisions shall become operative on January 1, 1981

Ch. 1267 (AB 1839) Imbrecht. Charitable solicitations disclosure

Existing law imposes specified disclosure requirements on solicitations for charitable purposes which involve a sale or attempted sale, but exempts from such requirements any organization which has charitable tax-exempt status under federal and state laws

This bill would revise the disclosure requirement. This bill would also impose disclosure requirements on solicitations for charitable purposes which do not involve a sale, and would delete the exemption for tax-exempt organizations. Additionally, the bill would specifically include as charitable organizations nonprofit community organizations, fraternal, benevolent, educational, philanthropic, or service organizations, governmental employee organizations, persons who solicit or obtain contributions solicited for charitable purposes, and persons who hold assets for charitable purposes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1268 (AB 2129) Young Elections

Existing law does not require a city, which requests a county to prepare its election material, to supply the county clerk with a list of its precincts within 61 days prior to the election

This bill would so provide

Existing law authorizes a city council, in conjunction with the conduct of a city election, to provide for the rotation on the ballot of the names of candidates by precinct clusters for any elective city office in accordance with prescribed procedures and methods

This bill would, until January 1, 1983, make such authorization inapplicable to a city election which is consolidated with an election conducted throughout a county of the first class

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for specified reasons

Ch 1269 (AB 2578) Johnson Teachers' Retirement System· state benefits

Existing law permits a retirant to cancel a prior election of an optional retirement allowance and elect to receive an unmodified allowance, or another option, in cases where a final dissolution of marriage or judgment of nullity has been entered or an order of separate maintenance has been made by a court of competent jurisdiction and permits the cancellation to be made before or after the first retirement allowance check

This bill would authorize a retirant to name a new beneficiary and select a second joint and survivor option in the event that the selected beneficiary at the time of retirement predeceases the retirant

Ch 1270 (AB 1813) Kapiloff Crimes

Under existing law certain crimes may be reduced to misdemeanors by a judge or prosecutor, as specified, but there is no comparable provision for reducing misdemeanors to infractions

This bill would authorize reduction of specified misdemeanors to infractions by a judge or prosecutor, would specify the maximum penalty for such infractions, and would prohibit specified action in consequence of a conviction therefor

The bill would remain operative only until January 1, 1986

Ch. 1271 (AB 2283) Thurman Property tax enforceably restricted land: open-space land

For purposes of property tax assessments under existing law, open-space land subject to a wildlife habitat contract, as defined, which restricts the use of the land to wildlife habitat and native pasture is valued by using the average current per acre value of such lands sold within the same county. Chapter 802 of the Statutes of 1980 provided that unless a party to an instrument which creates the enforceable restriction expressly prohibits such a valuation, the valuation resulting from using the current per acre value of lands sold within the same county shall not exceed the valuation that would have resulted by calculation under Section 110.1 of the Revenue and Taxation Code, as though such property was not subject to an enforceable restriction in the base year. Chapter 802 also provided that no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to this bill for a specified reason

The bill would require the Controller to report to the Legislature on the amount of the claims made pursuant to Section 2229 of the Revenue and Taxation Code by county auditors for state reimbursement for property tax revenues lost by reason of Chapter 802 of the Statutes of 1980

Ch 1272 (AB 2658) Mangers Certificated school employees· leaves of absence

(1) Existing law requires school districts to grant to any certificated employee, upon request, a leave of absence without loss of compensation for the purpose of enabling such employee to serve as an elected officer of, among others, any local organization of a school district having at least 50,000 employees which is affiliated with both a statewide public employee organization and national organization.

This bill would make such leave requirement applicable to any school district public employee organization which is affiliated with state and national organizations The bill would also make the receipt of service credit, after payment of contributions to the Teachers' Retirement Fund, in the State Teachers' Retirement System by such employees retroactive to all services as an elective officer in a public employee organization occurring after August 31, 1978

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs.

Ch. 1273 (AB 2298) Imbrecht Property taxation

Existing law provides that unless a party to an instrument creating an enforceable restriction expressly prohibits such a valuation, the valuation resulting from the capitalization of income method shall not exceed the valuation that would have resulted by calculation under Section 110 1 of the Revenue and Taxation Code, adjusted to reflect the percentage change in the cost of living not to exceed 2% per year, as though such property was not subject to an enforceable restriction in the base year

This bill would permit a city or county to assess such enforceably restricted lands at a lower value than that determined pursuant to Section 110 1 of the Revenue and Taxation Code, adjusted to reflect the percentage change in the cost of living not to exceed 2% per year, as specified.

This bill would further require that a city or county must make such election to assess restricted land at a lower value by December 31, 1982.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school

districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1274 (AB 2325) Bates Senior citizens—preventive health care

Existing law provides that the State Department of Health Services may authorize payment of state funds to city and county health agencies to defray, in part, the cost of specified preventive health care projects for senior citizens

This bill would further provide that the State Department of Health Services shall make specified payments to such agencies and to the federal ACTION Agencies Retired Senior Volunteer Program, for the purpose of utilizing senior volunteers in the delivery of specified services in order to expand preventive health care projects This bill would also provide that neither the state nor cities and counties need provide matching funds when payment is provided to such agencies and to the federal ACTION Agencies Retired Senior Volunteer Program for the purposes described

This bill would appropriate from the General Fund (1) the sum of $48,000 to the State Department of Health Services for allocation to the federal ACTION Agencies Retired Senior Volunteer Program, and (2) the sum of $28,800 to the State Department of Health Services for allocation to city and county health agencies for specified purposes

Ch. 1275 (AB 2392) Frazee Fines and forfeitures distribution

(1) Existing law requires municipal and justice courts to either authorize certain issuing agencies to process the posting of bail for specified parking violations, in which case such agency could retain the forfeited bail collected, or process the posting of bail for such violations themselves

This bill would authorize cities, districts, and other issuing agencies, as defined, to process the posting of bail for parking violations it has issued, in which case it may retain the forfeited bail collected, in the event a court or a county elects to discontinue such processing

The bill would also make other technical conforming changes

The bill would state that it is declaratory of existing law, as specified

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

(3) The bill would take effect immediately as an urgency statute

Ch 1276 (AB 2394) Egeland Handicapped children. funding.

Existing law provides for the education of handicapped children Under existing law, various federal and state moneys are available for funding education and related services for such children. However, no program exists to coordinate all available funding sources or to maximize state use of available federal funds

This bill would establish such a program and would require the Department of Education, the State Board of Education, and other specified state agencies, including the Office of Planning and Research, to execute specified duties relating to the implementation of such program

Ch 1277 (AB 2104) N Waters Horseracing paint horses

Existing Horse Racing Law does not authorize the racing of paint horses with parimutuel wagering

This bill would define the terms "paint horse" and "paint racing" and would authorize the California Exposition and State Fair or a district or county fair to provide a program of paint racing on the same days that it provides a program of other types of horseracing if sufficient paint horses are available

Ch 1278 (AB 1274) Knox. Outdoor advertising.

(1) Existing law authorizes counties and cities to enact ordinances restricting advertising displayed adjacent to any street, road, or highway equal to or greater than the provisions contained in the Outdoor Advertising Act

This bill would require compliance with the provisions of the act relating to payment of compensation.

(2) Existing law requires governmental entities to pay just compensation for the removal of an advertising display in certain situations.

The bill would prohibit local governmental entities from compelling the removal of any advertising display which was lawfully erected and still in existence on November 6, 1978, pursuant to the act or any statute, ordinance, or regulation This provision would not apply to displays which were erected pursuant to a written agreement with a governmental entity providing for the removal of the displays after a fixed period of time [, or to displays compelled to be removed by the Department of Transportation pursuant to specified provisions of federal law or to displays to be acquired by any governmental entity by eminent domain]*. This provision would remain in effect until January 1, 1982, unless a later enacted statute deletes or extends such date

(3) Existing law provides for a procedure to claim just compensation when the Director of Transportation orders that highway advertising be removed pursuant to federal and state law

The bill would delete those provisions and instead authorize the ~~governmental entity seeking to remove an advertising display~~ [director]* to elect to negotiate with the person entitled to just compensation prior to commencing judicial proceedings to compel removal of the [advertising]* display

(4) Existing law provides that, if compensation is required by federal law, no advertising shall be required to be removed unless and until federal funds for the federal share of compensation therefor have been appropriated by the federal government and made immediately available to the director and notification of such appropriation and immediate availability has been received The provision would not apply to the removal of any advertising display for which no federal share is payable

The bill would instead provide that, from state funds appropriated by the Legislature for such purposes and from federal funds made available for such purposes, the California Transportation Commission would be authorized to allocate funds to the director for payment of just compensation authorized by the act

(5) The bill would create the Governor's Outdoor Advertising Advisory Committee with specified membership to study and report to the Governor and the Legislature on or before March 31, 1981, on specified topics relating to outdoor advertising

(6) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234 for specified reasons, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1279 (AB 1988) Hayes Pressure vessels

Existing law requires installed tanks, as defined, to be inspected by the Division of Occupational Safety and Health at least every 5 years Any tank found to be in safe condition for operation is issued a permit for not longer than 5 years

This bill would require any air pressure tank which contains 25 cubic feet or less and is not subject to pressure of more than 150 pounds per square inch to be inspected when initially placed into service if the tank meets specified standards Any permit for such a tank would remain in effect as long as the tank complies with applicable state law or until there is a change in tank ownership and permanent location or an alteration in the tank which affects safety The bill further provides that any such tank put into service before January 1, 1981, shall be inspected once for permit purposes after January 1, 1981

Ch. 1280 (AB 905) Vicencia Alcoholic Beverage Tax Law. military exemption

Under existing law, an excise tax is imposed on all beer, wine, and distilled spirits sold in this state and on beer, wine, and distilled spirits sold by manufacturers, rectifiers, or wholesalers, or sellers of such with respect to which no tax has been paid within areas over which the federal government exercises jurisdictions at rates based upon various formulas calculated according to volume and weight

Such existing law exempts from such excise tax, until January 1, 1980, beer sold by licensed beer manufacturers or beer wholesalers to instrumentalities of the armed forces of the United States which are located within the geographical boundaries of the state

This bill would exempt all alcoholic beverages, except beer, sold by wine growers, brandy manufacturers, distilled spirits manufacturers, rectifiers, importers, and wine and distilled spirits wholesalers from the excise tax where such alcoholic beverages are sold to instrumentalities of the armed forces of the United States located within the geographical boundaries of the state.

This bill would require the Legislative Analyst to report to the Legislature on or before January 1, 1983, regarding the economic effects of the act

This bill would remain in effect only until January 1, 1984, or 60 days after the existing federal law is amended by Congress to provide for local taxation on sales to federal installations, whichever occurs first

This bill would take immediate effect as a tax levy, but its operative date would depend on its effective date

Ch 1281 (AB 481) Papan Recordation of liens affecting real property

Existing law does not, in all circumstances, require that notification be given to the owner of real property upon the recordation of a lien affecting the title to such property

This bill would require (1) that an abstract of judgment which is recorded as a lien against real property contain the address of the judgment debtor or of the judgment debtor's attorney of record; (2) the county recorder, upon recording an abstract of judgment or other document creating an involuntary lien affecting title to real property, to notify the person against whom such lien is recorded, or such person's attorney of record; and (3) any state agency, upon recording a state tax lien against real property, to notify the tax debtor of such recordation.

The bill would provide that the failure to so notify the judgment or tax debtor of the recordation of a lien upon the property does not affect the constructive notice otherwise imparted by recordation

The bill would require a lienor, other than a governmental entity, to pay a fee to the county recorder for the recordation of an abstract of judgment or other document creating an involuntary lien upon real property

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1282 (AB 2359) Imbrecht Agricultural labor relations criminal prosecutions and immunity

Existing provisions of the Agricultural Labor Relations Act of 1975 provide that no person shall be excused from testifying or producing evidence in obedience to a subpoena of the Agricultural Labor Relations Board on the ground that such testimony or evidence may tend to incriminate such person or subject him or her to a penalty or forfeiture However, any person who claims the privilege against self-incrimination but who is compelled to testify or produce evidence, is granted full immunity from prosecution for any offense to which the compelled testimony relates, commonly referred to as "transactional immunity "

The bill would require the Agricultural Labor Relations Board to give written notice to any district attorney who may have reasonable grounds for objecting to a grant of immunity to such individual, and would further prohibit the board from granting immunity if it finds that such grounds for objecting by the district attorney are reasonable

Ch. 1283 (AB 3067) Rogers. Air pollution. testing.

Under existing law, the State Air Resources Board or any air pollution control district is authorized to require the owner or operator of any air pollution emission source to take such reasonable action as is required to make a determination of the amount of such emission from such source The state board or district is also authorized to adopt a schedule of fees to cover the cost of making such determinations.

This bill would authorize such fees to be imposed only when determining compliance with permit conditions or with any state or local law, order, rule, or regulation relating to air pollution

The bill would also require that the state board, not later than April 1, 1981, establish procedures under which an operator may request that testing for compliance with permit conditions or with any state or local law, order, rule, or regulation required by the state board be performed by an independent testing service The bill would authorize the state board to reject, for good cause, a request for independent testing

The bill would incorporate additional changes in Section 41512 of the Health and Safety Code made by SB 1707 only if both bills are chaptered and this bill is chaptered last

The bill would take effect immediately as an urgency statute

Ch. 1284 (SB 1850) Keene Open and public meetings.

(1) Existing law requires state agencies to publish agendas and provide copies of agendas and public documents, or summaries thereof which are to be discussed at a public meeting, to the public prior to public meetings, with a specified exception of materials prepared by the agency's attorney, and subject to a reasonable fee not to exceed costs of reproduction

This bill would delete the provisions of existing law relating to providing copies of agendas and public documents, or summaries thereof, and would, instead, provide that agendas of a public meeting of a state agency or a legislative body of a local agency, and any other "writings", as currently defined in the Public Records Act, are public records under such act and must be available for inspection under the act, when distributed to members of the state agency or local legislative body by one of its members, officers, employees, or agents These writings would be required to be available for inspection prior to commencement of the meeting when distributed prior to the meeting If distributed at the meeting and prior to their discussion, they would be required to be available for inspection prior to and during their discussion. If distributed during their discussion, the writings would be required to be available for inspection as soon as practicable The public would be entitled to obtain a copy of any such writing under procedures of the Public Records Act, which permits the charging of a fee or deposit for the copy, not to exceed the actual cost of reproduction

(2) Existing law authorizes the holding of executive sessions for specified reasons as exceptions to the requirements that state agencies and legislative bodies of local agencies hold open and public meetings.

This bill would change the term "executive" to "closed" for such purposes

(3) Presently, meetings of the governing board, commission, directors, or body of a local agency, or any board or commission of the local agency, including subcommittees or advisory bodies thereof, are subject to the open and public meeting requirements under the definition of "legislative body" of a local agency Also, any board, commission, committee, or similar body on which a member of the local agency serves in his or her official capacity as a representative of the agency, and which is supported in whole or in part by funds of the agency, whether organized and operated by the agency or by a private corporation, is subject to the local agency open and public meeting requirements

This bill would add similar provisions covering such bodies of state agencies, through revisions in the definition of "state agency" It would provide that the proper notice of the main state agency constitutes notice of a meeting of an advisory body thereof, if certain conditions are met, including, among others, a requirement that the business of the meeting be covered under the agenda of the main agency Otherwise, it would modify the agenda requirement for these newly covered state agencies, to require only a brief, general description of the business to be discussed, and the telephone number of a person who could provide further information prior to the meeting

(4) It is presently a misdemeanor for a member of a local agency's legislative body to attend a meeting of the legislative body where action is taken with knowledge of the

fact that the meeting is in violation of the open and public meeting requirement

This bill would make it a misdemeanor for a member of a state agency to attend a meeting of the agency with such knowledge, regardless of whether action is taken at the meeting

(5) The statutes relating to open and public meetings of state agencies and legislative bodies of local agencies do not specifically establish the right of a person to record the proceedings in an open and public meeting on a tape recorder

This bill would specifically establish such a right, except in cases where the state agency or legislative body of the local agency makes a reasonable finding that the recording of its proceedings constitutes, or would constitute, a disruption of the proceedings.

(6) This bill would make the following additions to existing provisions concerning open and public meetings of state and local agencies:

(a) Require that copies of the applicable open and public meeting law be provided to members of a state agency, and authorize a local legislative body to provide the copies.

(b) Authorize closed sessions for the purpose of labor negotiations with a state conciliator, under certain conditions, and authorize a state agency or local legislative body to appoint one or more of its own members as its designated representative for purposes of authorized closed labor negotiations under current law.

(c) Authorize closed sessions of advisory bodies administering the licensing of persons engaged in businesses or professions, under certain conditions.

(d) Authorize closed sessions of the examining committee of the State Board of Forestry to consider disciplinary action against an individual professional forester, under certain conditions

(e) Authorize an administrative committee established by the State Board of Accountancy to conduct a closed session to consider disciplinary action against an individual accountant, under certain conditions.

(f) Include a state agency, in addition to a local legislative body, within the existing requirement that a minute book be kept for closed sessions

(g) As specified, require that the reason or reasons for any closed session, and authorize that the legal authority for any closed session, be stated prior to its commencement

(h) Prohibit the charging of fees to carry out the open meeting laws, unless specifically authorized by statute

(i) Make various technical, conforming changes

(7) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for specified reasons

(8) The bill would also incorporate changes in Section 11126 of the Government Code proposed by SB 1383 to be operative only if this bill and SB 1383 are both chaptered and this bill is chaptered last.

Ch. 1285 (SB 1726) Presley Community care facilities

The California Community Care Facilities Act presently defines and provides for licensure of community care facilities by the State Department of Social Services The act also authorizes the department to issue special permits authorizing licensed community care facilities to offer specialized services designated in the department's regulations

This bill would revise such act to make the following changes in existing law:

(1) The bill would expand the information required in an application for a license or special permit to include (a) information relative to financial responsibility and (b) disclosure of specified interests and relationships the applicant has had with respect to any previously licensed community care facility, clinic, or health facility and to include disclosure of any revocation or disciplinary action taken against such licensee.

(2) If the application shows, or the department determines during the application

review process, that the applicant held such a previous license, which was revoked during the preceding 2 years, the bill would require cessation of further review until 2 years shall have elapsed since such revocation

(3) The bill would expand the criminal record review currently required in licensure proceedings, to include proceedings for issuance of a special permit, and would expand such review to include persons having specified interests in the applicant, and to include all persons residing or regularly in the facility having routine contact with the residents

(4) The bill would require completion of all fire and criminal-record clearances prior to issuance of a provisional license, and would authorize the director to extend the duration of a provisional license at the time of issuance from 6 months to 1 year if specified conditions exist

(5) The bill would preclude reinstatement of a license after revocation, but would authorize reinstatement of a license, special permit, or family day care registration after suspension.

(6) The bill would revise the criteria for permitting community care facilities to handle patient funds without providing a bond.

(7) The bill would expressly require a court in an action to enjoin unlicensed operation of a community care facility to issue an injunction if it finds the existence of the violation

(8) The bill would delete obsolete provisions of the act and recodify certain other provisions in more appropriate code locations.

Ch 1286 (SB 1557) Sieroty. Teacher retirement systems benefits

(1) Existing State Teachers' Retirement Law and Public Employees' Retirement Law provide for retirement benefits to be annually increased by a 2% improvement factor.

This bill would increase minimum retirement allowances for retirants of the State Teachers' Retirement System The bill would require increases in school district and other employing agency contributions to the State Teachers' Retirement Fund until 1997, at which time such provision would be repealed unless a later enacted statute extended such date or deleted the termination The bill would permit lump-sum payments for the increases in allowances to be made for the period October 1, 1980, to January 1, 1981

(2) Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year This statutory provision was supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

The bill would appropriate $2,700,000 to the Controller for allocation and disbursement to local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act

Ch 1287 (SB 1449) Keene Elections

(1) Certain provisions of existing law specify that the rearrangement of trustee areas in school districts is a proposition that must be submitted to the voters of the district

This bill would specify that such a measure is subject to the approval of the county committee on school district organization, rather than a measure for the voters, unless a petition, requesting an election on the proposal and signed by 5% of the voters of the district, is submitted to the elections official Upon approval by the county committee or, if an election is required, by the voters, the rearranged trustee areas would be effective for the next district election occurring at least 120 days later.

(2) Existing law requires the county committee on school district organization when considering a proposal on trustee areas to call and conduct "a" hearing in the district on the matter

This bill would require such committee to conduct at least one hearing on the matter, rather than "a" hearing

(3) Existing law prohibits the charging of a fee to register voters or for obtaining a certificate of registration

This bill would allow county clerks to charge a fee, not to exceed $1 50, for providing a voter with a certificate of registration, except where such certificate is issued as a result

of placing a voter in the wrong precinct.

(4) Existing law prescribes the qualification requirements of persons seeking to be elected or appointed to elective office.

This bill would provide that no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person or the time of the person's appointment

(5) Under existing law, after the close of the period for requesting an absent voter's ballot by mail, a voter may request a ballot be delivered to him if certain conditions exist and the conditions occurred after the close of the application for absent voter ballots

This bill would delete the requirement that the conditions occur after the close of the application for absent voter ballots

(6) Existing law requires county clerks to transmit to the Secretary of State a statement of the number of voters in the county Among other times, such statement must be transmitted on the 35th day before each statewide election.

This bill would revise such date to the 10th day before each statewide election The bill would also require certain additional information to be tabulated by the Secretary of State with respect to such statements.

(7) Under existing law each local entity is authorized to hold an advisory election in consolidation with scheduled elections in the city, county, city and county, or district for the purpose of allowing voters within the respective jurisdiction to voice their opinion on substantive issues or to indicate to the local legislative body approval or disapproval of the ballot proposal

This bill would prohibit the consolidation of an advisory election with a scheduled election if the ballot's capacity will be exceeded because of the addition of the advisory election

(8) Existing law requires a candidate to use the ballot designation "appointed incumbent" if a candidate was appointed to the elected office.

This bill would provide that the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to law.

(9) With respect to the conduct of elections, existing law requires the clerk, as defined, to provide various services and materials

This bill would specify that the clerk need not utilize the services of the county or city purchasing agent when providing materials

(10) Existing law provides that if the surname of any woman has been changed by reason of marriage or divorce, she shall sign her name as it was before marriage or divorce and also her name as it is at the time she votes, indicating on the voting roster on the same line by brackets or other means that the two names are the name of one person

This bill would make the above provision of law applicable to both male and female voters, and would make the provision applicable with respect to all name changes.

(11) Existing law requires the general district election for the Stockton-East Water District to be held on the 2nd Tuesday of October in each odd-numbered year.

This bill would require such election to be held on the date of the general municipal election for the City of Stockton

The bill would make certain technical, nonsubstantive changes in the Education Code and the Elections Code

(12) Existing law validates certain ordinances adopting county civil service systems which were approved by the voters prior to September of 1963 even though a defect, irregularity, omission, or ministerial error occurred in the adoption or approval of the ordinances

This bill would validate certain ordinances repealing and adopting a county civil service system which were adopted by the voters prior to the effective date of this act, even though a defect, irregularity, omission or ministerial error occurred in the repeal, adoption, or approval of the ordinances

(13) This bill would incorporate changes made to Section 24001 of the Government Code to be operative only if this bill and SB 1481 are chaptered, and this bill is chaptered last

(14) Existing law requires an election official to provide an applicant for an absent

voter's ballot with the appropriate ballot. However, existing law does not specify the course of action which must be taken when an application is defective.

This bill would provide that if an application is defective, the official must mail the voter an absent voter's ballot and a notice informing the voter of the necessity of remedying the defective application.

(15) Existing law provides that if the number of signatures appearing on an initiative or referendum petition as filed with the Secretary of State are sufficient to qualify the petition for the ballot, the Secretary of State must inform the several county clerks of such fact. The county clerks, in turn, must determine the number of qualified voters who have signed the petition. The county clerks may, under specified conditions, utilize a sampling technique for purposes of verifying the signatures After verifying the signatures, the several county clerks must then certify to the Secretary of State the results of their examination. Existing law, additionally, provides that if the certificates received from all the county clerks establish that the petition is insufficient, the Secretary of State must notify the proponents and the county clerks of such fact.

This bill would provide that if the certificates indicate that the number of valid signatures on the petition do not equal 90% of the number of qualified voters required to find the petition sufficient, the petition must be deemed to have failed.

The bill would also provide that if the certificates indicate that the number of valid signatures total more than 110% of the number of signatures needed to qualify the petition, the petition must be deemed to qualify as of the date of receipt by the Secretary of State of certificates showing the signatures to have reached such 110%.

(16) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(17) This bill would also make certain technical changes.

The bill would take effect immediately as an urgency statute

Ch. 1288 (AB 734) Bane. Financial institutions; local agencies: deposit of funds, administration.

(1) Existing law provides for the deposit of funds of local agencies in depositories, as specified, designates the State Superintendent of Banks as Administrator of Local Agency Security to administer provisions relating to the security for such funds, and provides for the cost of such administration to be borne by such depositories. The amount levied for such administration is deposited into the State Banking Fund to the credit of the Budget Act appropriation for the support of the State Department of Banking.

This bill would create a Local Agency Deposit Fund, continuously appropriated to the administrator, in which certain fines and apportionments received from depositories would be deposited for purposes covering the cost of administration of the depositories, as specified. It would require the depositories to pay these costs of administration through specified apportionments if the moneys in the fund are not sufficient for such purposes. It would delete the provisions relative to the State Banking Fund

(2) Existing law specifies various types of obligations which are eligible collateral to secure the deposit of funds of local agencies in banks and savings and loan associations

This bill would include certain bonds, notes, warrants, or other evidences of indebtedness of a nonprofit corporation issued to finance and refinance the construction of school buildings, as specified.

(3) Existing law authorizes the Administrator of Local Agency Security to assess certain prescribed fines for certain violations of statutory provisions by depositories.

This bill would prescribe that the amount of the fines not exceed the amount prescribed by statute.

(4) Existing law requires a report to be sent to the Comptroller of the Currency of the United States when certain security requirements relating to public deposits are not satisfied by a national bank

This bill would require similar reports to the Superintendent of Banks, when the depository is a state bank, to the Federal Home Loan Board, when the depository is a federal savings and loan, and to the Savings and Loan Commissioner, when the depository is a state savings and loan association

(5) Existing law specifies the activities in which a savings and loan association may engage

This bill would with respect to the existing 90% loan limitation upon loans secured by the pledge of an association's shares or investment certificates, provide that where the sole and express purpose for the use of the proceeds of such loan is to invest money in a money market certificate of $10,000 or more, the percentage limitation shall not apply. It would also provide that the borrower may borrow up to an amount not to exceed 50% of the money market certificate in which the proceeds of the loan are invested and that no further loan may be made on the security of such money market certificate.

It would also increase the 90% loan limitation to 100%, except in instances when the note is not secured by a mortgage or deed of trust guaranteed or insured by an agency of the federal government, in which case the loan could not exceed 90% of the market value of the property securing the notes

(6) Existing law contains provisions pertaining to a banker's lien

This bill would include a savings and loan association within such provisions in a prescribed manner.

Ch 1289 (AB 1131) W. Brown State contracts distressed areas

Existing law does not provide that preference be awarded to California based companies submitting bids or proposals for state contracts for goods or services in excess of $100,000 when such contracts are to be performed in distressed areas Nor does existing law provide for the awarding of additional preferences when bidders agree to hire persons with a high risk of unemployment to perform such contracts.

This bill would provide that such preference, not to exceed a 15% maximum under this bill and any other provision of existing law, be awarded according to a schedule set forth until July 1, 1983 This bill would further provide that state contracts issued to bidders awarded preference contain conditions to insure performance by the contractor of duties agreed to This bill would further provide for penalties to be imposed against a business which is awarded a contract by means of false certification.

In addition, this bill would require state agencies, as specified, to adopt rules, regulations, and guidelines to implement the provisions of the bill.

This bill would also require the Department of General Services to report on the implementation of the bill to the Legislature and the Governor by January 1, 1983

Ch 1290 (AB 2769) Stirling Taxation

Under existing Sales and Use Tax Law, a new trailer or semitrailer, when delivered by a manufacturer, under specified conditions is exempted from the imposition of sales and use taxes.

This bill would, in addition to the exemption for a new trailer or semitrailer, exempt cargo containers as defined, when delivered by an instate manufacturer, which meet the same conditions referred to above

This bill would require the Legislative Analyst to report to the Legislature by July 1, 1983, on the effect of the exemption on manufacturers

This bill would take immediate effect as a tax levy, but would become operative on October 1, 1980, and would be repealed as of December 31, 1983, unless a later enacted statute deletes or extends such date

Ch 1291 (AB 3044) Levine Peer counseling for the elderly, pilot project

Existing statutes do not specifically provide for funding existing peer counseling for the elderly programs

This bill would provide that one local peer counseling for the elderly project may receive funding pursuant to specified qualifications

The bill would provide that state funding for this project shall be reduced by available

federal funds.

The bill would contain the legislative intention that future continuation of this program should be developed through funds available to county mental health agencies

The bill would require that the program receiving funds submit a report to the Legislature and the Director of Mental Health concerning the program

The bill would appropriate the sum of $78,719 from the General Fund to the State Department of Mental Health for the purpose of implementing the provisions of this act

The provisions of this bill would be effective only until January 1, 1982, unless extended by a later enacted statute.

This act would take effect immediately as an urgency statute

Ch. 1292 (AB 2954) Kapiloff. Nutrition and Volunteer Services Program for Senior Citizens

Existing law provides for the Nutrition and Volunteer Services Program for Senior Citizens. This program, which is to provide senior citizens with necessary meals, and to allow senior citizens opportunities to volunteer their time, is to terminate on December 31, 1980.

Existing law further provides that the Department of Aging shall submit an evaluation of the program to the Legislature by July 1, 1980.

Existing law provides for a Nutrition Reserve Fund which may only be used by the Department of Aging to maintain necessary services which lack federal funding

This bill would provide that the director may also allocate money from this fund in order to implement this program for the calendar year commencing January 1, 1981

This bill would extend this program for six months, effective January 1, 1981, and would further provide that the Department of Aging shall contract for the submission of the evaluation of the program, would revise the areas of inquiry in the report, and such report shall be due by February 1, 1981.

This bill would appropriate from the Nutrition Reserve Fund, $200,000 to the Director of the Department of Aging in order to carry out the provisions of this act.

Ch. 1293 (AB 2969) Rogers Valley fever

Existing law does not expressly fund a valley fever study by the Kern County Chapter of the American Lung Association

This bill would appropriate $300,000 to the University of California in support of the study to develop a vaccine for valley fever by the Kern County Chapter of the American Lung Association, as specified.

Ch. 1294 (AB 2767) Naylor. Taxation.

Existing law permits the Franchise Tax Board to assess interest charges on amounts owed to the Franchise Tax Board when an audit is conducted determining that an additional amount is owed.

This bill would prohibit interest charges, with respect to personal income taxes, for the period between 45 days after the date of final review of the audit determining an additional amount is owed and the date a notice of additional tax proposed to be assessed is sent to the taxpayer

This act would apply with respect to such notices where the date of final review was on or after July 1, 1981

Ch 1295 (AB 2707) Rosenthal. Building standards

(1) Existing law requires the local building regulations enacted by cities or counties to conform to the building regulations adopted by the Commission of Housing and Community Development or to make express findings of need for change which are required to be filed with the Department of Housing and Community Development Existing law excepts from such requirement those local building regulations enacted on or before November 23, 1970

This bill would delete such exception.

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the

State Board of Control for reimbursement. These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

(3) Finally, this bill would make additional changes in Section 17958 7 of the Health and Safety Code proposed by SB 1754, if this bill and SB 1754 are both chaptered and this bill is chaptered last

Ch. 1296 (AB 2905) Torres Appropriation: Department of Justice

This bill would appropriate $590,000 to the Department of Justice in order to settle specified claims against the state

This bill would take effect immediately as an urgency statute

Ch 1297 (SB 2041) Alquist Appropriation. unspecified claims against state.

This bill would appropriate $1,195,094 73† to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control

This bill would take effect immediately as an urgency statute

Ch 1298 (AB 1874) McAlister Banks banking corporations.

Under existing law, a commercial bank in this state is required to maintain specified reserves

This bill would repeal those provisions and make other conforming changes.

Under existing law, a foreign banking corporation may not commence to transact in this state the business of accepting deposits unless, among other things, it has such reserves against such deposits as may be required from time to time by the laws of this state

This bill would instead require a foreign banking corporation to have such reserves as may be required by federal law

This bill would provide that foreign banking corporations which are licensed, as specified, or which maintain a federal agency or branch in this state are exempt from the Usury Law.

The bill would take effect immediately as an urgency statute

Ch 1299 (AB 2744) Mangers Juvenile court law

(1) Under present law, a traffic hearing officer may hear and dispose of all cases wherein a person who was a minor as of the date of the alleged offense is charged with a Vehicle Code violation not declared to be a felony or a violation of any city or county ordinance relating to traffic offenses

This bill would require, notwithstanding other specified provisions, all fines and forfeitures collected from a minor because of an infraction under the Vehicle Code or a violation of a local ordinance involving the driving or operation of a motor vehicle to be transferred to the general fund of the county once each month

The bill would specify special procedures concerning custodial care whenever any person under 18 years of age is taken into custody in connection with any traffic infraction case and is not taken directly before a magistrate

The bill would also provide that, in any county where the board of supervisors, with the concurrence of the presiding judges of the superior, municipal, and justice courts, adopts a resolution making such provisions applicable, jurisdiction of cases involving minors who are alleged to have violated a provision of the Vehicle Code classified as an infraction, or certain violations of local ordinances involving the driving, parking, or operation of a motor vehicle, is with the municipal or justice court and shall be governed by general law applicable to violations of the Vehicle Code, except as specified

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reim-

†Appropriation reduced to $785,484 73 by action of the Governor

bursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1300 (AB 1814) Young. Insurance production agencies: fiduciary funds.

Existing law requires insurance production agencies receiving fiduciary funds to either remit premiums, less commissions, to the person entitled thereto, or to maintain such funds on California business at all times in specified bank accounts, separate from any other account or depository

This bill would, instead, as to the latter, require maintenance of those funds in specified bank accounts separate from any other funds. It would also provide for the maintenance of the funds in U.S. bonds, treasury certificates or other obligations and securities pertaining to the U S government or a state or U S. government licensed bank, as specified, upon obtaining prior written agreement from each insurer or person entitled thereto. Evidence of the funds would be required to be maintained on California business by a bank, as defined, in a custodian or trust account, separate from any other funds, in an amount at least equal to the premiums and return premiums, as specified.

It would also provide that the Insurance Commissioner shall not have jurisdiction as to disputes arising between parties with respect to the maintenance of fiduciary funds, as specified.

Ch. 1301 (AB 3217) Nolan. Reserve peace officers

Existing law provides that a sheriff or deputy sheriff, regularly employed and paid as such, of a county, and any policeman of a city, among others, are peace officers, as defined, who may exercise specified peace officer powers It further provides that whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, deputy sheriff, or reserve police officer of a regional park district, such person is a peace officer, whose authority extends only for the duration of a specific assignment

This bill would provide that persons meeting specified qualifications who are appointed by the proper authority as reserve, auxiliary, or deputy peace officers may, individually or by class, be assigned to the prevention and detection of crime and the general enforcement of the laws by ordinance or resolution of the local legislative body, and such persons shall have the full powers and duties of a peace officer

Existing law provides that, after January 1, 1979, every person deputized or appointed as a reserve, auxiliary, or deputy peace officer shall have peace officer powers only when, among other assignments, such person is assigned to general law enforcement while working alone and the person has completed the training prescribed by the Commission on Peace Officer Standards and Training.

This bill would provide that, after January 1, 1981, a person so deputized or appointed shall have peace officer powers only when, among other assignments, such person is assigned to general law enforcement whether or not working alone and the person has completed the basic training for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training in existence at the time the person is deputized or appointed.

Existing law provides that a person deputized or appointed as reserve, auxiliary, or deputy peace officers before January 1, 1979, shall have peace officer powers if, notwithstanding specified requirements, the appointing authority determines the person is qualified to perform general law enforcement duties by reason of training and experience.

This bill would instead provide that a person issued a level I reserve officer certificate before January 1, 1981, shall have peace officer powers if so designated by ordinance or resolution of the local legislative body, individually or by class if, notwithstanding specified requirements, the appointing authority determines the person is qualified to perform general law enforcement duties by reason of training and experience

Ch. 1302 (SB 1826) Wilson Black bass conservation and management; free fishing licenses, reservoirs: public fishing

(1) Existing law does not specifically declare state policy regarding black bass conservation and management.

This bill would declare that it is the policy of the state to preserve and enhance black bass resources and to manage black bass populations to provide satisfactory recreational opportunities to the public.

The bill would specify components of the Department of Fish and Game's black bass management program and declare that such components are a continuation of the department's existing warmwater fisheries program and shall be funded from existing department budgetary resources.

(2) Under existing law, specified persons are eligible to receive a free sport fishing license, including any person who has been a resident of the state for 5 years immediately preceding application for such a license and who has lost, or lost the use of, one or more limbs, or who is so severely disabled as to be permanently unable to move from place to place without the aid of a mechanical device.

This bill would delete such provision and would instead add, to the category of persons eligible for the free sport fishing license, any person who is a resident of the state and meets one of the following requirements

(a) Who has lost, or completely lost the use of, one or more limbs, as specified

(b) Who is so severely physically disabled as to be permanently unable to move from place to place without the aid of specified devices

(c) Who is affected by a severe physical disability or mental disorder, as specified, and who is receiving income support from a governmental program, as specified. The bill would require that persons applying for a free fishing license submit adequate documentation of eligibility, as specified

(3) Existing law prohibits public fishing from being conducted in a reservoir or on its surrounding land if the reservoir is used in a specified manner, including its use as a terminal reservoir to a water collecting facility.

This bill would authorize the State Department of Health Services to allow public fishing on any terminal reservoir if it makes specified findings The bill would require such department to examine all feasible means of protecting water quality on terminal reservoirs and other reservoirs where public fishing may be allowed, and would authorize such department to close any terminal water supply reservoir to public angling on an emergency basis if water quality is threatened by public use.

(4) Existing law contains substantially similar provisions providing that a sport fishing license, valid for only 1 designated day, may be issued to any person over the age of 16 years upon payment of a fee of $2

This bill would repeal the earlier chaptered form of such provisions.

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch. 1303 (AB 3186) Moore Discrimination

Under existing law, discrimination on the basis of race, color, religion, ancestry or national origin is generally prohibited

This bill would specifically prohibit a franchisor from discriminating in the granting of franchises solely because of the race, color, religion, sex, or national origin of the franchisee, and the racial, ethnic, religious, or national origin composition of a neighborhood or geographic area in which the franchise is located

Ch 1304 (AB 2898) Levine. Conservatorships developmentally disabled adults

Existing law, to become operative January 1, 1981, relative to conservatorships, guardianships, and other protective proceedings, does not contain specific provisions for developmentally disabled persons, separate from the general provisions applicable to all persons

This bill would provide for limited conservatorships for developmentally disabled adults to promote and protect the well-being of the individual, and to encourage the development of maximum self-reliance and independence of the individual The proposed limited conservatee would be required to be assessed at a regional center for persons with developmental disabilities and a report would be furnished by the regional center to the court concerning the proposed limited conservatee's disability, if any. A limited conservatorship would be appointed unless a court finds that the proposed limited conservatee lacks the capacity to perform some, but not all, of the tasks necessary to properly provide for his or her own personal needs or to manage his or her own financial resources. If a limited conservatorship is established, the powers and duties of the limited conservator would be defined so as to permit the limited conservatee to care for himself or herself or to manage his or her financial resources commensurate with his ability to do so. In any proceeding to establish a limited conservatorship, the court would be required to appoint the public defender or private legal counsel to represent the proposed conservatee

Existing law, to become operative January 1, 1981, provides that a proposed conservatee must be served with a specified citation setting forth, among other things, the time and place of hearing and a copy of the petition at least 15 days prior to the hearing.

This bill would increase the number of days prior to the hearing that the citation and copy of petition must be served upon the proposed conservatee from 15 to 30.

This bill would make other corresponding changes for the establishment, functioning, and termination of limited conservatorships.

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year This statutory provision will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill appropriates $10,000 to the Controller for allocation and disbursement to local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act

This bill would incorporate additional changes to Sections 1821 and 1822 of the Probate Code, proposed by AB 2119, contingent upon the enactment and prior chaptering of AB 2119.

Ch. 1305 (SB 1446) Nejedly Parks and recreation· appropriations

(1) Chapter 372 of the Statutes of 1980 amended and supplemented the Budget Act of 1979 by appropriating $6,000,000 from the State, Urban, and Coastal Park Fund to the Department of Parks and Recreation for acquisition and development of recreational facilities at Lake Elsinore State Recreation Area

This bill would make the appropriation available for expenditure during the 1980–81 fiscal year for studies, planning and working drawings and during the 1980–81 through 1982–83 fiscal years for acquisition and development

(2) The Budget Act of 1980 contains appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and the State, Urban, and Coastal Park Fund for park and recreation projects

This bill would amend and supplement the Budget Act of 1980 by appropriating $1,800,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the department for acquisition of lands for Atascadero State Beach and bluff area lighting at Bolsa Chica State Beach, subject to proviso The bill would appropriate $92,801 from such fund to the department for local grant projects for Yucaipa Regional Park in San Bernardino County, subject to proviso, and revert the unencumbered balance of an appropriation from such fund in the Budget Act of 1980 for Lake Gregory Regional Park in San Bernardino County

The bill would amend and supplement the Budget Act of 1980 by appropriating $1,500,000 from the State, Urban, and Coastal Park Fund to the department for Stunt Ranch in Los Angeles County, subject to provisos

(3) Chapter 809 of the Statutes of 1980 appropriates $150,000 from the State Parks and Recreation Fund to the department for a grant to the East Bay Regional Park District for construction of a lagoon and related landscaping at the George Miller Jr Regional Shoreline

This bill would redesignate the site as the George Miller Jr.-John T Knox Regional Shoreline Park

The bill would also direct the department to grant specified funds appropriated to it for land acquisition for such regional shoreline park by the Budget Act of 1980 to the East Bay Regional Park District for expenditure pursuant to the Budget Act.

(4) The Roberti-Z'Berg Urban Open-Space and Recreation Program provides for block grants and need basis grants to cities, counties, and districts under the program for the acquisition or development of recreational lands and facilities.

This bill would reappropriate $35,091 to the Director of Parks and Recreation from funds appropriated for the urban open-space and recreation program, as specified, to be allocated during the 1980–81 fiscal year for a grant to the City of Santa Rosa for development of public swimming facilities, as specified.

The bill would also reappropriate from such funds $30,000 to the director to be allocated during the 1980–81 fiscal year for a grant to the City of Fontana for acquisition of lands as an addition to Jurupa Hills Regional Park, as specified.

(5) Chapter 372 of the Statutes of 1980 appropriates the unencumbered balance of specified appropriations for Lake Elsinore from the Park and Recreation Revolving Account in the General Fund and the Harbors and Watercraft Revolving Fund for specified purposes at Lake Elsinore State Recreation Area

This bill would revise that appropriation and would additionally appropriate, for the same purposes at Lake Elsinore State Recreation Area, $235,000 from the State Parks and Recreation Fund which reverted to the unencumbered balance of that fund, as specified

The bill would also make a technical change

(6) Existing law provides for the acquisition of the Cross Mountain Park, the Huntington-Hartford Estate, North Benedict Canyon, Caballero Canyon, and the Cahuenga Peak area adjacent to Griffith Park, and other specified lands, by the Department of Parks and Recreation

This bill would authorize the department, upon reimbursement of the state's acquisition costs, to transfer any of the acquisition to the United States or to the Santa Monica Mountains Conservancy for subsequent transfer to any local agency or nonprofit organization at no cost to the local agency or nonprofit organization, subject to proviso

(7) The bill would appropriate $50,000 from the State Parks and Recreation Fund to the Santa Monica Mountains Conservancy for the 1980–81 and 1981–82 fiscal years for planning at Lake Sherwood, conditioned on AB 2973 being chaptered before this bill and transferring moneys to that fund, and if not, from state land revenues, moneys, and remittances, as specified, subject to reimbursement from the State Parks and Recreation Fund if AB 2973 is chaptered after this bill and transfers moneys to that fund

(8) The bill would designate Seccombe Lake Park in the City of San Bernardino as a unit of the state park system known as Seccombe Lake State Urban Recreation Area, would require the department to operate and maintain the area on a cost-sharing basis with the City of San Bernardino, as specified, and would make legislative findings regarding its designation and operation The bill would declare that state costs be payable from specified moneys

(9) The bill would take effect immediately as an urgency statute

Ch 1306 (SB 2014) Briggs Judges

Under existing law, if one or more persons file candidacy declaration papers for the office of municipal court judge and a vacancy occurs after that date and within 10 months of the election, the election would not be held as scheduled if the Governor fills the vacancy by appointment notwithstanding that one or more persons other than the appointee have previously filed candidacy declaration papers

This bill would provide, instead, in such limited circumstances, where the vacancy occurs because of the appointment of the incumbent judge to another office by the Governor, or because of the resignation, retirement, removal, as specified, or death of the incumbent judge, for an election at the next statewide election conducted in Novem-

ber, to fill the vacancy.

The bill would require candidacy papers to be refiled by persons who already may have filed such papers at the time the vacancy arose, and would permit other qualified persons to file candidacy papers and become a candidate for the office. The candidate who receives the most votes would be elected

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch. 1307 (AB 2382) McVittie Limitation of commencement of actions

Existing law provides that a civil action upon a contract, obligation, or liability not founded upon an instrument of writing shall be commenced within 2 years except that an action to recover based upon specified written accounts shall be commenced within 4 years

This bill would expressly except from such 2-year limitation on actions on oral contracts actions for breach of contract for sale between merchants, for which a 4-year limitation on commencement of actions applies.

Existing law provides that an indictment for any felony, with specified exceptions, shall be found, an information filed, or the case certified to the superior court within 3 years after its commission.

This bill would expressly except from such time limitation the willful and lewd commission of any lewd or lascivious act upon the body of a child under the age of 14 years The bill would instead provide with respect to such felony that an indictment shall be found, an information filed, or the case certified to the superior court within 5 years of its commission.

Ch 1308 (AB 2195) McAlister Unemployment insurance worker contribution

Existing law provides that worker contributions to the Disability Fund for purposes of funding unemployment compensation disability benefits shall be made generally at the rate of 1% of wages, as defined All money in the Disability Fund is continuously appropriated without regard to fiscal years for the purpose of providing disability benefits

This bill would provide for annual adjustment of such percentage in accordance with a specified formula but in no event would the percentage exceed 1% or be less than 0 1% The bill would also change the limit on the amount of wages paid by an employer to which the rate is applicable

Existing law provides that each voluntary plan for the payment of disability benefits shall pay to the Disability Fund fourteen one-hundredths of 1% of the taxable wages paid to employees covered by the plan

This bill would instead require the payment of 14% of the product obtained by multiplying the rate of worker contributions by the amount of such wages

Existing law requires the Director of Employment Development to maintain the Unemployed Disabled Account in the Disability Fund for the payment of benefits to persons whose employment has terminated or who are in noncovered employment at the time their disability commences The Unemployed Disabled Account is credited with twelve one-hundredths of 1% of the taxable wages paid to employees covered by voluntary plans and covered by the Disability Fund

This bill would instead require that the Unemployed Disabled Account be credited with 12% of the product obtained by multiplying the rate of worker contributions by the amount of such wages

This bill would also require the Director of Employment Development to report to the Legislature by March 1, 1982, concerning the experience of voluntary plan employ-

ers during 1981

Ch 1309 (AB 2605) Thurman State government.

(1) Existing law provides for an annual base salary of $30,000 for the Director of Industrial Relations and the Commissioner of the California Highway Patrol

This bill would increase the annual base salary of the Director of Industrial Relations and the Commissioner of the California Highway Patrol by $5,000

(2) Existing law permits the Chief of the Division of Labor Standards Enforcement to exempt any employer or employees from any mandatory day or days off requirement contained in any order of the Industrial Welfare Commission, when in his judgment hardship will result Such provision would remain in effect only until January 1, 1981, unless a later enacted statute deletes or extends such date

This bill would extend the January 1, 1981, repeal of such provision to January 1, 1984.

(3) The bill would incorporate additional changes in Section 11552 of the Government Code, proposed by Assembly Bill No 2259, to be effective only if Assembly Bill No 2259 and this bill are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Ch 1310 (AB 1981) Stirling Paternity blood tests

Existing law provides that the issue of a wife cohabiting with her husband, who is not impotent or sterile, is conclusively presumed to be a child of the marriage

This bill would provide that notwithstanding the above presumption, if the court finds that the conclusions of all the experts, as disclosed by the evidence based upon blood tests performed pursuant to the Uniform Act on Blood Tests To Determine Paternity are that the husband is not the father of the child, the question of paternity of the husband shall be resolved accordingly A notice of motion for blood tests would have to be raised by the husband and not later than 2 years from the date of birth of the child It would, however, not apply to any case which has reached final judgment of paternity on the effective date of the bill

It would also take effect immediately, as an urgency statute

Ch 1311 (AB 2529) Naylor Family protection.

Existing law provides for certain reporting requirements by the Department of Social Services on foster child care

Existing law provides for a pilot program for actual and potentially dependent children The demonstration counties in which this program is operated are Shasta and San Mateo Counties

This bill would eliminate certain reporting requirements regarding the shifting of responsibility for such children within county welfare and probation departments.

Existing law provides for specified conditions, in demonstration counties, under which a dependent minor may be removed from the custody of the minor's parents or guardian, including the necessity to prove such conditions by substantial evidence and that removal from custody may not occur if the parents or guardian refuse to accept reasonable means for the prevention of the occurrence of the conditions for removal

This bill would provide that the conditions must be proven by clear and convincing evidence, and that removal from custody may occur if the parents or guardian refuse to accept reasonable means for the prevention of the specified conditions

Existing law provides that in demonstration counties when a dependency hearing has been ordered for a minor who has been voluntarily placed in a foster care facility and where other specified conditions have been met, the hearing shall be held within a six-month period

This bill would provide that where the above conditions have been met the hearing shall be held within six months only for those minors who are under 14 years of age at a specified time

Existing law sets forth specified conditions under which the juvenile court of a demonstration county shall institute placement proceedings for a minor who has been taken from the physical custody of his parents or guardian for at least a 12-month period Existing law also specifies conditions under which the juvenile court shall find in a placement proceeding that a minor child is adoptable

This bill would modify the conditions under which placement proceedings should be

brought and the conditions for a court finding of adoptability. Existing law does not provide, in demonstration counties, for family reunification services for the purpose of preventing a minor child from being removed from the home, nor does it provide for such services to families with children who have been declared free from parental control under the Civil Code

This bill would provide that in such counties one of the purposes of family reunification services shall be to prevent the removal of minor children from the parental home and that such services may be offered prior to the removal of minor children from the parental home Furthermore, this bill would provide that prior to the granting of a final adoption order, family reunification services may be offered to families with minor children who have been declared free from parental control

Existing law allocates funds to demonstration counties for specific purposes connected with implementing programs which concern minor children, who are, or may become, dependent children.

This bill would provide that demonstration counties shall have discretion to use funds appropriated to them during, and subsequent to, fiscal year 1979–80, for any purpose connected with the implementation of such programs except that the fiscal year 1978–79 level of expenditures for direct services shall be maintained and adjusted for increased need and cost-of-living increases

This bill would take effect immediately as an urgency statute

Ch. 1312 (AB 3340) Boatwright. Public social services financing AFDC Funding and Disability Evaluation Revolving Fund

(1) Existing law makes no provision for a continuously appropriated fund from which the State Department of Social Services may reimburse medical service providers for medical information costs incurred by the department for disability determination functions.

This bill would provide that a Disability Evaluation Revolving Fund may be established by the State Department of Social Services by withdrawing money from the Social Welfare Federal Fund to be maintained in an amount not to exceed $1,250,000

(2) Existing law in the Budget Act of 1980 provides that no funds shall be expended pursuant to an Aid to Families With Dependent Children budgeting system other than a prior month budgeting system which provides a supplementation no greater than 80% However, a recent court decision holds that an AFDC prior month budgeting system must provide for full supplementation up to the maximum aid payment

This bill would require the Director of the State Department of Social Services to adopt regulations establishing a budgeting system consistent with federal law and regulations

Ch. 1313 (SB 1558) Keene. Medicine

Existing provisions of law which regulate the practice of medicine and certain related professions are contained in the Medical Practice Act

This bill would repeal and reenact the Medical Practice Act Most existing provisions would be continued without change

This bill would make additional changes

It would revise the duties of various divisions within the Board of Medical Quality Assurance

It would revise provisions related to a directory published by the board

It would revise licensure requirements for persons who received medical training in a foreign country

It would eliminate provisions authorizing the licensure of commissioned medical officers.

It would revise penalties for violations of the Medical Practice Act

It would make various related changes

Existing law provides that all revenue derived from the Psychology Licensing Law is to be deposited into the Contingent Fund of the Board of Medical Quality Assurance and continuously appropriates the money in such fund to carry out the purposes of that law

This bill would create the Psychology Fund and would provide for the deposit of revenue derived from the Psychology Licensing Law into that fund The bill would

provide for payment from the Psychology Fund to the Contingent Fund of the Board of Medical Quality Assurance for expenditures which exceeded revenue for the 5-year period preceding the effective date of specified provisions The bill would provide that provisions relating to the fund shall be operative on July 1, 1981

The bill would also repeal and reenact provisions related to acupuncture, incorporating various changes made by Chapter 357 of the Statutes of 1980, would incorporate additional changes made by Chapters 11, 225, and 793 of the Statutes of 1980, would also incorporate changes proposed by SB 1811, SB 2057, AB 3389, and AB 3127, to become operative as specified and would add provisions contingent upon the enactment of SB 1893 or SB 1580, as specified

Ch 1314 (AB 2885) Egeland Healing arts.

Existing law authorizes specified professionals to incorporate and to engage in such profession and requires such corporation to obtain authorization from, to submit specified documents and reports to, and pay specified fees to, their respective licensing boards as a condition of engaging in such professions as in corporations

This bill would revise such provisions as they relate to acupuncture, medical, speech pathology, audiology, physical therapy and psychology corporations, by among other things, deleting the requirement of obtaining authorization from, submitting documents and reports to, and paying fees to, their respective licensing boards

The bill would authorize audiologists and speech pathologists to be shareholders, officers or directors in a speech pathology or audiology corporation and practice their respective professions in the name of such corporation

The bill would make related changes

The bill would also make other technical, nonsubstantive changes

The bill would make changes relating to acupuncture corporations to be operative only if this bill and either AB 3040 or SB 1558 or both are chaptered

The bill would make changes relating to medical corporations to be operative only if this bill and SB 1558 are both chaptered

The bill would make changes relating to podiatrists being shareholders in a medical corporation to be operative only if this bill and AB 3449 are both chaptered

Ch 1315 (AB 2409) Bates. Clinic licensure.

(1) Present law provides for licensure by the State Department of Health Services as clinics of various organized outpatient health facilities, but not including outpatient health facilities which provide direct psychological or optometric advice, services, or treatment to patients.

This bill would provide for the licensure by the department of psychology clinics, as defined Authority for licensing psychology clinics and outstanding licenses for psychology clinics would expire January 1, 1983 The fee for licensing the clinics would be $30 Under the bill only psychology clinics could be licensed to exclusively provide psychological advice, services, or treatment, but the bill would not preclude the inclusion of psychological advice, services, or treatment in or as adjunctive to the medical component of other types of clinics The bill would authorize psychological clinics to directly employ psychological assistants

This bill would also include optometric advice, services, or treatment within the definition of "clinic"

(2) Certain types of outpatient facilities under present law are exempted from clinic licensure

This bill would exempt, as specified, from clinic licensure any place or establishment owned or leased and operated as a clinic or office by one or more licensed health care practitioners, as specified

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by

this act for a specified reason.

Ch. 1316 (AB 2307) Kapiloff Clinics optometric services

Present law defines and provides for licensure of clinics Under present law a clinic may not be licensed to provide optometric advice, services, or treatment

This bill would revise the definition of clinic, as contained in such provisions, to permit clinics to provide optometric services

This bill would incorporate changes in Section 1206 of the Health and Safety Code, proposed by SB 1418 and AB 2252, to be effective if these bills are chaptered and this bill is chaptered last

Ch 1317 (AB 2591) Greene Specialty clinics. license fees

Under present law, the license fee for specialty clinics is fixed at $2,000

This bill would, instead, establish such fees for a surgical clinic at $300 plus 0 0003 times the clinic's operating cost for the last completed fiscal year.

Ch. 1318 (SB 512) Briggs Transportation State Transportation District 12. County of Orange.

(1) The Department of Transportation has administratively established 11 state transportation districts State Transportation District 7 includes Los Angeles, Orange, and Ventura Counties.

This bill, on July 1, 1983, would create State Transportation District 12 consisting of Orange County for the purpose of determining the minimum expenditure of state highway and exclusive public mass transit guideway construction funds in the county The bill would require that the minimum expenditure for former State Transportation District 7 be divided among District 12, Los Angeles County, and Ventura County on the basis of needs

(2) Under existing law, the California Transportation Commission has discretion in allocating 30% of the money in the State Highway Account in the State Transportation Fund available for construction purposes in each county group to the state transportation districts therein

The bill would prohibit the decrease in the amount of discretionary funds allocated by the commission to any state transportation district, except District 7, as a result of any increase in discretionary funding to Orange County due to the creation of District 12 over the amount allocated to the county in the 1980 State Transportation Improvement Program

The bill would prohibit the commission from deleting, delaying, or decreasing the funds allocated to any highway or guideway project included in the 1980 State Transportation Improvement Program and any subsequent state transportation improvement plan in any district, except District 7, on the basis of the creation of District 12 and would require adjustments in allocations to Districts 7 and 12 to prevent such a result

(3) Under existing law, State Highway Account funds are allocated on the basis of a formula whereby 60% of the funds are allocated to counties in the southern region of the state and 40% are allocated to counties in the north

The bill would specifically provide that the creation of District 12 shall not affect the allocation of these funds according to that formula

(4) The bill would also provide that a separate district organization, staff, or facilities would not be required to be established in Orange County due to the creation of the new district

Ch 1319 (SB 1796) Maddy. Juvenile court law records

Under existing law a person may petition the juvenile court for sealing of records, including records of arrest, relating to his or her case, in the custody of the juvenile court and probation officer and any other agencies as are alleged to have custody of such records, as specified

This bill would make such provision inapplicable to specified records of convictions for offenses under the Vehicle Code or any local ordinance relating to the operation, stopping and standing, or parking of a vehicle maintained by the Department of Motor Vehicles, but would nevertheless provide that if a case record containing a record of such a conviction is ordered to be sealed, access to such records shall be only as specified

It would also incorporate changes to Sec. 781, W & I.C., proposed by SB 1713, contingent upon the enactment and prior chaptering of SB 1713.

Ch 1320 (AB 3034) Mori. Insurance: volunteer drivers.

Existing law prohibits the issuance, amendment, or renewal of a policy of automobile liability insurance, as defined, on and after January 1, 1976, if it contains any provision which expressly or impliedly excludes from coverage under such policy the operation or use of an insured motor vehicle by the named insured in the performance of volunteer services for a nonprofit charitable organization or governmental agency by providing transportation to senior citizens, as defined, or physically or mentally handicapped persons. Such prohibition does not apply where the named insured receives any remuneration of any kind other than reimbursement for actual mileage driven in the performance of such services, at a rate not to exceed 22 cents per mile actually driven.

This bill would instead provide that such prohibition applies, instead, to any policy of automobile liability insurance which excludes from coverage the operation or use of an insured motor vehicle by the named insured in the performance of volunteer services for a nonprofit charitable organization or governmental agency consisting of providing social service transportation, as defined. Conforming changes would be made by the bill.

This bill would also remove the 22 cents per mile limitation placed on reimbursements for actual mileage driven in the performance of volunteer services and would instead provide that the rate of reimbursement shall not exceed, for the fiscal year in question, the greater of either the maximum rate authorized by the State Board of Control or the base rate, as defined, as adjusted by the California Consumer Price Index.

This bill would also provide that no issued policy of automobile liability insurance shall be canceled by an insurer nor shall any motor vehicle insured pursuant to a policy of automobile liability insurance or a policy of bodily injury liability insurance, as defined, be classified as a common carrier, livery, or for-hire vehicle solely for the reason that the named insured is performing volunteer services for a nonprofit charitable organization or governmental agency consisting of providing social service transportation.

This bill would incorporate additional changes in Section 11580.2 of the Insurance Code proposed by AB 2418 to become operative if both bills are chaptered and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch 1321 (AB 3346) Knox. Uninsured motorists.

Existing law provides that in general, no policy of bodily injury liability insurance covering a motor vehicle may be issued or delivered unless the insurer offers uninsured motorist coverage. Such coverage insures for all sums which the insured is legally entitled to recover for bodily injury or death from the owner or operator of an uninsured motor vehicle, and must be offered with coverage limits equal to those required under the financial responsibility laws.

This bill would require such coverage to be offered with coverage limits at least equal to the coverage limits that the insured has selected for bodily injury liability coverage except that coverage would not be required to exceed a limit of $30,000 because of bodily injury to or death of one person in any one accident and a limit of $60,000 because of bodily injury to or death of two or more persons in any one accident. The insured would be permitted to select lower coverage limits.

This bill would incorporate additional changes made by 2 bills which have been chaptered, AB 2418 (Ch. 201) and SB 1276 (Ch. 731), and would also make additional changes proposed by AB 3034, to become operative if both bills are chaptered and this bill is chaptered last.

The bill would provide that its provisions shall become operative on January 1, 1982, as specified.

Ch 1322 (SB 735) Greene. Medi-Cal. benefits and provider reimbursement.

(1) Existing law specifies the schedule of benefits available to beneficiaries under the California Medical Assistance Program (Medi-Cal).

This bill would include in the schedule paramedic services rendered by a city, county, or special district or pursuant to a contract with a city, county, or special district and by a certified paramedic. To the extent federal participation is available, the city, county,

or special district is to reimburse the Health Care Deposit Fund for state costs of paying medical claims Counties or cities may utilize specified funds to make such reimbursement.

This bill further requires such city, county, or special district to reimburse state costs for paying such claims for paramedic services as provided for by SB 125 of the 1980–81 Regular Session of the Legislature if that bill is chaptered into law

(2) Existing law requires the State Director of Health Services to adopt regulations setting rates of payment to providers of health care services under the Medi-Cal Program Such rates generally must be based on the reasonable cost of such services

This bill would require that reimbursement rates for paramedic services shall be updated annually and be based on the reasonable cost standard

(3) This bill would take effect immediately as an urgency statute

Ch 1323 (SB 1697) Garamendi. Medi-Cal. nonprofit hospital service plans

Existing law authorizes the State Department of Health Services to contract with a prepaid health plan licensed as a hospital care service plan under the Knox-Keene Health Care Service Plan Act of 1975, in order that the hospital care service plan may provide benefits to persons eligible under the California Medical Assistance Program (Medi-Cal) Regulations and procedures to which such plans are subject are set forth

This bill would provide that a nonprofit hospital service plan licensed by the Insurance Commissioner comes within the definition of a prepaid health plan with which the department may contract to provide services to Medi-Cal beneficiaries. The bill would further provide that such nonprofit hospital service plans would be subject to the same regulations and procedures as other health care service plans

This bill would make additional changes in Section 14251 of the Welfare and Institutions Code as proposed by AB 2341 to be operative only if this bill and AB 2341 are chaptered and this bill is chaptered after AB 2341

Ch. 1324 (SB 1493) Petris. Corporations

Under existing law, the Attorney General is empowered to examine religious corporations in specified instances, and to institute an action in the name of the state to correct wrongful activity, or to seek an order establishing that the corporation fails to qualify as a religious corporation

This bill would repeal existing law and instead provide that except as the Attorney General is empowered to act in the enforcement of the criminal laws of this state and except as specifically empowered by this bill, the Attorney General shall have no powers with respect to any corporation incorporated or classified as a religious corporation

Under existing law, a religious corporation, its officers or directors, or a person with a reversionary interest in the trust, may bring an action to enjoin, correct, obtain damages for or to otherwise remedy a breach of a trust under which any or all of the assets of the corporation are held

This bill would also permit a member or former member to bring such an action

The bill would become operative on June 1, 1981

Ch. 1325 (AB 2286) Kapiloff Special education

Existing law provides for procedural due process protections in the education of individuals with exceptional needs, including administrative hearings at the state level which may be preceded by informal meetings, mediation conferences, or both

This bill would prohibit the use of certain attorney services by a public education agency during any part of the mediation conferences or state level hearings, unless such agency, in initiating the use of such services, pays the costs of attorney services. as specified, incurred by the parent of the individual with exceptional needs, or the parent of such individual initiates the use of attorney services This prohibition would be limited to actual presentation of written argument, oral argument, evidence, or any combination thereof

Ch 1326 (SB 1390) Craven Motor vehicle fuels

Under existing law, the Governor has proclaimed a State of Emergency relating to the gasoline shortage and has adopted related emergency regulations effecting the so-called odd-even gasoline rationing system

This bill would provide that such regulations and any amendments thereto have no force or effect in any county in this state.

Existing law does not specifically authorize counties to adopt motor vehicle fuel conservation measures in the county

This bill would establish state motor vehicle fuel conservation goals on a county-by-county basis expressed as 95% of the average monthly per capita amount used during the base period July 1, 1977, through June 30, 1980, and would authorize adoption of various measures by a county in order to achieve those goals. The bill would also provide a method of monitoring county achievement of such goals and provide that, if a county fails to meet such goals for three consecutive months, and after proclamation pursuant to specified provisions of existing law of a state of emergency, as defined in existing law, and subject to those existing provisions which, among others, would terminate such state of emergency upon proclamation of termination by the Governor or concurrent resolution of the Legislature, the Governor may implement, by executive order applicable solely to that county, specified motor vehicle fuel conservation measures

This bill would take effect immediately as an urgency statute, however, the motor vehicle fuel conservation provisions, shall become operative on January 1, 1981

Ch 1327 (AB 2893) Cline State taxes alternative energy facility deduction.

Under existing Personal Income Tax Law and Bank and Corporation Tax Law, a taxpayer is entitled to a deduction with respect to the amortization of the amortizable basis of any certified pollution control facility which, among other things, is placed in service by the taxpayer before January 1, 1988 The period of such amortization is 60 months, although certain taxpayers may elect to make the amortization period of such facilities either 12 months or 60 months

This bill would provide that such method of amortization shall be available to taxpayers with regard to alternative energy equipment placed in service by the taxpayer before January 1, 1986 It would define "alternative energy equipment" as equipment used to produce or convert energy from specified sources, as defined, excluding equipment for projects for which a building permit or financial commitment had been applied for before January 1, 1980, fossil fuels and nuclear energy

This bill would also require the Legislative Analyst to conduct an evaluation study to determine the impact of the provision of this bill based on specified criteria and to report to the Legislature by January 1, 1985

This bill would take effect immediately as a tax levy and would be applied to taxable or income years commencing on or after January 1, 1980

This bill would incorporate additional changes in Sections 17226 and 24372 of the Revenue and Taxation Code, proposed by AB 1404, to be effective only if AB 1404 and this bill are both chaptered, and this bill is chaptered last

Ch 1328 (AB 1404) Hayes State taxes cogeneration facility deduction

Under existing Personal Income Tax Law and Bank and Corporation Tax Law, a taxpayer is entitled to a deduction with respect to the amortization of the amortizable basis of any certified pollution control facility which, among other things, is placed in service by the taxpayer before January 1, 1988. The period of such amortization is 60 months, although certain taxpayers may elect to make the amortization period of such facilities either 12 months or 60 months

This bill would provide that such method of amortization shall be available to taxpayers with regard to cogeneration equipment placed in service by the taxpayer before January 1, 1986, as defined

The bill would also require the Legislative Analyst to report to the Legislature on or before January 1, 1984, on the effects of the act

This bill would take effect immediately as a tax levy

This bill would incorporate additional changes in Sections 17226 and 24372 of the Revenue and Taxation Code, proposed by AB 2893, to be effective only if AB 2893 and this bill are both chaptered, and this bill is chaptered last

Ch 1329 (AB 3269) Hart School attendance

(1) Under existing law, children between the ages of 6 and 16 years are subject to compulsory full-time education unless exempted or excused Certain absences from

school are specified which are not deemed absences in computing average daily attendance

This bill would prescribe a pilot study which provides for an increase in the revenue limit of a school when the actual student attendance increases Such an increase in the revenue limit would be calculated and allocated in a specified manner It would appropriate from the General Fund to Section A of the State School Fund $1,750,000† for each of the 1980–81, 1981–82, and 1982–83 fiscal years for the purposes of funding the pilot project

This bill would encourage school districts and county offices of education to adopt pupil attendance policies with specific guidelines as to policy proposals and procedures

This bill would require certain parent advisory councils and committees to address the problem of parent awareness of the importance of pupil attendance. It would also require each school improvement plan to include as a component thereir the improvement of pupil attendance

This bill would require the Superintendent of Public Instruction to prepare and disseminate to school districts and county superintendents of schools information regarding effective practices to improve pupil attendance It would also require the State Board of Education to establish a statewide advisory committee on school attendance

This bill would require school districts to disclose annually actual rates of pupil attendance in the district

(2) Under current law, a pupil who is a habitual truant, irregular in attendance, or disorderly during attendance may be referred to a school attendance review board The review board, after making prescribed findings, must direct the county superintendent of schools to request a petition on behalf of the pupil in the juvenile court of the county.

This bill would provide that any such pupil who is a minor may be referred to a school attendance review board It would require the review board, if it determines available community services would resolve the pupil's conduct problem, to direct the pupil or the pupil's parents or guardians, or both, to make use of such community services and would require evidence of participation therein

This bill would authorize the school attendance review board, once it determines that community services cannot resolve problems or the board finds the pupil or his or her parents or guardian have not sought community services, to file a petition in juvenile court on behalf of the pupil It would also require the board to make recommendations to the court on the action to be taken

(3) Under existing law, any parent, guardian, or other person having control or charge of any pupil who fails to comply with the compulsory full-time education laws is guilty of a misdemeanor with prescribed punishment involving fine and imprisonment

This bill would require that, before a criminal complaint is filed in those instances, the person be referred to the school attendance review board In the event such referral is unsuccessful, the bill would require the filing of a criminal complaint in the proper court against the parent, guardian, or other person It would also provide that such a person who fails to comply with the compulsory full-time education laws is guilty of an infraction, as specified, instead of a misdemeanor In lieu of imposing a fine, the court would be authorized to place such a person in a parent education and counseling program

(4) Under current law, governing boards of school districts are required to provide for an annual audit of the books and accounts of the district, as specified

This bill would require that each such audit include an audit of attendance procedures

(5) Existing law provides that a school district governing board or a county board of education maintaining specified schools and programs may authorize any pupil enrolled in such a school or program to enroll in an independent study program of the district or board

This bill would also include summer school, work experience program, or special education program among the specified schools and programs

(6) Existing law prescribes the method of computing average daily attendance

This bill would make various statements of legislative intent regarding the development of mandatory school attendance procedures by school districts

†Appropriation reduced to $875,000 by action of the Governor

(7) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1330 (SB 2031) Marks Redevelopment agencies housing finance

(1) Under present law, redevelopment agencies are authorized to finance housing outside redevelopment project areas, as part of a revenue-bond-funded financing program, if the housing to be financed is committed during the term of the loan for occupancy by persons eligible for governmental housing subsidies

This bill would, instead, authorize certain redevelopment agencies to finance multifamily housing units outside redevelopment project areas intended for occupancy primarily by defined persons and families of low or moderate income

This bill would require at least 20% of all such units financed during any calendar year to be for defined lower income households and 10% of all such units for very low-income households, as defined, except as specified

These provisions would remain in effect until January 1, 1982, except as specified

(2) Under the Marks-Foran Residential Rehabilitation Financing Act of 1973 cities, counties, redevelopment agencies, and housing authorities are authorized to make long-term, low-interest loans to finance defined residential rehabilitation in deprived residential areas designated as residential rehabilitation areas

This bill would authorize any person licensed to insure mortgages or to write residential mortgage guarantee insurance in this state to insure or guarantee loans made for residential rehabilitation, not exceeding 95% of the after-rehabilitated value, including insurance of construction advances, as specified

Ch 1331 (SB 418) Marks Community redevelopment· definitions

(1) Under the existing provisions of the so-called "SB 99 Program" in the Community Redevelopment Law, redevelopment agencies may make loans through qualified mortgage lenders to finance, among other things, the construction of commercial structures and mixed residential and commercial structures which the redevelopment agency determines to be an integral part of a residential neighborhood

This bill would specify additional conditions for financing commercial and mixed residential and commercial structures under such program, but the conditions would not be applicable to financing meeting prescribed criteria The bill would expressly authorize "SB 99" financing by prearrangement to place funds in advance with qualified mortgage lenders. The bill would additionally revise the definition of "substandard residence," as used in such provisions

(2) With certain exceptions, existing provisions of state law authorizing local revenue-bond financing of housing, other than multifamily rental housing, are preemptive

This bill would, until July 1, 1981, authorize a charter city meeting specified criteria to issue not more than $33,000,000 of revenue bonds, and authorize a city and county to issue not more than $60,000,000 of revenue bonds, to finance housing under prescribed conditions without being subject to the limitations of state law The bill would also, until December 31, 1981, authorize counties of over 4,000,000 population to utilize the revenue bond authority in state law to finance multifamily rental housing and related capital improvements under prescribed conditions

(3) This bill would take effect immediately as an urgency statute

Ch 1332 (AB 3475) Levine Subscription television transmissions

Existing law makes no provision prohibiting the sale, manufacture, or distribution of over-the-air decoding devices or parts thereof, including the plans for making such devices

This bill would prohibit the knowing and willful manufacture, distribution, or sale of any device or plan or kit for a device, or printed circuit containing circuitry for interception or decoding for the purpose of facilitating an unauthorized interception or decoding of subscription television transmissions made pursuant to authority granted by the Federal Communications Commission, and would provide specified misdemeanor penalties for violations thereof

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 1333 (AB 3369) Hart Schools proficiency standards

(1) Existing law requires the governing board of each school district to adopt proficiency standards in basic skills, as specified, and requires proficiency assessment of such skills at specified intervals

This bill would subject pupils enrolled in juvenile court schools to the standards of the district in which they were last enrolled prior to juvenile court school enrollment and would require county boards of education and governing boards to ensure assessment at the specified intervals

This bill would require the Department of Education to report annually to the Legislature specified information relating to proficiency assessment performance

This bill would require the Superintendent of Public Instruction to convene an ad hoc panel to recommend methods to improve regular and remedial instruction in basic skills

(2) Existing law authorizes the governing board of a school district to adopt differential proficiency standards for pupils enrolled in special education programs who have diagnosed learning handicaps or disabilities that preclude their attaining the district's standards

This bill would require, in addition, that such standards be adopted for specified pupils for whom individualized education programs have been developed and for whom modification of the regular instructional program, as necessary, is made, under the supervision of a person who holds an appropriate credential in special education

This bill would require the governing board to adopt differential proficiency standards when the individualized education program team determines that the pupil's handicaps or disabilities preclude the pupil's attaining the district's regular standard This bill would require that the determination and the development of differential proficiency standards be included in the process of developing, reviewing, and revising the pupil's individualized education program

This bill would authorize the maintenance of a pupil's differential proficiency standards, irrespective of whether the pupil continues to be enrolled in special education programs

This bill would specify that the provisions relating to differential proficiency standards apply prospectively and retroactively to pupils enrolled in the 9th grade, or its equivalent, during the 1977–78 school year

(3) Existing law requires conferences to be held among the principal or principal's designee, the parent or guardian of the pupil, a teacher familiar with the pupil's progress, and in certain circumstances, the pupil, to discuss the pupil's proficiency assessment

This bill would delete the requirement that the principal or principal's designee be present This bill would state the legislative intent that such conferences be on an individual, and not a group basis, would require that where group conferences are to be held, the pupil or the parent who requests an individual conference shall be granted such conference, and would require that written notice of the right to such an individual conference be provided

(4) Existing law prohibits, after June 1980, any pupil from receiving a high school

diploma if such pupil has not satisfied the district's proficiency standards

This bill would instead make the prohibition applicable to any such pupil who was enrolled in the 9th grade, or its equivalent during the 1977–78 school year, or subsequent thereto

This bill would prohibit, after June 1, 1981, any person enrolled in an adult school program, evening high school program, or any other program for adults, the completion of which is evidenced by a high school diploma, from receiving such diploma if such person had not satisfied specified proficiency standards.

(5) Existing law provides for diplomas and other certificates evidencing a high school pupil's completion of a prescribed course of study

This bill would prohibit the issuance of any document evidencing such pupil's completion of a prescribed course of study or of satisfactory attendance, except transcripts or letters of recommendation, unless the pupil has met the district's proficiency standards

(6) Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year This statutory provision is supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill would annually appropriate specified amounts for costs of funding the various changes in the law relating to pupil proficiency standards made by this bill

(7) This bill would take effect immediately as an urgency statute

Ch 1334 (SB 1670) Watson School finance summer school

Existing law prescribes a method for computing revenue limits of, and state apportionments to, school districts A school district's revenue limit, among other things, is increased for summer school programs offered to graduating high school seniors and pupils participating in summer school programs in grades 7 to 12, inclusive, who do not meet the district's adopted proficiency standards, as provided

This bill would [additionally]* increase, ~~instead,~~* a school district's revenue limit for ~~graduating high school seniors participating in summer programs, for pupils participating in summer programs in grades 7 to 12, inclusive, who do not meet the district's proficiency standards,~~ [the summer school average daily attendance of]* 11th grade high school pupils repeating certain required courses [during summer school]*, and the intersession average daily attendance of certain pupils enrolled in a year-round school [as provided]*

This bill would also specify that pupils enrolled in a year-round school shall have access, as necessary, to an equal educational opportunity as provided during summer school to pupils enrolled in regular school year programs

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1335 (SB 1777) Carpenter Subdivision public reports

(1) Existing law requires an applicant for a subdivision public report to provide a statement of the soils condition and the depth of fill used or proposed to be used in the subdivision, and requires a statement referencing any soils or geologic report that has been prepared

An applicant for a public report is also currently required to obtain and submit a statement from the appropriate school district or districts regarding the location and distance of schools, the availability and cost of transportation, and other information considered important by the school district The Real Estate Commissioner must furnish

a copy of the public report to each school district serving the subdivision. Finally, existing law requires an applicant for a public report to specify the location of all existing and proposed airports within 2 miles of the subdivision and to include noise and safety zone boundaries and regulations

This bill would eliminate the requirement of a statement of the soil conditions and depth of fill, eliminate the requirement of obtaining a statement regarding schools, and limit the statement regarding airports to a notice of the location of existing and proposed airports within 2 miles of the subdivision. However, the bill would require a statement giving the name and the location of the public agency where information concerning soil conditions in the subdivision is available to be referenced in the notice of intent to sell or lease subdivided lands submitted to the Real Estate Commissioner It would also make various technical, nonsubstantive changes

(2) Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, which they propose to carry out or approve and which may result in a substantial, or potentially substantial, adverse change in the environment In the event the agency determines that a proposed project does not have a significant effect on the environment, the agency is required to adopt a negative declaration to that effect

This bill would specifically provide that the commissioner is not a responsible agency for such purposes, and that receipt by the commissioner of a copy of an environmental impact report or negative declaration pursuant to the act constitutes conclusive evidence of compliance with the act

(3) Existing law makes it unlawful for the owner or subdivider to sell or lease lots or parcels within a subdivision unless certain specified conditions are complied with, involving release clauses, escrows, and bonds

This bill would expressly include an agent within these provisions

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1336 (SB 1776) Carpenter Subdivided lands

(1) Existing law requires the owner, his or her agent, or the subdivider, to file a notice of intention to sell or lease, containing specified information, with the Real Estate Commissioner prior to the time when subdivided lands are to be offered for sale or lease The commissioner is then required to investigate the proposed subdivision, and either issue a subdivision public report authorizing such sale or lease, or deny the public report on specified grounds "Subdivided lands" and "subdivision" for such purposes includes a community apartment project, as defined, containing 2 or more apartments, a condominium project containing 2 or more condominiums, and a stock cooperative, as defined, having or intended to have 2 or more shareholders

This bill would increase the number of apartments in a community apartment project, the number of condominiums in a condominium project, and the number of shareholders in a stock cooperative for such purposes to 5 each It would also include "time-share" projects, as defined within the requirements of existing law, as discussed above

(2) Existing law requires the developers of commercial or industrial subdivisions to file a notice of intention to subdivide The notice must include all the information that would be contained in a residential subdivision filing The Commissioner of Real Estate is authorized to waive the public report requirements for commercial and industrial subdivisions Existing law does not exempt certain residential subdivisions located within city limits and with residences constructed on the subdivision lots from the requirement of having to file a notice of intention and obtaining a subdivision public report

This bill would exempt commercial and industrial subdivisions from the requirements of filing a notice of intention It would also eliminate the required filing of a notice of

intention for subdivided land or lands which are offered or proposed to be offered for sale, or lease, or financed by a state agency, including the University of California, a local agency, or other public agency, and would exempt from the notice of intention and public report requirements standard subdivisions located within city limits where all arrangements for improvements have been made and each lot is improved with a residence.

(3) Existing law requires an applicant for a subdivision public report to provide a statement of the soils condition and the depth of fill used or proposed to be used in the subdivision, and requires a statement referencing any soils or geologic report that has been prepared

An applicant for a public report is also currently required to obtain and submit a statement from the appropriate school district or districts regarding the location and distance of schools, the availability and cost of transportation, and other information considered important by the school district The Real Estate Commissioner must furnish a copy of the public report to each school district serving the subdivision Finally, existing law requires an applicant for a public report to specify the location of all existing and proposed airports within 2 miles of the subdivision and to include noise and safety zone boundaries and regulations

This bill would eliminate the requirement of a statement of the soil conditions and depth of fill, eliminate the requirement of obtaining a statement regarding schools, and limit the statement regarding airports to a notice of the location of existing and proposed airports within 2 miles of the subdivision. However, the bill would require a statement giving the name and the location of the public agency where information concerning soil conditions in the subdivision is available to be referenced in the notice of intent to sell or lease subdivided lands submitted to the Real Estate Commissioner

(4) Existing law establishes certain fees collected by the Real Estate Commissioner for filing an application for certain permits or renewals and for applications for preliminary, amended, or renewal subdivision public reports and filing fees for questionnaires pertaining thereto

This bill would increase these fees, as specified

(5) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch 1337 (SB 1695) Holmdahl State-mandated local programs.

Existing law requires the state to reimburse local agencies and school districts for costs or revenues lost as a result of a state-mandated local program, as defined

This bill would limit such programs enacted after January 1, 1981, except those involving reimbursements to fund benefits for the State Teachers' Retirement System or the Public Employees' Retirement System, to 6-year periods, and would require the Department of Finance to review all statutes creating such programs, as specified

The bill also would set up procedures for hearing claims for local agencies or school districts who have realized cost savings authorized by the state, as defined and would enable any state agency with auditing authority to audit records of local agencies or school districts, as specified

Ch 1338 (SB 1852) Mills Governor's appointments

Existing law allows appointees to public office made by the Governor and subject to Senate confirmation, to hold the public office pending Senate confirmation

This bill would require the Governor to inform the Senate as to the date when a person is to first begin performing the duties of the office. The bill would also provide that if the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office, and the office for which the appointment was made shall be deemed to be vacant as of the first

day immediately following the end of the 365-day period If, however, the Senate refuses to confirm the appointment, the person could continue to serve in that office until 60 days have elapsed since refusal or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first No person holding an office deemed to be vacant would be permitted to continue to discharge the duties of the office, and the Governor would be precluded from reappointing that person to the same office for a period of 12 months after the time the office is deemed to be vacant The bill would also make related, conforming changes

Ch 1339 (AB 507) Chacon Schools bilingual-bicultural education economic impact aid

(1) Currently, the Chacon-Moscone Bilingual-Bicultural Education Act of 1976 generally requires each limited-English-speaking pupil enrolled in the California public school system in kindergarten through grade 12 to receive instruction in a language understandable to the pupil as well as in English.

Current law prescribes partial bilingual, full bilingual, and bilingual-crosscultural programs for limited-English-speaking pupils and non-English-speaking pupils

This bill would delete provisions relating to partial bilingual and full bilingual programs and instead prescribe a basic bilingual program consisting of an English language development component and a primary language component for basic skills until the pupil makes a transition to English This bill would also prescribe experimental bilingual programs which are either innovative programs, or planned variation programs, which must meet prescribed criteria The Department of Education would be required to develop initial guidelines, criteria, and procedures for such programs. This bill would also prescribe a secondary level language program and a secondary level individual learning program, as specified

This bill would require that all teachers and aides providing instruction in either basic bilingual programs or experimental programs must be bilingual-crosscultural, as defined

This bill would require that whenever a school of any school district has 10 or more pupils of limited English proficiency in the same grade level, as specified, the district must offer one of the defined programs

This bill would also require, to the extent federal and categorical aid funds are available, in cases where a school does not have 10 pupils of limited English proficiency in the same grade level, but has at least 20 such pupils in the school, 1 certified bilingual-crosscultural teacher and 1 instruction program, and if the school has 45 such pupils the district must provide 2 certified bilingual-crosscultural teachers

This bill would require each school district to establish reclassification criteria for pupils enrolled in the defined programs who have developed English skills necessary to succeed in an English-only classroom, and would require, if federal or categorical aid funds are available, followup service to maintain the pupil's achievement of English skills

(2) Existing law requires that allowances for implementation grants under the school improvement program be considered to be "categorical program expenditures" for purposes of the Chacon-Moscone Bilingual-Bicultural Education Act, and so must be included in the computation of the maximum amount allocable for bilingual-bicultural education

This bill would make technical corrections in that provision to use the correct term "categorical aid funds" and to correct an erroneous cross-reference

(3) Existing law requires the Superintendent of Public Instruction, in order to calculate economic impact aid, as defined, to take into account available resources of each eligible district. "Available resources" are the sum of 3 amounts, including specified federal aid

This bill would eliminate such federal aid for the purpose of determining available resources

(4) Existing law generally requires all teachers in bilingual programs to be bilingual-crosscultural teachers, but authorizes school districts with a shortage of qualified bilingual-crosscultural teachers to request renewable 1-year waivers for teachers which expire no later than September 1, 1980

This bill would authorize renewable 2-year waivers and extend the waivers until June

30, 1984, or until the end of the fourth year the teacher is on waiver, whichever occurs first Teachers currently teaching under a waiver would have at least 2 years to complete their bilingual-crosscultural certification This bill would condition a teacher's eligibility for waiver on the teacher's having satisfied certain competency requirements within a specified period of time and would require that the application for waiver include specified certification of the teacher applicant's progress towards satisfying the competency requirements

This bill would require school districts, whether or not they request waivers, to report the number of classrooms for which a bilingual teacher is required, the number of certificated bilingual-crosscultural teachers employed by the district in classroom positions, and, in the event waivers are requested, the number of waivers requested

This bill would prohibit a school district from dismissing a fully certificated teacher who previously taught in the bilingual-bicultural program solely on the basis that his or her waiver had expired and would provide that even if such teacher is unable to qualify for a specified bilingual credential or certificate, he or she would retain specified status, seniority, and rights for the purposes of serving as a monolingual teacher.

(5) Existing law requires school districts to take a yearly census of limited-English-speaking students in the district for purposes of the Chacon-Moscone Bilingual-Bicultural Education Act of 1976. The census is to be conducted according to methods prescribed by the Superintendent of Public Instruction, including an assessment of the language skills of all pupils whose primary language is other than English, to be conducted by persons who speak and understand the primary language of the limited-English-speaking pupils.

This bill would additionally require an assessment to determine whether pupils are fluent in English or are of limited English proficiency, and would require further assessment to determine primary language proficiency of each pupil of limited English proficiency in prescribed academic courses to be completed 90 days after the pupil's enrollment

(6) Under existing law, no more than two-thirds of the pupils enrolled in primary language classes can be limited English speaking.

This bill would also require that no less than one-third of the pupils in such classes shall be limited English proficient However, where evidence is available that such proportion cannot be met, this bill would require a classroom proportion reflecting the proportion of language proficiency for the particular grade level.

(7) Under existing law, the Commission for Teacher Preparation and Licensing grants certificates of bilingual-crosscultural competence when specified conditions are met.

This bill would require the commission to conduct a study of the feasibility of standardizing the assessment for the certificate of bilingual-crosscultural competence The commission would be required to report its findings to the Legislature by February 15, 1981

(8) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

(9) The provisions of this bill would generally become operative on July 1, 1981, except for specified provisions which would become operative on January 1, 1981

Ch 1340 (SB 1447) Presley Peace officers classification.

Existing law classifies peace officers, sets forth the scope of their law enforcement duties, and provides for greater punishment for assault and battery knowingly committed against a peace officer in the performance of his duties Existing law exempts off-duty peace officers employed as private detectives from the license requirements for private detectives Existing law exempts peace officers from specified prohibitions

against the carrying of loaded or concealable firearms. With respect to honorably retired peace officers the privilege of such exemption is subject to denial or revocation at any time Existing law permits certain law enforcement personnel, including district attorneys and probation and parole officers, to request the Department of Motor Vehicles not to disclose their home addresses. Existing law includes within the definition of an authorized emergency vehicle any publicly owned vehicle operated by specified persons, including peace officers, of various organizations in the performance of their duties Existing law sets forth the authority of peace officers to effect the removal of abandoned and unattended vehicles and vehicles otherwise in violation of laws from public and private property Existing law requires the Department of Justice to compile an annual report of specified criminal statistics.

This bill would generally revise such peace officer classifications, delete specified persons from peace officer classification, and recast provisions of law relating to the duties of peace officers and persons having powers of arrest Various other conforming changes would be made, including the revision of provisions relating to statewide peace officer jurisdiction and peace officer exemptions for carrying loaded or concealable firearms Retired peace officers engaged in approved employment as private detectives would be exempt from private detective licensing requirements as specified. Honorably retired peace officers would be required to petition every 5 years for renewal of the privilege of exemption An alternative fine of $1,000 for battery on a peace officer in the performance of his duties would be imposed and battery on a peace officer or fireman in the performance of his duties in which an injury, as defined, is inflicted would be punished by imprisonment in the county jail, a fine up to $1,000, or imprisonment in the state prison. The alternative felony punishment for assault on a peace officer would be eliminated. The provision permitting confidentiality of certain home addresses would be made applicable only to district attorneys and peace officers. The provisions of law concerning authorized emergency vehicles would be recast and also made to conform to other changes proposed by this bill. The provisions of law relating to the removal of vehicles would also be revised to conform with other changes made in the law by this bill The Department of Justice would be required to include statistics on citizen complaints against peace officers in its report on criminal statistics.

This bill would delete a provision of law providing that housing authority patrol officers of the City of Los Angeles shall be a part of the Los Angeles City Housing Authority Retirement System and shall not become a part of any other peace officer retirement system or plan.

This bill would state that it is the intention of the Legislature not to change the law with respect to retirement or other employment benefits of peace officers.

This bill would incorporate changes in Sections 830 4 and 830.6 of the Penal Code and Sections 1808 4 and 22702 of the Vehicle Code proposed by AB 1893, AB 3217, SB 1676, and SB 1896, respectively, to become operative if the respective bill and this bill are chaptered and become effective on or before January 1, 1981, and this bill is chaptered after such bill.

The bill would appropriate $3,500,000 from the Peace Officer's Training Fund to the Commission on Peace Officer Standards and Training in augmentation of Item 456 of the Budget Act of 1980

This bill would take effect immediately as an urgency statute.

Ch 1341 (SB 1351) Robbins Family law

Existing law provides that the parent entitled to the custody of a child must give the child the support and education suitable to his or her circumstances; if the support and education which the father of a child is able to give are inadequate, the mother must assist to the extent of her ability

This bill would revise the above to provide that the father and mother of a child have an equal responsibility to support and educate the child in a manner suitable to the child's circumstances, taking into consideration the respective earnings or earning capacities of the parents It also would require a court, in making an order for support of a minor child, to make appropriate findings with respect to the circumstances on which the order is based, at the request of either party.

Under existing law a court is required to direct that payments of child support shall be made to the county clerk, probation officer, or other designated officer of the clerk

or county if the custodial parent receives welfare money for the maintenance of the child or if the order is made pursuant to the Revised Uniform Reciprocal Enforcement of Support Act of 1968 In other cases the court may order a noncustodial parent to assign to an officer of the court or county that portion of salary or wages due or to be due in the future as will be sufficient to pay the amount ordered by the court for the maintenance of a minor child Furthermore, the court is required to order an assignment of wages either to the party to whom support has been ordered to be paid or to a designated officer of the court or county, upon both a petition by the person to whom support has been ordered to be paid and a finding by the court that the parent so ordered is in arrears in payment in a sum equal to the amount of two months of such payments within the 24-month period immediately preceding submission of the petition

This bill would require a court to issue an order without notice by the court to the parent ordered to pay support requiring an assignment of his or her salary or wages in all cases in which a parent is ordered to pay support for his or her minor child, upon the petition signed under penalty of perjury of the person or county officer to whom support has been ordered to be paid that the parent ordered to pay support is in arrears in payment in a sum equal to the amount of 1 month of payment within the 24-month period immediately preceding filing of the petition. It would require the parent or other specified person to whom support has been ordered to be paid to have notified the other parent of his or her intent to seek a wage assignment in the event of a default in support payments in order to initiate a proceeding for an assignment, as specified

Existing law provides a procedure for the summary dissolution of marriage in cases where the parties meet designated jurisdictional requirements

This bill would require a court to set aside a final judgment made under the summary dissolution procedure as to all matters except the status of the marriage upon proof that the parties did not meet the jurisdictional requirements at the time the petition was filed.

Ch 1342 (SB 1972) Campbell Expenditure limitations: redevelopment tax-increment financing.

The Community Redevelopment Law permits the pledge of a portion of the property tax revenues produced by property within a redevelopment project area for payment of indebtedness incurred by the redevelopment agency to finance or refinance the project. This method of financing redevelopment is commonly referred to as "tax-increment" or "tax-allocation financing " Under such financing scheme, the basis for apportionment of tax revenues for redevelopment is the increase in assessed valuation of property in the project area occurring after adoption of the final redevelopment plan.

Proposition 4 on the ballot for the Special Election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of state and local government

This bill would declare that redevelopment "tax-increment" revenues are not the "proceeds of taxes" within the meaning of Article XIII B, and would provide that allocation and expenditure of such moneys are not appropriations subject to limitation under Article XIII B, if used for repayment of indebtedness incurred for defined "redevelopment activity" The bill would also declare that, if redevelopment agencies are in the future given the taxing power, the exercise of that power shall be deemed a transfer of financial responsibility from the community in which the agency is organized

It would also require a public hearing to be held in a specified manner before an agency commits to use a portion of "tax-increment" revenues for the purpose of paying for land for, and the cost of installation and construction of, any publicly owned building, other than parking facilities

The bill would declare that its provisions are inseverable, such that if any of its provisions are held invalid, all shall be invalid, but provides that inseverability shall not affect the validity or repayment of indebtedness incurred prior to a final judicial determination of invalidity

The bill would take effect immediately as an urgency statute

Ch 1343 (AB 2840) Kapiloff County Employees Retirement Law of 1937 disability

The County Employees Retirement Law of 1937 presently permits counties to require,

as a condition of employment, that any applicant who does not meet established physical standards due to physical impairment shall execute a waiver of rights to disability retirement resulting from such impairment or an aggravation thereof

This bill would terminate such authority as of January 1, 1981, but would not affect waivers executed prior to that date

Ch 1344 (SB 1249) Sieroty Sale of gasoline

Under existing law it is unlawful to condition the sale of gasoline upon the purchase of any merchandise or service

This bill would instead provide that it is unlawful to condition the sale of gasoline upon the purchase of any other product, merchandise, or service but that a full service car wash facility, as defined, may condition the sale of gasoline upon the purchase of car wash services, as specified

This bill would further provide for conforming changes to be made to Section 13411 of the Business and Professions Code, as added by AB 2779 of the 1979–80 Regular Session, to be operative on January 1, 1981, if this bill and AB 2779 are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered after AB 2779

This bill would declare that it is not the intent of the Legislature in enacting the provisions of the bill to authorize any tie-in arrangements which are otherwise prohibited by any provision of Part 2 (commencing with Section 16600) of Division 7 of the Business and Professions Code or the Sherman Act or the Clayton Act or the Emergency Petroleum Allocation Act of 1973, as amended, or any regulations promulgated pursuant thereto.

This bill would take effect immediately as an urgency statute

Ch. 1345 (AB 2895) Statham Brown Bag programs

Existing law does not provide for a statewide program whereby senior citizens can collect and distribute fresh fruits, vegetables, and other foods to people needing such food

This bill would create a statewide Brown Bag program to assist local Brown Bag projects under which senior citizens would collect and distribute food to needy persons

The bill would provide that existing programs, which are not sufficiently funded would receive priority and that special emphasis should also be given to starting programs in southern California and central valley counties

The bill would further provide that each program must have a board of directors.

The bill would further provide that the Department of Aging would be responsible for establishing policies for the implementation of this act, for allocating funds to Brown Bag programs, and for supplying specified types of assistance to such programs

This bill would provide for the creation of a Brown Bag Advisory Committee The bill sets forth the composition of the committee as well as its functions

This bill would provide that the Legislative Analyst would be required to report to the Legislature by December 31, 1982, on whether the Brown Bag programs should become a budget item of the Department of Aging.

The provisions of the bill would be repealed on December 31, 1983, unless extended by a statute chaptered on or before that date

The bill would appropriate $800,000† from the Nutrition Reserve Fund, for 3 years, to the Department of Aging in order to carry out the provisions of this act.

Ch 1346 (SB 767) Dills. State taxes pollution control credit

Existing provisions of the Personal Income Tax Law and Bank and Corporation Tax Law authorize a taxpayer to deduct the ordinary and necessary expenses resulting from the depreciation of equipment acquired for the conduct of a business or trade, and authorize the amortization of the costs of certified pollution control facilities over a 12-month or 60-month period, but do not authorize a credit for such costs

This bill would authorize specified taxpayers to apply a credit of an amount equal to 20% of the costs of certain pollution control equipment to such taxes, and would limit the amount of costs to which such credit may be applied to $80,000 and would require

†Appropriation reduced to $745,000 by action of the Governor

such taxpayers to apply the credit over 4 succeeding taxable or income years

The bill would transfer the revenues lost as a result of this act to the General Fund from the Energy and Resources Fund, if created, and if that fund is not created from tidelands revenues prior to COFPHE allocations pursuant to Section 6217 of the Public Resources Code

This bill would take effect immediately as a tax levy

Ch 1347 (AB 2168) Kapiloff Schools· physical examinations

(1) Under existing law, school districts are required to establish, maintain, and destroy pupil records Regulations adopted by the State Board of Education establish what information is to be placed in such records

This bill would require that a pupil record include a pupil's health record

(2) Existing law requires that all pupils who enter first grade have had a physical examination which includes an examination of the spine for deformity or abnormality, unless a parent or guardian refuses to consent to such an examination Certain specified children are eligible to receive additional physical examinations Existing law, however, does not require that examinations be given to school pupils for lateral curvature of the spine, a condition known as scoliosis

This bill would require that all female pupils in grade 7 and all male pupils in grade 8 be given scoliosis screenings, unless a parent or guardian refuses to consent to such a screening, which would be supervised and given by specified individuals Furthermore, this bill would provide immunity from liability for those individuals who supervise and administer the screening.

(3) Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state. The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to contain an appropriation to pay for the costs in the initial fiscal year This statutory provision will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill appropriates $347,471 to the Controller for allocation and disbursement to local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act

Ch. 1348 (SB 85) Nejedly Sales and use tax exemption water.

Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax Such law presently exempts water sold to an individual in bulk quantities of 50 gallons or more for general household use in his residence if the residence is in an area not serviced by mains, lines, or pipes.

Moreover, counties, cities, and certain transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the transit districts, for revenue losses caused by the enactment of sales and use tax exemptions

This bill would exempt from state and local sales and use taxes the sale or use of noncarbonated and noneffervescent bottled water, as specified

This bill would appropriate $940,000 to the Controller to make the reimbursements to counties and cities specified in Section 2230

This bill would take effect immediately as a tax levy and would become operative as specified

Ch. 1349 (AB 2777) Imbrecht. Reassessment changes in ownership of property

Existing law provides for various methods in assessing real property when changes of ownership occur

This bill would provide that transfers of title between an individual and a legal entity, or legal entities, such as a change of title from a cotenancy into a partnership, which results solely in the changing of the method of holding title without changing the proportional interests of the coowners, would not be considered a change in ownership for reassessment purposes

Existing law provides that when a person or entity obtains control in a corporation by a transfer of stock, the transfer shall be considered a change of ownership of property owned by the corporation in which the controlling interest is obtained.

This bill would provide that where a change of control is obtained in a partnership or other legal entity through a transfer of a partnership or other legal interest, such transfers shall also be considered changes in ownership of property of the partnership or other legal entity in which control is obtained

Existing law provides for the filing of a change of ownership statement whenever a change in ownership of real property or a mobilehome occurs which would be subject to property taxation Such statements must meet specified requirements

This bill would require that such a statement must be filed whenever there is a change in control of a corporation or other legal entity, as defined.

The bill sets forth specific requirements for statements filed by legal entities who have had a change in control; including a time period for filing, the location for filing, and a penalty for filing after the prescribed time period.

This bill would incorporate additional changes in Sections 62 and 480 of the Revenue and Taxation Code, proposed by SB 1260, to be effective only if SB 1260 and this bill are both chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Ch 1350 (AB 1017) Alatorre Court costs. litigants

Existing law provides that the Certified Shorthand Reporters Board shall have general powers and duties to regulate the activities of certified shorthand reporters and to collect fees which are deposited in the Shorthand Reporters' Fund in the State Treasury, as specified

This bill would declare that laws regulating shorthand reporters are designed, in addition to existing provisions, to extend court reporting services to litigants unable to afford such services.

This bill would require the board to establish a Transcript Reimbursement Fund in a specified amount, to commence at a specified time, for the purpose of reimbursing therefrom the costs incurred by indigent and low-income persons relating to shorthand reporter transcripts, according to specified procedures It would require periodic reports to the legislature in connection with the operation of the Transcript Reimbursement Fund

This bill would also provide for the charging of fees to meet the operational expenses of such Transcript Reimbursement Fund, as specified

The foregoing provisions of this bill would remain in effect only until June 30, 1986

Existing law regulates the fees of a notary public in connection with the taking of a deposition and, where applicable, for services in recording or transcribing a deposition

This bill would delete those provisions regulating the fees of a notary public for services in recording or transcribing a deposition

Existing law sets the fee for original ribbon copy of an official court reporter's transcripts at 45 cents per 100 words.

This bill would increase that fee to 60 cents for 100 words.

This bill would incorporate additional changes in Section 8031 of the Business and Professions Code, to become operative only if AB 2962 and this bill are chaptered and this bill is chaptered last.

This bill would also enact specified provisions in Section 8031 of the Business and Professions Code on June 30, 1986, to be operative only if AB 2962 amends that section, is chaptered, and this bill is chaptered last

Ch 1351 (AB 3245) Berman County health services

(1) Under present provisions of the California Health Facilities Authority Act, counties are not eligible for loans thereunder Also, such act limits loans to projects which would be financially feasible, without taking into consideration the lower interest rates available for loans under the act

This bill would make counties eligible to obtain loans under the act for any county facility for the provision of inpatient or outpatient care meeting prescribed criteria, and would require the California Health Facilities Authority to consider the more favorable interest rates available for loans under the act when assessing the financial feasibility of

a county health facility to be financed under the act.

(2) Bonds issued under California Health Facilities Authority Act are presently limited to a maximum of $650,000,000 outstanding at any one time, exclusive of bonds as to which sufficient money or securities have been placed in trust to fully redeem the bonds, including interest and any redemption premium.

This bill would exempt from such $650,000,000 limitation bonds issued to finance projects for defined county health facilities and, if AB 2992 is chaptered and becomes effective on or before January 1, 1981, for projects which are for adult day health centers

(3) Under present provisions of the California Health Facility Construction Loan Insurance Law, counties receiving loan insurance are required to obtain the loan in the form of a duly authorized bond issue

This bill would authorize counties to secure loans insured under the act with prescribed security devices The bill would require the Office of Statewide Health Planning and Development to consider specified assistance under the bill in assessing the financial feasibility of county projects, and would declare the intent of the Legislature that the office provide assistance to counties in obtaining loans that are insurable under such law.

(4) Under existing law, the state provides annual subvention for specified county health services according to a prescribed formula from moneys in the County Health Services Fund. For such purpose, moneys are continuously appropriated on an annual basis from the General Fund for transfer to the County Health Services Fund.

This bill would create a special account for capital outlay in the County Health Services Fund and require that moneys in the special account be used exclusively to (1) provide grants or loans, as specified, to fund capital improvements of county health facilities, and (2) provide technical assistance for financing such capital improvements. Such moneys would be available without regard to fiscal years, and the bill would provide that such moneys are not subject to being transferred to another fund except for investment, as prescribed.

This bill would create the County Jail Capital Expenditure Fund and require that the funds be expended by the Board of Corrections to provide assistance to counties to finance jail construction, as specified.

This bill would appropriate $140,000,000† according to a prescribed 3-year schedule from the Special Account for Capital Outlay of the General Fund for transfer to the Local Health Capital Expenditure Account in the County Health Services Fund and for transfer to the County Jail Capital Expenditure Fund. However, if AB 2992 does not become effective on or before January 1, 1981, the bill would appropriate the money for transfer to the Local Health Capital Expenditure Account on a first priority basis from specified revenues in the Capital Outlay Fund for Public Higher Education under specified conditions.

(5) This bill would make the changes in Section 15432, Government Code, proposed by both this bill and AB 2992, to be effective if both bills are chaptered and become effective on or before January 1, 1981, and this bill is chaptered last

Ch 1352 (SB 2044) M. Garcia Sales and use tax· leases.

Existing law provides for a use tax based on fair rental value of leases of mobile transportation equipment

This bill would define fair rental value

The bill would take effect immediately as an urgency statute.

Ch. 1353 (AB 3075) Papan. Special education· vocational education: surplus school property

(1) Under existing law the Advisory Commission on Special Education reports to the State Board of Education on enumerated items relating to special education

This bill would require the commission to report to the State Board of Education its recommendations relating to the definition of the term "appropriate" as it is used in federal law in the phrase "free appropriate public education "

(2) Existing law requires a school district governing board that sells or leases surplus school property to do so in accordance with specified provisions, including the adoption of a resolution of intention to sell or lease, notice and publication of such resolution, and

†Appropriation reduced to $50,100,000 by action of the Governor

the opening and accepting of proposals at a public meeting. Existing law generally requires the acceptance of the highest proposal which conforms with all the terms and conditions specified in the resolution

This bill would require a school district governing board that leases vacant classrooms to first offer to lease the classrooms to specified public education agencies for special education programs provided to specified pupils, including pupils of the district This bill would restrict the lease payments to specified district costs for the classrooms. If the governing board and the public education agency could not complete negotiations for the lease within a specified 60-day period, the governing board could lease such classrooms in accordance with existing provisions of law.

(3) Existing law provides for the education of handicapped children, including certain vocational education opportunities In addition, existing law provides for numerous vocational education programs

Under existing law various federal and state moneys are available for funding education and related services for such children, including vocational education.

This bill would provide for the coordination of vocational education services delivered by specified entities and of career and vocational education services with other educational services for handicapped children.

This bill would provide for maximizing state use of federal funds available for vocational educational programs for handicapped children and would, in addition, provide for coordination in applying for, distributing, and using, federal funds available for such purposes

This bill would designate the State Board of Education, the Superintendent of Public Instruction, and the State Department of Rehabilitation to carry out these provisions. This bill would include these provisions within the recently enacted provisions relating to special education.

(4) Chapter 797 of the Statutes of 1980 repealed former provisions prescribing a dual system for special education and added provisions prescribing a single system, the so-called Master Plan for Special Education, to be implemented statewide by the end of fiscal year 1981–82 These provisions include definitions, and deal generally with administration; transitional administration, the local plan; identification and referral, assessment, instructional planning, implementation, and review, procedural safeguards, evaluation audits, and information; and funding.

This bill would modify the definition of an individual with exceptional needs

This bill would clarify provisions relating to transitional administration

This bill would, as to instructional planning, authorize the parent to present or have presented information to the individualized education program team and to participate in the meeting relating to eligibility, recommendations, and program planning.

This bill would, as to procedural safeguards, do all the following:

(a) Repeal the public education agency's authorization to place the child without the parent's consent and to initiate due process hearing procedures to determine whether the child may be placed without the parent's consent.

(b) Give the parent the right to have the child present at the state hearing and to open the state hearing to the public

This bill would, as to funding, modify the inflation adjustment, the computation of instructional personnel service units for extended session, and the computation of the local general fund contribution

This bill would make numerous conforming and technical changes to Chapter 797 of the Statutes of 1980

This bill would repeal transportation and funding provisions that were applicable to special education prior to the enactment of Chapter 797 of the Statutes of 1980

(5) Chapter 797 of the Statutes of 1980 authorizes school districts, special education service regions, and offices of the county superintendents of schools to contract with nonpublic, nonsectarian schools to provide appropriate special facilities or services to an individual with exceptional needs when no appropriate public education program is available

This bill would require school districts, special education service regions, and offices of the county superintendents of schools, upon receipt of a request for payment for services, to (1) pay claims for such services within 45 days or (2) notify the nonpublic, nonsectarian school within 10 working days of the reason why payment will not be made.

This bill would authorize the nonpublic, nonsectarian school to require the school district, special education services region, or office of the county superintendent of schools to pay an additional specified amount for failure to comply with this requirement.

(6) Chapter 797 of the Statutes of 1980 repealed certain provisions relating to children residing in licensed children's institutions, and in other specified institutions, including provisions that were not related to special education for handicapped children.

This bill would, until June 30, 1982, generally reenact these provisions.

This bill would repeal the requirement that the Superintendent of Public Instruction reduce a school district's entitlement in the 1980–81 fiscal year by a specified amount if the school district fails to expend a specified amount in the 1980–81 fiscal year for certain programs involving the education of children in regularly established licensed children's institutions and in other specified institutions.

This bill would appropriate moneys for special education programs for pupils residing in licensed children's institutions and other specified institutions as part of the appropriation for state aid for special education.

(7) Chapter 797 of the Statutes of 1980 provided for the reduction of a school district's revenue limit by the amount of revenues received by the district in fiscal year 1977–78 from a permissive tax levied for the purpose of funding of development centers for handicapped pupils.

This bill would repeal this provision and would make alternative provisions for revenue limits and apportionments relating to development centers for handicapped pupils.

(8) This bill would appropriate $35,000 from the Federal Trust Fund for the 1980–81 fiscal year for career and vocational education programs and funding for individuals with exceptional needs.

(9) This bill would make adjustments in the appropriations required by Chapter 797 of the Statutes of 1980 by requiring the Controller, upon certification by the Superintendent of Public Instruction and approval by the Department of Finance, to transfer certain funds. These adjustments would affect state aid for education and district revenue limits

(10) ~~This bill would render inoperative Section 19.2 of the 1980/81 Budget Act (Ch. 510, Stats. 1980) and thereby provide a necessary "base" appropriation for certain urban impact aid appropriations.~~ [The Budget Act of 1980 (Ch. 510, Stats. 1980) prohibits the making of expenditures during the 1980–81 fiscal year pursuant to Section 85 of Chapter 323 of the Statutes of 1976. The provisions of Section 85 relate to annual appropriations and allocations of moneys for general aid to school districts, more commonly known as Urban Impact Aid.

This bill would render this prohibition inoperative and would thereby authorize the appropriation and allocation of $7,700,000 for the 1980–81 fiscal year for purposes of this aid]*

(11) This bill would, for the 1980–81 fiscal year, authorize reimbursement to school districts and offices of the county superintendent of schools, in an amount not to exceed $207,972, for costs incurred in contracting with sheltered workshops for specified occupational training programs

(12) This bill would reappropriate $381,500 of the funds appropriated to the Department of Education by Section 23 of Chapter 798 of the Statutes of 1980 to the Department of Social Services for specified purposes.

(13) This bill would incorporate changes in ~~Sections 41601, 42237, and 42238,~~ [Section 41601 of the]* Education Code, proposed by AB 2196 to be effective only if both this bill and AB 2196 are chaptered, and this bill is chaptered last.

[This bill would incorporate changes in Sections 42237 and 42238 of the Education Code, proposed by A B 2196 as amended July 11, 1980, to be effective only if both this bill and A B 2196 are chaptered, and this bill is chaptered last.]*

(14) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement ~~will be~~ [are]* supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitu-

tional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(15) This bill would take effect immediately as an urgency statute.

Ch. 1354 (AB 2196) Greene. Schools: public postsecondary education institutions. financial support

(1) Chapter 282 of the Statutes of 1979, as amended, provides revised methods of computing revenue limits of, and apportionments to, school districts and county superintendents of schools.

This bill would make various technical and other changes in these school finance provisions, such as those dealing with the definition of "miscellaneous funds," certain transportation costs, taxes for State Teachers' Retirement contributions, and regional occupational centers and programs. This bill would also prescribe a method for computing an adult education block entitlement to be included in the revenue limit.

(2) Existing law prescribes a method for computing the tuition charge the governing board of an elementary school district stituated within a high school district must pay to a high school district for the education of pupils attending a junior high school maintained by the high school district.

This bill would repeal those provisions and, instead, would prescribe a method for eliminating on a permanent basis any 7th and 8th grade units of average daily attendance earned from attendance in junior high schools of a high school district from the calculation of an elementary school district's revenue limit It would also prescribe a method for crediting such average daily attendance to the high school district educating such pupils for attendance and revenue limit purposes for the 1979–80 fiscal year and each fiscal year thereafter.

(3) Under existing law, the governing board of any school district may admit to the schools or classes maintained in the district any pupil who lives in another school district which maintains schools or classes of the grade levels which the pupil desires to attend. The average daily attendance resulting from an interdistrict attendance agreement generally is credited to the district in which the pupil lives for revenue limit purposes and the governing board of the district in which the pupil lives is to pay a tuition to the district of attendance.

This bill would repeal those provisions dealing with the funding of an interdistrict attendance agreement, and, instead, would provide with specified exceptions that the average daily attendance for attendance of pupils from another district is to be credited to the district of attendance for purposes of determining the revenue limit of, and the state apportionment for, a school district.

(4) Under current law, a section in the Education Code dealing with the so-called urban impact aid program is repealed by its own terms as of June 30, 1980.

This bill would reenact that section.

(5) Under existing law, funds of a school district derived from the receipt of property taxes or derived from moneys apportioned to the school district for the support of schools thereof, except state moneys appropriated for the support of child development services, fees, and federal funds, may not be expended for, or in connection with child development services.

This bill would delete language imposing that prohibition.

(6) Under existing law, the State of California is authorized only until June 30, 1980, to participate in the Compact for Education which establishes the Educational Commission of the States.

This bill would delete the repeal date for such authorization and would specify that for the 1980–81 fiscal year and each fiscal year thereafter, funding for the purpose of payment of annual dues for the support of the Educational Commission of the States shall be provided within the annual Budget Act appropriation to the Department of Education. It would also appropriate $49,500 to the Department of Education for such dues for the 1980–81 fiscal year.

(7) Under existing law, the Superintendent of Public Instruction is required to eliminate, as specified, accumulated surpluses in the county school service funds

This bill would repeal those provisions.

(8) Under existing law, there is in the state government the Educational Innovation

and Planning Commission

This bill would modify specific provisions regarding the composition, duties, and responsibilities of that commission.

(9) Under existing law, the term "nutritionally adequate breakfast or lunch" is defined for purposes of specific programs to insure that pupils receive proper nutrition.

This bill would redefine that term to mean a breakfast or lunch which qualifies for reimbursement under the federal child nutrition program regulations.

(10) Existing law provides, until September 1, 1981, for the establishment of demonstration programs for intensive instruction in reading and mathematics.

This bill would extend the operation of these provisions indefinitely.

(11) Under existing law, the Emergency School Classroom Law of 1979 authorizes the State Allocation Board, from funds appropriated to the State School Building Aid Fund for such purpose, to acquire portable classrooms for lease to qualifying school districts and county superintendents of schools.

This bill would appropriate $15,000,000 to the State School Building Aid Fund for purposes of the Emergency School Classroom Law of 1979.

(12) Existing law requires the governing board of any school district, prior to any sale or lease of, or any rental of any excess district property for a period exceeding 30 days, to appoint a district advisory committee to advise the board regarding the use or disposition of such property

This bill would delete the requirement with respect to the sale of any excess district property

(13) Under existing law, school districts which deposit a prescribed minimum amount of local funds into a district-deferred maintenance fund are entitled to a specified apportionment from the State School Deferred Maintenance Fund.

This bill would change the method of computing a district's maintenance of effort requirement.

(14) Under existing law, the Department of General Services receives a prescribed fee for reviewing school facility plans for school districts and community college districts

This bill would revise the method of determining the amount of the fee.

(15) Existing law provides that after a school district receives an apportionment pursuant to specific laws relating to the lease-purchase of school facilities, the city or county shall not be permitted thereafter to levy any fee on, or to require the dedication of any land by, a builder of residential developments.

This bill would make that prohibition apply one year after the receipt of those funds, with specified exceptions This bill would also define "interim facilities" for purposes of this law relating to the imposition of school facilities.

(16) Existing law, the so-called "Field Act", requires that certain community college buildings be constructed according to certain safety standards, and provides for the exclusion of certain buildings from the standards.

This bill would permit the Saddleback Community College District to use certain temporary use buildings until August 16, 1981, notwithstanding the "Field Act."

(17) Assembly Bill No. 3369 would make various changes in the law relating to pupil proficiency standards.

This bill would appropriate specified amounts for costs of funding the changes.††

(18) This bill would appropriate a maximum of $1,574,384 from the General Fund to the Superintendent of Public Instruction for allocation to the Antioch Unified School District for actual inspection and repair expenditures

(19) Existing law provides for the annual appropriation in the 1979–80 and 1980–81 fiscal years of $14,600,000 from the General Fund to Section A of the State School Fund for making revenue limit increases to specified school districts for certain transportation costs

This bill would increase the appropriation to $17,518,000 for the 1980–81 fiscal year.

(20) Current law provides for the allocation of state support for community college districts from Section B of the State School Fund for the 1980–81 fiscal year based on a calculation of actual district expenditures in the 1977–78 academic year, and a base amount per unit of average daily attendance as adjusted for various factors.

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††Appropriation in Section 67 5 of chapter deleted by action of the Governor

This bill would make technical substantive changes in these provisions

(21) Existing law places certain conditions on the receipt of apportionments and allowances to school districts from Section A of the State School Fund, including the maintenance of a proportional level of service in specified areas and programs.

This bill would delete and add certain areas and programs in that law, and would require that those programs be offered, instead of prescribing a certain level of service

(22) Existing law requires the Superintendent of Public Instruction to make allowances to school districts for maintaining adult education classes for prisoners

This bill would revise the method of computing those allowances, and, further, would appropriate from the General Fund to Section A of the State School Fund specified amounts for the 1980–81 fiscal year and each fiscal year thereafter for the purpose of funding those allowances.†

(23) The existing provisions of the California Constitution provide that taxes on property on the unsecured roll shall be levied at the rates for the preceding tax year upon property of the same kind on the secured roll. Article XIII A of the California Constitution became effective for the 1978–79 tax year and limited the maximum amount of ad valorem tax on real property to 1% of the full cash value of the property.

The California Supreme Court, in Board of Supervisors of San Diego County v Lonergan (L A. 31244, filed Aug 14, 1980), and Hanson v. County of Los Angeles (L.A. 31241, filed Aug 14, 1980), held that the provisions of Article XIII A are inapplicable to property on the unsecured roll for the tax year 1978–79.

This bill would provide that a local agency which applied the tax rate limitation of Article XIII A to property on the unsecured roll for the 1978–79 tax year shall not collect the tax at the higher rate for the 1978–79 tax year until July 1, 1981. It would toll any statute of limitations which may apply to the collection of the tax. The bill would also prohibit any local agency which applied a higher tax rate than that specified in Article XIII A on property on the unsecured roll for the 1978–79 tax year from expending the additional revenues collected at the higher rate during the 1980–81 fiscal year.

(24) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement are supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(25) This bill would take effect immediately as an urgency statute, and would specify that certain provisions shall be deemed operative for the entire 1979–80 fiscal year.

Ch 1355 (AB 295) Young. Franchises.

Existing provisions of state and federal law prohibit a petroleum franchisor from terminating, canceling or refusing to renew any existing franchise without good cause, as defined, but these provisions do not apply to franchises generally

This bill would apply to all franchises except petroleum franchises and new motor vehicle dealership franchises This bill would provide that a franchisor shall not cancel or terminate a franchise except for good cause, as defined. It would also prohibit a franchisor from failing to renew a franchise except in specified circumstances This bill would provide that in the event a franchisor terminates or fails to renew a franchise, the franchisor shall offer to purchase the franchisee's inventory

Under existing law, specified franchisors are exempted from the necessity of registering under the Franchise Investment Law if, among other things, the franchisor discloses in writing to each prospective franchisee, at least 48 hours prior to the execution of the franchise or prior to the receipt of any consideration, specified information. Franchisors registered under the law must also make a prospectus available to the prospective

†Appropriation and related language contained in Section 37 74 of chapter deleted by action of the Governor

franchisee within the foregoing time

This bill would instead require such disclosures to be made and such prospectus to be delivered 10 business days prior to execution of the franchise or receipt of consideration

Under existing law it is unlawful to solicit the agreement of a franchisee to a proposed material modification of an existing franchise without first delivering to the franchisee a written disclosure identifying the proposed modification 48 hours prior to the execution of the agreement

This bill would require the disclosure to be made 10 business days prior to the execution of the agreement

This bill would also provide that in a regional shopping center in a city of less than 60,000 population in a county of the first class, a franchise can be relocated within the center with the consent of the franchisee or franchisor and of the management of the center

This bill would take effect immediately as an urgency statute with all the provisions becoming operative January 1, 1981, except the provision concerning the relocation of a franchise within a regional shopping center, as specified.

Ch 1356 (AB 3228) Perino Fairs and exhibitions

(1) Under existing law, public agencies, as defined, may enter into joint powers agreements for various purposes Any entity provided for by a joint powers agreement may issue revenue bonds to pay the cost of acquiring or constructing a project if the entity has the power to construct, maintain, or operate projects specified in provisions of existing law, including an exhibition building or other place for holding fairs or exhibitions for the display of agricultural, livestock, industrial, or other products.

This bill would authorize public agencies to enter into a joint powers agreement for the purpose of creating a fair and exhibition authority, as defined, which would have the power to issue revenue bonds for financing projects at fairs. The bill would provide that the authorization of the parties to a fair and exhibition authority would not be required for the issuance of revenue bonds by the authority and that the revenue bonds may be sold at less than par if such a sale would result in more favorable terms for the bonds. The bill would authorize a fair and exhibition authority of which the Department of Food and Agriculture is a contracting party to contract with citrus fruit fairs for projects financed by the bonds. The bill would authorize a fair and exhibition authority of which a county contracting with a nonprofit corporation for conducting a fair is a contracting party to contract with the nonprofit corporation for projects financed by the bonds.

The bill would create the California Fair and Exposition Revenue Bond Advisory Commission consisting of 7 members. The commission would be given duties relating to revenue bonds of fair and exhibition authorities.

(2) This bill would also make additional amendments to Section 6571 of the Government Code, proposed by AB 3210, to become effective on January 1, 1981, if this bill and AB 3210 are both chaptered and this bill is chaptered last

(3) This bill would take effect immediately as an urgency statute

Ch 1357 (AB 1942) Knox. Federally insured student loans

Federal law establishes a guaranteed student loan program under which a state, or a nonprofit corporation approved by the state or a local agency may originate student loans, or purchase student loan notes from other lenders, the repayment of which may be insured by the federal government.

This bill would create the California Student Loan Authority, a public instrumentality, which would be empowered to issue tax exempt revenue bonds, in an initial amount of $150,000,000, and to purchase insured student loan notes from eligible lenders, as defined Such notes would constitute the principal security for bonds issued by the authority and the full faith and credit of the state would not be pledged for payment of the bond debt Any excess funds of the authority would be required to be deposited in the State Guaranteed Loan Reserve Fund

The California Student Loan Authority would be comprised of the State Treasurer, Controller, and Director of Finance The Directors of the California Postsecondary Education Commission and the Student Aid Commission would serve as ex officio nonvoting members of the authority The Loan Study Council, in an advisory capacity, would review the authority's operations and make recommendations to it The authority

would be empowered to appoint an executive director and to employ staff.

The bill would require the Student Aid Commission, prior to March 31, 1983, to submit to the Legislature a recommendation as to the advisability of expanding the authority's functions to include direct lending to students.

The bill would require an annual financial audit of the authority's books, and would require the authority to submit annual specified reports to the Legislature

Ch. 1358 (AB 74) Lockyer Industrial development financing authority.

Existing law contains no provisions for the issuance of industrial development revenue bonds.

This bill would enact the California Industrial Development Financing Act which would provide cities and counties with authority to pass an ordinance establishing industrial development authorities which would be empowered to issue industrial development revenue bonds under terms and conditions specified in the act The proceeds of the bonds would be used to fund capital projects of private enterprise on favorable terms to assist in the economic development of the state and its citizens. Each authority would function under a board of directors, whose members would either be the governing body of the city or county or persons appointed by them

The bill would also create the California Industrial Development Financing Advisory Commission and prescribe its membership and duties.

This bill would also amend existing law to make the bonds issued pursuant to this act legal investments for insurance companies and other entities

~~Under existing law a local agency must give written consent for a financial or securities consultant acting in an advisory capacity to the agency to also act as an underwriter on the sale of certain securities.~~

~~This bill would delete that requirement.~~

Sections 2229 and 2230 of the Revenue and Taxation Code require the Legislature to reimburse local agencies for revenues lost because of an exemption from property taxes and sales or use taxes enacted by the Legislature

This bill would provide for no appropriation for these purposes, notwithstanding Sections 2229 and 2230 of the Revenue and Taxation Code, and would disclaim any obligation to reimburse local agencies for any revenues lost because of this act.

Ch. 1359 (AB 3237) Bosco. County general plans: local coastal programs.

(1) Under existing law, counties are required, under specified conditions, to adopt general plans in order to facilitate land use planning in the unincorporated territory of the county, and when the county includes areas in the coastal zone, as defined, to obtain certification from the California Coastal Commission of local coastal programs If a local coastal program is not certified by a designated date, the commission is required to administer the planning provisions of the Coastal Act of 1976 including regulation of development within the coastal zone.

Certain coastal counties are subject to court orders to revise their general plans. This bill would require those coastal counties to adopt general plans for all areas of their counties not within the coastal zone, not later than May 1, 1981, and countywide general plans by July 1, 1981, with both plans meeting the requirements of existing law

(2) This bill would become effective immediately as an urgency statute.

Ch 1360 (AB 2216) Frazee. Coastal zone boundary· City of San Diego.

Under existing law, the areas included within the coastal zone for purposes of the California Coastal Act of 1976 are shown on maps filed with the Secretary of State and on detailed maps adopted by the California Coastal Commission on prescribed dates pursuant to designated provisions.

This bill would exclude approximately 1,400 acres in the Carmel Valley area in the City of San Diego, as shown on Map 33, filed with the Secretary of State on January 23, 1980, from the coastal zone after the city submits and the commission certifies a prescribed drainage and transportation plan for the area that the city shall implement and enforce. It would provide for review and processing of any amendments or changes to a prescribed land use plan for the area that affects drainage or to either the certified drainage or transportation plan.

The bill would take effect immediately as an urgency statute

Ch. 1361 (AB 2025) Statham. Courts: compensation

(1) Existing law specifies the compensation of court reporters in superior courts, but authorizes the Board of Supervisors in San Joaquin and Siskiyou Counties to prescribe a higher rate of compensation

This bill would raise the salaries of superior court reporters in Butte County, would set a higher rate for all court reporters in Monterey, Calaveras, and Sierra Counties, and would authorize the Board of Supervisors of Napa County, Nevada County, Placer County, Trinity County or Tehama County to prescribe a higher rate of compensation for superior court reporters.

(2) Existing law specifies the compensation and mileage for trial jurors and members of the grand jury, but authorizes higher rates to be set by the board of supervisors in specified instances.

This bill would repeal certain provisions specifying such compensation and mileage and instead authorize the board of supervisors of each county to prescribe the compensation and mileage for members of the grand jury in that county, except as otherwise provided by law. This bill also generally authorizes a county to set a higher rate of compensation and mileage for trial jurors in criminal cases than that specified under existing law The bill would also repeal and reenact provisions relating to the compensation of court reporters and witnesses in Tuolumne County.

(3) Existing law requires the Judicial Council to maintain records on the activities of court reporters in certain counties, and report thereon to the Legislature.

This bill would add Monterey County and Tehama County to the counties involved, unless another bill is enacted, as specified.

The bill also makes certain findings declaring that the subject of the bill requires legislative action affecting Monterey County and Tehama County, and would make such provisions of the bill inseverable, unless another bill is enacted, as specified.

(4) Existing law specifies the compensation of municipal court personnel in Butte County.

This bill would revise the compensation of municipal court personnel in Butte County.

(5) Chapter 829 of the Statutes of 1980 revises the compensation of marshals in San Joaquin County.

This bill would further revise such compensation.

(6) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1362 (AB 894) Naylor Courts.

Existing law requires a special filing fee of $11.50 in specified civil proceedings in the Superior Court in San Mateo County.

This bill would increase such fee to $20.

This bill would also provide for a filing fee of $20 in specified actions and proceedings, contingent upon SB 109 being chaptered and becoming operative.

Ch. 1363 (SB 1674) Wilson. State Bar of California

Under existing law the State Bar is authorized to charge an annual membership fee, based on the number of years of bar admission, ranging from $50 to $125. Under existing law there are four levels of membership fees within such range The same statute also provides that until December 31, 1981, the State Bar is also authorized to increase such fee by a maximum of $10 for specified purposes Existing law also creates a Special Legislative Investigating Committee on the State Bar to review and make recommendations regarding the scope, efficacy, and economy of the State Bar's activities The provisions relating to membership fees and the establishment of the committee are effective only until January 1, 1981.

This bill would instead provide, until January 1, 1982, for two levels of membership fees, a maximum of $130 for members who have been admitted to the practice of law for 3 years or longer and a maximum of $75 for members who have been admitted less

than 3 years; and would extend the effective dates of the authorization to increase the membership fee by a maximum of $10 and the provision relating to the establishment of the committee, until December 31, 1982, and January 1, 1982, respectively.

Ch. 1364 (SB 1917) Rains. Embarcadero Municipal Improvement District.

(1) Existing law provides for the Embarcadero Municipal Improvement District of specified territory in Santa Barbara County, governed by an appointed board of directors, and authorized to exercise specified powers. Existing law requires specified county officers to be officers of such district, ex officio.

This bill would also make the County Counsel and the District Attorney of Santa Barbara County officers of such district, ex officio, and would reduce the amount of the required bond for the finance officer from $250,000 to $50,000.

The bill would, in addition to existing powers of the district, authorize the Embarcadero Municipal Improvement District to establish the Embarcadero Architectural Committee, members of which are appointed by the board of directors of the district for specified terms, for the purpose of regulating animal control and enforcing covenants, conditions, and restrictions relating to a specified portion of the district. This bill would also permit the committee to impose and collect fees for services rendered

(2) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason

Ch. 1365 (SB 109) Johnson. Courts: fees

Existing law specifies various filing fees, appearance fees, and reporting fees with respect to municipal courts and superior courts.

This bill would revise such fees, as specified, contingent upon the chaptering of AB 2361.

Ch. 1366 (SB 1405) Keene Courts.

(1) Existing law specifies the employee benefits of court reporters in Humboldt County.

This bill would authorize additional employee benefits for regular court reporters of the superior court in Humboldt County.

(2) Existing law specifies the fees for civil cases, and the per diem for court reporters, in the superior court in Marin County and in Orange County.

This bill would provide an additional fee for civil cases lasting longer than 5 judicial days in the superior court in Marin County and in Orange County.

(3) Existing law authorizes an additional filing fee for the filing of the first paper in a civil action in Marin County of $6.50 to help defray reporting costs

This bill would increase such fee to $12.50 The bill would make additional changes to such provision, contingent upon the enactment of AB 2361, as specified.

(4) Existing law provides for reimbursement to counties by the Department of Corrections for costs related to trials of prisoners for crimes committed in state prison

This bill would specify that such costs shall include those for court hearings as well as trials.

(5) Under existing law, unless a will provides for a requirement of a probate bond, the court may direct that no bond be filed or that it be filed in reduced amount, if a verified petition for letters testamentary or of administration alleges that the petitioner is the sole beneficiary or the sole heir.

This bill would instead require the court to waive such bond if the verified petition alleges that all beneficiaries or that all heirs have waived the filing of a bond

Ch. 1367 (AB 2977) Perino. Public safety officers

Existing law makes it unlawful for any local public safety department to deny or refuse

to any local public safety officer the rights and protections of the act, gives the superior court initial jurisdiction over any proceeding by a local public safety officer against a local public safety department for violations of such rights, and also permits the superior court to grant appropriate injunctive or other extraordinary relief to remedy violations and to prevent future violations with regard to local public safety officers

This bill would extend such provisions to state public safety officers as well as local public safety officers

Ch 1368 (SB 1990) Dills Alcoholic beverages.

Existing statutory law contains provisions relating to alcoholic beverage and wine fair trade contracts and price posting

This bill would specifically delete such provisions from existing statutory law, and would reenact provisions contained in the wine fair trading contracts and price posting statutes that regulate wine sales following the return of wine by a wine retailer to a wine seller

Ch 1369 (SB 1789) Ayala Schools: financial support

Under existing law, a school district with an increase in the number of units of average daily attendance from the second principal apportionment to the annual apportionment is authorized to request the county superintendent of schools to adjust the district's revenue limit or block grant by utilizing the units of average daily attendance for the annual apportionment in lieu of the units of average daily attendance for the second principal apportionment. To qualify for this adjustment, the increase in the units of average daily attendance between the two periods must be equal to or greater than 2% and such increase must be attributable to pupils of migrant agricultural workers

This bill would make a similar adjustment applicable, commencing with the 1979–80 fiscal year, for an increase or decrease in the units of average daily attendance attributable to pupils attending a necessary small high school which provides a program of education with individualized instruction in a residential setting at an institution for pupils who have been placed in foster care for rehabilitation purposes

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act because self-financing authority is provided, as specified

This bill would take effect immediately as an urgency statute

Ch 1370 (AB 203) Levine Victims of crimes

Existing law provides financial assistance to victims of crimes of violence if they suffer serious financial hardship in an amount of more than $100 or 20% or more of the victim's net monthly income, whichever is less

This bill would establish an emergency award procedure for victims of violent crimes which would be terminated on December 31, 1981, as specified It would also require the State Board of Control to hold hearings on the applications of the victims of crimes of violence in locations and at times it deems necessary, require the board to brief claimants on its rules, regulations and procedures prior to the start of its hearings, authorize specified increases in the amounts of assistance given to victims if federal funds are available, allow the state to be entitled to a lien on the judgment, award, or settlement recovered in a civil action on behalf of the victim, allow the board to compromise or settle and release any lien, as specified, would require law enforcement agencies to cooperate with the board in providing information regarding the crime, as specified, would allow the Workers' Compensation Appeals Board to allow as a lien against any compensation paid the amount of indemnification a victim may have received, and increase the amount that may be received by private citizens who attempt to prevent a crime of violence and who incur property damage, from $5,000 to $10,000

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require

the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. These statutory provisions will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980.

This bill provides that no appropriation is made and no reimbursement is required by this act for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1371 (AB 2706) Bane Coastal zone· development permits; public access

The California Coastal Act of 1976, generally, requires any person who is to perform or undertake any development within the coastal zone, as defined, to obtain a coastal development permit authorizing such a development which must be in conformity with designated coastal resources planning and management policies provisions. Such policies require, with prescribed exceptions, that designated public access be provided in new development projects The act requires a coastal development permit or any development or action on appeal to be subject to reasonable terms and conditions to ensure that such development or action will be in accordance with the act.

This bill would provide for the conveyance of specified easements in the unincorporated area of Sonoma County, commonly known as the Sea Ranch to the State Coastal Conservancy under prescribed terms and conditions. It would exempt from the permit requirements of the act the construction of any single-family residence dwelling within such an area on any vacant, legal lot existing on the effective date of the provisions of this bill. As to any other development, within such an area, for which a permit is required under the act, this bill would provide that no conditions may be imposed pursuant to the act that impose additional public access requirements or that relate to supplemental water supply facilities, septic tank systems, or internal road realignment. It would provide that, if on July 1, 1981, deeds and other necessary documents that are legally sufficient to convey the specified easements have not been deposited in an escrow account, such provisions of the bill shall no longer be operative and have no force or effect.

The bill would reappropriate a specified $500,000 appropriation for Salt Point State Park—land acquisition to the State Coastal Conservancy for purposes of carrying out the provisions of this bill. It would provide that such appropriation shall be available for encumbrance until July 1, 1981, and, if by that date the deeds and other necessary documents that are legally sufficient to convey the specified easements have not been deposited in escrow, as prescribed, such appropriated money shall revert to the Energy and Resources Fund.

The bill would provide that local governments would be reimbursed pursuant to designated provisions of the California Coastal Act of 1976 for costs that may be incurred by them in carrying out any program or performing any service required by the bill

The bill would take effect immediately as an urgency statute

Ch. 1372 (AB 2361) Frazee Courts: fees

Existing law establishes various fees in civil actions

This bill would revise such fees, eliminating some fees, increasing the amounts of some fees, reducing the amounts of some fees, providing for waiver or refund of such fees in certain instances, providing in some instances for fees to be set by the county board of supervisors, and providing in some instances for automatic fee increases based on the California Consumer Price Index.

Ch 1373 (AB 3043) Vasconcellos Special education

(1) Existing law establishes a system for the provision of education and related services to children who are individuals with exceptional needs, as defined Such system includes the provision of specified procedural safeguards; the development, review, and revision of the individual's individualized education program, and a procedure for the resolution of complaints

This bill would specify that such safeguards apply to all education and related services provided to children who are individuals with exceptional needs, as defined, whether

or not such education and services are provided by educational or noneducational agencies, and would specify that an expeditious and effective complaint process, as specified, be implemented

(2) Existing law does not provide for the provision of a copy of the individualized education program to the individual's regular class teacher, special education teacher, and other persons who provide special education and related services to the individual.

This bill would require school districts, special education service regions, and county offices of education, as defined, to ensure the provision of the individualized education program to these persons.

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement. The statutory provisions requiring reimbursement will be supplemented by a constitutional requirement of reimbursement effective for statutes enacted on or after July 1, 1980

This bill provides that no appropriation is made by this act pursuant to the constitutional mandate or Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 1374 (SB 1513) Dills Community colleges· credential fees

Under current law, the Board of Governors of the California Community Colleges are required to levy fees, not to exceed $20, for the issuance and renewal of teaching and related credentials The fees are deposited in the Community College Credentials Fund, which is a continuously appropriated fund. Current law also provides that the levy of such fees shall be sufficient to offset the cost of all activities of the board of governors, including the committee of credentials and any services provided by the Department of Education.

This bill would require the board of governors to levy such fee for the issuance and renewal of teaching and related credentials, and the fingerprint investigative check conducted by the Department of Justice The bill would limit the maximum amount of such fees to $30 until January 1, 1982, and specifically would require this fund to be used for the credentialing related activities of the board. On and after January 1, 1982, the maximum amount of such fees would be $20.

This bill would take effect immediately as an urgency statute.

Ch 1375 (SB 1737) Petris Victims of crimes.

Existing law provides for financial assistance to victims of a crime of violence who, as a direct result of a crime suffer pecuniary loss which they are unable to recoup without suffering serious financial hardship, as specified.

This bill would revise the definition of "victim" for purposes of such assistance, and would include persons who suffer emotional injury, as specified It would define the term serious financial hardship It would also include within the meaning of pecuniary loss, psychiatric or psychological expenses, eyeglasses, hearing aids, dentures, or other prosthetic devices, as specified, and nonmedical remedial care and treatment rendered in accordance with a religious method of healing recognized by state law. Pecuniary loss would also include the amount of medical or medically related expenses which may include psychological or psychiatric expenses incurred by any person whose treatment or presence during treatment of the victim is medically required

Existing law limits the amount of a pecuniary loss to more than $100 or equal to 20% or more of the victim's net monthly income, whichever is less

This bill would provide that the $100 limit would not apply to those persons on fixed incomes from retirement or disability who are applying for assistance

Existing law requires the State Board of Control to supply and make available, applications for financial assistance

This bill would require the board to print the forms in an easily understood fashion and to include a brochure with each application, explaining to a prospective applicant the eligibility of an applicant, types of claims covered, the evaluation procedure used, and other information deemed necessary by the board It would also provide for a Victim

Compensation Form Committee, as specified.

Ch 1376 (AB 2647) Young. Loans. personal property brokers

Under existing law, as an alternative to varying interest rates based upon the amount of the unpaid principal balance of a loan, a personal property broker may contract for and receive charges at a rate not exceeding 1½% per month.

This bill would instead permit personal property brokers, to receive charges at a rate not exceeding 1.6% per month on the unpaid principal balance.

The bill would take effect immediately as an urgency statute

Ch. 1377 (AB 3482) Rosenthal. Drunk driver warning system

Existing law requires the suspension of the driving privilege for at least one year, with certain exceptions, including court-approved participation in a treatment program, of a person convicted of second drunk driving offense.

Based upon certain legislative findings and declarations, this bill would authorize Systems Technology, Inc., for the purposes of completing its contract with the U S Department of Transportation for the period ending January 1982, to employ a rigorous experimental design testing the utility of the Drunk Driver Warning System for deterring drunk driving trips among persons convicted of a second drunk driving charge, on no more than 24 subjects in Los Angeles County who have been convicted of a second offense of driving under the influence of alcohol, and whom the municipal courts within Los Angeles County, in conjunction with Systems Technology, Inc , determine are eligible to participate in the research project.

The bill would provide exemptions from mandatory procedures for second drunk driving offenders and from experimental equipment permit provisions under current law. The bill would be operative only until January 1, 1983, unless a later enacted statute deletes or extends such date

Ch. 1378 (SB 1904) Marks. High rise structures· fire protection

Existing law requires all existing high rise structures, as defined, to conform to specified building standards and other regulations providing, to the greatest feasible extent, for the safety of occupants and persons involved in fire suppression activities on or before April 26, 1979.

Existing law also authorizes, on showing of good cause, an extension of such conformance period for 2 additional years after approval, if a specified plan of correction is submitted and approved by the enforcing agency having jurisdiction by April 26, 1979

This bill would exempt from such provisions those structures made with reinforced concrete used solely for residential purposes containing 12 or fewer owner-occupied dwelling units which have at least 2 exits and are located in a city and county

Ch. 1379 (AB 2931) Harris Criminal procedure probable cause.

Existing law authorizes the magistrate in misdemeanor cases to ascertain the gravity of the offense committed, in case the defendant may be held to answer for a higher offense. Existing law does not specifically provide for a determination in misdemeanor cases, prior to the filing of an information, of whether there is probable cause to believe that a public offense has been committed and that the defendant is guilty thereof

This bill would provide procedures for such a determination by the magistrate at the time of arraignment, and would make 2 dismissals based upon lack of probable cause a bar to further prosecution.

Existing law makes provision for the continuation of a trial in both felony and misdemeanor cases, as specified, if the defendant has voluntarily absented himself

This bill would, under specified conditions, provide for the continuation of a preliminary hearing in the absence of the defendant

Ch 1380 (AB 3393) Young Regulated transactions

Under existing provisions of law relating to retail installment sales, "services" is defined, among other things, as including services furnished in connection with the repair of a motor vehicle.

This bill would exclude from the foregoing definition service contracts, as defined

"Finance charge," for the purpose of the provisions governing retail installment sales, is defined as the amount which the retail buyer contracts to pay or pays for the privilege

of purchasing goods or services on installments, and excludes specified items. For the purposes of the Automobile Sales Finance Act, "finance charge" is defined as any amount which the buyer agrees to pay to the seller in excess of the unpaid balance of the contract

This bill would additionally exclude from the definition governing retail installment sales, extension or deferral charges, amounts for insurance, repairs to or for preservation of the goods, or the holder's security interest in the goods, and would similarly exclude these items from the definition contained in the Automobile Sales Finance Act

Under existing law, every retail installment contract or automobile sales finance contract which includes a finance charge which is determined on the precomputed basis or a finance charge determined on the simple-interest basis must contain a specified notice.

This bill would provide for an additional form of a notice to be used if the finance charge is precomputed and provides for the actuarial method for computing the unearned portion of the finance charge upon prepayment in full.

A contract governed by the provisions on retail installment sales or automobile sales finance under existing law must contain, among other things, the amount of the buyer's downpayment

This bill would specify that the amount of the downpayment shall not include any administrative finance charge, as defined

Under existing law, the holder of a retail installment contract may, upon agreement with the buyer, extend a contract or defer the payment of an installment or installments, and may charge for the same at a rate not exceeding 1% per month simple interest

This bill would make the foregoing charge applicable to contracts including a finance charge on the precomputed basis, and with respect to contracts including a finance charge determined on the simple-interest basis, would permit the holder to collect an extension or deferral charge not exceeding the lesser of $25 or 10% of the unpaid balance of the contract

The bill would also add similar provisions to the Automobile Sales Finance Act.

Under existing provisions of the Automobile Sales Finance Act, the buyer may pay at any time before maturity the entire indebtedness without penalty and with respect to precomputed finance charges may be entitled to a refund of unearned finance charges

This bill would require the outstanding obligation of the buyer to be computed in accordance with the rules governing prepayment whenever the indebtedness created by the contract is satisfied prior to its maturity through surrender, repossession, or redemption of the motor vehicle or any judgment

If the holder of an automobile sales finance contract advances money for repairs of a motor vehicle in the case of a buyer's default, no provision specifically permits him to subject such advances to finance charges or states that such advances are secured by the vehicle

This bill would make such advances subject to finance charges and provide that the charges are secured by the vehicle

Under existing law, every retail installment contract which provides for a security interest in goods must contain the words "Security Agreement" or "Lien Contract" at the top of the contract in 10-point bold type

This bill would eliminate the use of "Lien Contract" and would also require "Security Agreement" to be in 12-point bold type

Existing law relating to retail installment sales and automobile sales limits the amount of charges that may be made for each installment in default

This bill would provide that payments timely received by the seller under a written extension or deferral agreement shall not be subject to any delinquency charge

This bill would also incorporate additional changes in Section 1805.1 of the Civil Code, to be effective only if AB 3371 and this bill are both chaptered and this bill is chaptered last

This bill would also incorporate additional changes in Section 2982 of the Civil Code, to be effective only if AB 2915 also amends that section, is chaptered, and this bill is chaptered last

The bill would take effect immediately as an urgency statute

Ch. 1381 (AB 3371) Young. Retail installment contracts and accounts.

Under existing law, if the finance charge on a retail installment contract is determined by the precomputed basis, the finance charge may not exceed ⅚ of 1% on the portion of the balance less than $1,000 plus ⅔ of 1% on the portion of the balance in excess of $1,000.

This bill would raise the permissible amount of such finance charges to 1 1/12 of 1% of the unpaid balance as to the portion of the unpaid balance which is less than $1,000

Under existing law, the seller or holder of a retail installment account may charge 1½% on so much of the outstanding balance as does not exceed $1,000, and 1% on the excess over $1,000.

This bill would raise the limit on finance charges to 1 6% of the outstanding balance that does not exceed $1,000

Such increases in limits on finance charges for retail installment contracts and retail installment accounts would remain in effect until March 31, 1982, and on April 1, 1982, the current limits would be reinstated.

This bill would also incorporate additional changes in Section 1805.1 of the Civil Code, to become operative only if AB 3393 and this bill are both chaptered and this bill is chaptered last.

This bill would also create a retail credit advisory committee, to consist of specified persons appointed by the Governor.

DIGESTS OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED IN 1980

1979–80 REGULAR SESSION

RESOLUTION CHAPTERS

Res. Ch. 1 (ACA 46) Hayes. Energy: alternative sources· financing of facilities.

The California Constitution prohibits the Legislature from lending of credit of the state or of any county, city and county, city, township or political corporation or subdivision of the state, or the making of a gift of public money or thing of value, to any person, association, or corporation. The California Constitution requires each measure providing for the preparation, issuance, and sale of bonds of the State of California to be submitted to the electors

This measure would authorize the Legislature to provide for the issuance of revenue bonds for financing the acquisition, construction, and installation of alternative energy source facilities The measure would authorize the Legislature to prohibit or limit any proposed issuance of such revenue bonds by means of a resolution adopted by both houses

Res. Ch. 2 (ACR 72) Young Arlington National Cemetery. medal of valor.

This measure would request the Governor and a Member of the Legislature to present a medal of valor to the Superintendent of Arlington National Cemetery in honor of deceased California veterans.

Res. Ch. 3 (SCR 51) Beverly Vincent Thomas

This measure would express the California State Legislature's deepest sympathy at the passing of their former colleague and good friend, Vincent Thomas, and memorialize his superior record of personal and professional achievement on behalf of the State of California, and in particular the 52nd Assembly District and his fellow citizens, as well as the love and devotion he displayed on behalf of his family and friends

Res. Ch 4 (SCR 43) Holmdahl Joint Committee on the State's Economy

This measure would continue the existence of the Joint Committee on the State's Economy through January 31, 1981, and would specify that the committee may establish advisory committees to provide advice and input

Res Ch 5 (ACR 91) Kapiloff San Diego-Coronado Bridge.

This measure would request the Department of Transportation to permit the use of the San Diego-Coronado Bridge as a part of the course for a bicycle ride on February 24, 1980, sponsored by the San Diego Council American Youth Hostels, Inc , if the department is requested to do so by the Cities of San Diego and Coronado in accordance with specified provisions of the Vehicle Code

Res. Ch. 6 (SCR 40) Garamendi. Primary health service hospitals federal exemptions.

This measure would declare the Legislature's support for the application of the State Department of Health Services filed pursuant to Chapter 1332 of the Statutes of the 1978 (SB 1814), for a waiver of federal regulations to permit implementation of that bill and consequent diversification of the role of the state's small rural hospitals

Res Ch. 7 (SCR 49) Campbell. Canadian Government.

This measure would express the Legislature's commendation and appreciation, on behalf of the citizens of California, to the Government of Canada for their action in assisting 6 American Embassy personnel to escape from Iran

Res Ch 8 (ACR 62) N Waters State park system pest infested trees

This measure would direct the Department of Parks and Recreation to implement, in cooperation with the Department of Forestry, a program for removal of bark beetle (Ips spp) infested trees within units of the state park system

Res Ch 9 (ACR 92) Rosenthal State highways. Marina Freeway temporary closure

This measure would request the Department of Transportation to close the Marina Freeway (State Highway Route 90) from the Slauson on ramp to the Lincoln Boulevard on ramp in one direction only on Sunday, March 9, 1980, between the hours of 8·00 a m and 10 00 a m for the purpose of the running of Southern California's Second Urban

Forest Run

Res. Ch 10 (ACA 30) Boatwright Taxation insurers

The existing Constitution does not authorize the creation of insurance guarantee funds or associations for the purpose of paying claims against insolvent insurers, nor does it permit a deductible offset of contributions by insurers against the annual gross premium tax

This measure would amend Section 28 of Article XIII to authorize such action by the Legislature

Res Ch 11 (ACR 98) Papan. Plastic pipe

This measure would request the Commission of Housing and Community Development to halt current moves to alter building standards to allow extensive use of plastic pipes until it receives a documented, written report including a consideration of specified matters from the Toxic Substance Alert System of the State Department of Health Services and a documented written report of specified content from the State Fire Marshal

Res Ch 12 (SCR 56) Mills Joint Rules· legislative calendar and deadlines

The Joint Rules currently provide a legislative calendar and a schedule of deadlines applicable to consideration of bills by committees

This measure would change the period of the 1980 Summer Recess from July 3 - August 4 to July 11 - August 18

The measure would also revise the committee deadlines in 1980, generally to move forward the dates by which committees will be required to have considered "policy" and "fiscal" bills. The measure would also permit fiscal committees to meet and act upon bills during the 1980 Summer Recess.

Res Ch 13 (SCR 45) Briggs. Edward Craig

Memorializes the death of Edward "Ted" Craig, former Speaker of the Assembly

Res. Ch 14 (ACR 85) Leonard Yucaipa Regional Park. Holden Lake

This measure would request the County of San Bernardino and the San Bernardino Valley Municipal Water District to honor the memory of James A. Holden by naming a water storage and recreational lake of the Yucaipa Regional Park as Holden Lake

Res. Ch 15 (ACR 108) Fenton. Ford Motor Company.

This measure would urge the Ford Motor Company to reconsider its decision to close its Pico Rivera Assembly Plant and to retool for the manufacture of a smaller automobile.

Res. Ch. 16 (AJR 53) Filante Federal income taxes

This measure memorializes the President and the Congress of the United States to provide for the annual recomputation of federal income taxes and adjustment of such taxes according to the rate of inflation

Res Ch 17 (AJR 76) Bosco Salmon fisheries

This measure would memorialize the Secretary of Commerce to reject the Pacific Regional Fishery Management Council's proposed 1980 salmon regulations for California and to adopt instead regulations that reflect a balance between economic and biological needs and which would protect both the salmon resource and the fishermen and industries dependent upon that resource

Res Ch 18 (ACR 130) Fenton State Day of Remembrance

Designates April 24, 1980, as "State Day of Remembrance" and requests the Governor to issue a proclamation calling upon the people of the State of California to observe such day, as described

Res Ch 19 (AJR 59) Vicencia Azorean earthquake

This measure memorializes the President and the Congress of the United States and the Department of State and the Immigration and Naturalization Service to remove immigration quota restrictions for victims of the Azorean earthquake on a temporary basis

Res. Ch. 20 (AJR 62) Perino Senior citizens commemorative stamp.

Expresses support of Congressman Claude Pepper in his efforts to bring about the issuance of a commemorative stamp honoring senior citizens in May 1981, and urges the United States Postmaster General to issue such a stamp

Res. Ch 21 (SCR 36) Carpenter Allocation of Title XX funds.

This measure would request the President and Congress of the United States to take necessary action to increase the permanent federal expenditure augmentation of funds allocated pursuant to Title XX (42 U S.C A 1397) and would request the Director of Social Services to work with the Director of Finance and the California Welfare Directors Association to devise a formula for the equitable allocation of any additional federal funds granted to the states by Title XX for local social services programs

Res Ch 22 (SCR 69) Roberti California Small Business Week

This measure would request Governor Brown to proclaim the week of May 11, 1980, as California Small Business Week, in conjunction with the federal proclamation thereof

Res. Ch 23 (AJR 55) Statham Federal fuel tax.

This measure memorializes Congress to return to the states revenues derived from the federal tax on fuel used to power motorboats.

Res Ch. 24 (ACR 101) McAlister California Law Revision Commission

Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature

This resolution would authorize the commission to continue its study of numerous, specified topics which the Legislature has previously authorized or directed the commission to study

Res. Ch. 25 (ACR 142) Felando Senior citizens

This measure would designate May 1980 as Older Americans Month

Res Ch 26 (AJR 50) N. Waters California wine industry

This measure would memorialize the President of the United States to direct various overseas governmental employees to serve California and American wines at official functions It would also request Congress and the President to investigate tariff structures with respect to the free flow of wine in the world and urge the President to take action to assure reciprocity if trade barriers are not removed

Res Ch 27 (AJR 61) Ryan Fireworks. ban on firecrackers and bottle rockets

This measure would memorialize Congress to ban the sale and use of bottle rockets and firecrackers in the United States

Res. Ch 28 (AJR 66) Kelley Santa Margarita Project

This measure would memorialize the President and the Congress to authorize the construction of the Santa Margarita Project in northern San Diego County and to provide the initial funding for the project

Res Ch 29 (ACR 146) Young Disneyland

This measure would honor the memory of Walt Disney upon the occasion of the 25th Anniversary of Disneyland

Res Ch 30 (ACR 105) Vicencia Public notice of proposed regulatory actions

The Administrative Code Notice Supplement is published by the Office of Administrative Hearings

This measure would provide that the Legislative Bill Room and the Office of Administrative Hearings take action on or before May 1, 1980, to provide for distribution of the Notice Supplement through the bill room

Res Ch 31 (ACR 106) Mori. Joint Legislative Audit Committee. appropriation
This measure would make $4,698,500 available from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee

Res Ch 32 (AJR 58) N Waters New Melones Dam
This measure would memorialize the Secretary of the Interior to proceed to fill the New Melones Reservoir to its maximum operating capacity

Res Ch 33 (AJR 56) Bannai Japanese internment commission.
This measure would express support for federal legislation which would establish a commission to study the evacuation of persons of Japanese ancestry from the West Coast in 1942

Res Ch 34 (ACR 109) Agnos San Francisco-Oakland Bay Bridge other bridges. temporary closure
This measure would request the Department of Transportation to authorize the closure of necessary lanes of the upper level of the San Francisco-Oakland Bay Bridge on a date established by the Bay Area Bicycle Action Council for a bicycle ride across the bridge as part of the Bay Area Bicycle Action Day
The measure would request the department to report to the Legislature not later than October 1, 1980, on the impact of this and other similar bridge closures

Res. Ch 35 (SCR 71) Stiern Joint Legislative Budget Committee
This measure would allocate $4,100,000 from the Contingent Funds of the Assembly and Senate for payment of the expenses incurred by the Joint Legislative Budget Committee

Res Ch 36 (SJR 37) Petris The Olympic Games
This measure would memorialize the International Olympic Committee and the United States Olympic Committee to give favorable consideration to the invitation of the Prime Minister of Greece to move the Summer Olympics permanently to Olympia, Greece, commencing with the Summer Olympics of 1988

Res Ch 37 (ACR 107) McAlister California Law Revision Commission
Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature
This resolution would authorize the commission to study four new topics providing a summary procedure for removing doubtful or invalid liens on property; revising the Probate Code, simplifying and unifying the law governing special assessments for public improvements, and revising the law relating to pleadings in civil actions and proceedings

Res Ch 38 (ACR 110) Hannigan Awards made to state employees
Existing law provides that awards may be made to state employees in excess of one thousand dollars ($1,000) when such awards are approved by concurrent resolution of the Legislature
The measure authorizes additional awards to specified state employees

Res Ch 39 (AJR 71) Rosenthal Medicare and Medicaid
This measure would memorialize the President and the Congress to amend the Social Security Act to include adult day health care centers within the definition of "provider of services" for purposes of Medicare and Medicaid

Res Ch 40 (SJR 30) Watson Elementary school guidance and counseling programs
This measure would memorialize the Congress to adopt federal legislation which would provide for comprehensive elementary school guidance and counseling programs

Res. Ch. 41 (SCR 76) Roberti Small business

This measure acknowledges the importance of the White House Conference on Small Business, and encourages the delegates of the conference and the State of California to hold a state conference on small business

Res. Ch 42 (AJR 64) Bosco Six Rivers National Forest

This measure would urge the Secretary of Agriculture and the Regional Forester of the Pacific Southwest Region of the United States Forest Service to take steps to assure that approximately 120 million board feet of timber in 1980 and approximately 147 million board feet of timber in 1981 from the Six Rivers National Forest are offered for sale, concurrently with the completion of the land and resource management plan for that forest

Res Ch 43 (SCA 26) Craven Property tax limitation

Existing constitutional law limits ad valorem property taxes to 1% of the full cash value of the property, except for property taxes to pay the interest and redemption charges on indebtedness approved by the voters prior to July 1, 1978

This measure would also provide an exception from the property tax limitation for interest and redemption charges on indebtedness, for the acquisition of real property, the improvements thereon, or the acquisition of tangible personal property necessary to the use of such real property, approved by ⅔ of the voters voting on the proposition on and after July 1, 1978

The measure also excepts taxes or special assessments to pay the interest and redemption charges on any indebtedness issued in accordance with law to refund any of the foregoing

Res Ch 44 (SJR 33) Johnson Pesticides exposure farmworkers

This measure requests the National Center for Health Statistics and the federal Environmental Protection Agency to conduct epidemiological studies on farm workers regarding exposure to pesticides

Res Ch 45 (ACA 3) Knox Tax limitation.

Existing constitutional law, as revised by the addition of Article XIII A to the California Constitution, limits ad valorem taxes on real property to 1% of the full cash value of such property. "Full cash value" is defined to be the county assessor's valuation of real property as shown on the 1975–76 tax bill under "full cash value" or, thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment For purposes of this constitutional provision, "newly constructed" is defined as not including real property which is reconstructed after a disaster, as declared by the Governor, where the fair market value, as reconstructed, is comparable to the fair market value prior to the disaster

This measure would provide that for purposes of this constitutional provision, "change in ownership" shall not include the acquisition of real property as a replacement for comparable property if the person acquiring the real property has been displaced from the property replaced by eminent domain proceedings, by acquisition by a governmental agency, or by governmental action which has resulted in a judgment of inverse condemnation

This measure would also provide that for purposes of Article XIII A of the California Constitution, the term "change in ownership" shall not include the acquisition of real property as a replacement for similar property which was damaged or destroyed as a result of a disaster It would also provide that the Legislature shall define the term "disaster "

The provisions of this measure would apply to any relocation that has occurred after March 1, 1975

Res Ch 46 (ACR 114) Ingalls Motor vehicles national maximum speed limit enforcement aircraft

This measure would request the Commissioner of the California Highway Patrol to seek financial assistance from the federal government for the purchase of fixed wing aircraft and support elements in order to more effectively enforce the national maximum speed limit of 55 miles per hour and provide services to motorists The measure would direct that such aircraft not utilize electronic speed monitoring equipment

Res Ch 47 (SCA 14) Beverly Number of jurors

Existing constitutional provisions permit the right of trial by jury to be waived and permits the jury to consist of 12 or of any number less than 12 upon which the parties agree in open court in civil and misdemeanor criminal cases

This measure requires in civil causes in which trial by jury is not waived that the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court, in civil causes in municipal or justice court in which trial by jury is not waived, the measure would permit the Legislature to provide that the jury shall consist of 8 persons or a lesser number agreed on by the parties in open court, in criminal cases in which a felony is charged and trial by jury is not waived, the measure would require that the jury shall consist of 12 jurors, and in cases in which a misdemeanor is charged and trial by jury is not waived, the measure would require that the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court

Res. Ch 48 (SCA 28) Alquist Property tax

Existing provisions of the California Constitution limit the amount of ad valorem taxes which may be imposed on real property to 1% of the full cash value of the property

Such provisions define "full cash value" to mean the county assessor's valuation of real property as shown on the 1975–76 tax bill under "full cash value" or thereafter, the appraised value of real property when purchased, newly constructed, or a change of ownership has occurred after the 1975 assessment

This bill would authorize the Legislature to exclude solar energy systems from the term "newly constructed" for purposes of reappraisal pursuant to the existing Constitution

Res Ch 49 (ACA 90) Kapiloff Water resources development

The California Water Resources Development Bond Act, which was approved by the voters in 1960, provided for the issuance of $1,750,000,000 in general obligation bonds to help finance the immediate construction of specified water facilities, as part of a State Water Resources Development System, including a multiple-purpose dam and reservoir on the Feather River in the vicinity of Oroville and an aqueduct system for the transportation of water to various parts of the state Existing law provides for the design, construction, operation, and maintenance of additional water development facilities by the state as part of the State Water Resources Development System

This measure would provide that no statute amending or repealing, or adding to, specified provisions enacted by SB 200 of the 1979–80 Regular Session of the Legislature relating to the protection of fish and wildlife resources in the Sacramento-San Joaquin Delta, Suisun Marsh, and San Francisco Bay system westerly of the delta, the protection of existing water rights in the delta, and compliance with water quality standards and water quality control plans by the State Water Resources Development System shall become effective unless approved by the electors in the same manner as initiative statutes are approved, except that the Legislature may amend such provisions by ⅔ vote if the statute does not in any manner reduce the protection of the delta or fish and wildlife The measure would make related findings.

The measure would specify that no water shall be available for appropriation by storage in, or by direct diversion from, any of the components of the California Wild and Scenic Rivers System, as such system exists on January 1, 1981, where such appropriation is for export of water into another major hydrologic basin of the state as defined in Department of Water Resources Bulletin 160-74, unless such export is expressly authorized by an initiative statute approved by the electors or a ⅔ vote of the Legislature prior to such appropriation

The measure would provide that no statute amending, or adding to, or repealing specified provisions of the Water Code relating to protection of the Sacramento-San Joaquin Delta shall become effective unless approved by the electors in the same manner as initiative statutes are approved, except that the Legislature may amend such provisions by a ⅔ vote if the statute does not in any manner reduce the protection of the delta or fish and wildlife

The measure would prohibit any public agency from utilizing eminent domain proceedings to acquire water rights, which are held for uses within the Sacramento-San Joaquin Delta, or any contract rights for water or water quality maintenance in the delta, for the purpose of exporting such water from the delta

The measure would, with respect to specified actions or proceedings arising under SB

200 of the 1979–80 Regular Session or actions which would have the effect of attacking, reviewing, preventing, or substantially delaying construction of the peripheral canal, require venue in any superior court action to be in Sacramento County, provide for Sacramento County to be reimbursed for actual costs imposed by such requirements, require such actions to be brought within specified periods, require such actions to be given preference over other civil actions and proceedings and for the hearing to be commenced within a specified period, prescribe a remedy for certain of such actions, and would require the Supreme Court, in accordance with prescribed requirements, to transfer to itself before a decision in the court of appeal of any appeal or petition for extraordinary relief from any such action, unless the Supreme Court determines that the action is unlikely to substantially affect specified matters

The measure would require state agencies to exercise their authorized powers in a manner consistent with the protections provided by the measure.

The measure would have no force or effect unless SB 200 of the 1979–80 Regular Session is chaptered and takes effect

Res. Ch. 50 (SCR 68) Dills. National Guard Day

This measure would request the people of California to celebrate October 7, 1980, as National Guard Day

Res Ch 51 (SCR 70) Watson Long term care facilities

This measure would request all residents of California to join in the observance of National Nursing Home Week and to participate in a demonstration of recognition, support, encouragement, and appreciation for the high standard of care that long term care facilities provide

Res. Ch 52 (ACR 119) Imbrecht. Property taxation mobilehomes

This measure would declare the existing law with respect to the proper method of assessing certain mobilehomes subject to property taxation which are situated on rented land in a mobilehome park.

Res Ch. 53 (ACR 151) Bannai "HK-1 Seaplane," historic preservation

This measure would declare the Hughes Flying Boat "HK-1 Seaplane" to be of historic significance, request the State Historic Preservation Officer to consult with the United States Army Corps of Engineers, the Long Beach Harbor Department, and the Summa Corporation or other holders of title to insure compliance with the National Historic Preservation Act of 1966 as it may relate to the "HK-1 Seaplane", request the Office of Historic Preservation of the Department of Parks and Recreation to nominate the "HK-1 Seaplane" for inclusion in the National Register of Historic Places, urge that all efforts be explored to maintain the "HK-1 Seaplane" in the present form at an acceptable site for public viewing, and declare that it shall not be inferred from the adoption of this resolution that the state intends to seek or support the expenditure of public funds for the acquisition and preservation of the "HK-1 Seaplane"

Res Ch. 54 (AJR 13) Greene Deportation of foreign nationals

This measure would memorialize the Congress of the United States to require deportation of all foreign nationals who riot or demonstrate in any manner contrary to law and inconsistent with permissible behavior of guests in the United States

Res Ch 55 (AJR 45) Costa Federal reclamation laws

This measure would memorialize Congress and the Secretary of the Interior to revise and clarify reclamation laws by modernizing the limitation on the acreage in individual ownerships eligible to receive water from federal projects and by updating residency requirements It would also urge reforming federal reclamation laws to allow farmers the opportunity to pay the full cost of water, and that foreign owners or operators receiving federal reclamation water be required to pay the full costs of such water

Res Ch 56 (AJR 73) Bergeson. Small business

This measure would memorialize the President and Congress to recognize the Small and Independent Business Bill of Rights

Res Ch 57 (AJR 79) Kelley. Integrated pest management programs insurance.
This measure would memorialize the Congress of the United States to set up a pilot project in California wherein the Federal Crop Insurance Corporation provides all risk insurance at a 20 percent premium reduction to persons following an integrated pest management program

Res Ch. 58 (SCR 38) Dills Memorial to firefighters.
This measure would declare that the Legislature shall cause to be erected a memorial, at other than state expense, on the grounds of the State Capitol, with appropriate inscription, to honor California firefighters who lose their lives in the performance of their duties

Res. Ch. 59 (SCR 53) Russell. State civil service: layoffs seniority computation.
This measure would request the State Personnel Board to develop guidelines whereby employee performance in all classifications shall be a factor in determining seniority for the order of layoff and the placement of names on reemployment lists, to conduct related public hearings in a timely manner such that interested parties have the opportunity to present suggestions and concerns, and to submit a report thereon to the Legislature on or about October 1, 1980

Res Ch 60 (SJR 39) Ayala. Reconstituted milk
This measure would request the United States Department of Agriculture to postpone a decision on amendments to milk marketing orders which would allow reconstituted milk to compete with fresh, fluid milk in order to allow the dairy industry, persons knowledgeable in the health field, and the public generally to submit additional information and comments

Res Ch 61 (SJR 36) Roberti. Social security benefits
This measure memorializes the President and the Congress of the United States to oppose any legislation which would tax social security benefits or increase the minimum age for qualifying for social security benefits.

Res. Ch. 62 (SCR 58) Russell. Study of state-mandated local programs: modification, repeal, or make permissive
This measure would request the Legislative Analyst to examine, evaluate, and develop recommendations, for the modification, repeal, or making permissive, of certain existing state-mandated local programs and procedures, as specified, would request the Legislative Analyst to confer and cooperate with others, as specified, and would require related reports
This measure would also allocate $38,000 from the Contingent Funds of the Assembly and Senate to the Joint Legislative Budget Committee to fund such study.

Res Ch. 63 (SCR 52) Presley Commission on Peace Officer Standards and Training.
This measure would direct the Commission on Peace Officer Standards and Training to conduct a study of basic training standards for peace officers and to adopt a plan relating to the development of more appropriate training standards The commission would be required to report to the Legislature by January 26, 1982, describing the plan adopted

Res Ch 64 (SJR 41) Cusanovich Santa Monica Mountains National Recreation Area· funding
This measure would memorialize the President and Congress to restore funding for land acquisition and development of the Santa Monica Mountains National Recreation Area according to the original federal authorization.

Res Ch 65 (SJR 29) Marks Relative to SSI/SSP recipients' nonexcludable resources
This measure would memorialize the President and the United States Congress to enact a law providing for an increase in the maximum amount of nonexcludable resources permitted for eligibility under the SSI/SSP program

Res. Ch. 66 (SJR 32) Marks. Federally mandated municipal services.

This measure would memorialize Congress and the Internal Revenue Service to adopt legislation and regulations to allow individuals to deduct from federal income taxes municipal service charges that result from federally mandated services.

Res. Ch. 67 (ACR 40) Filante Silver nitrate treatment for ophthalmia neonatorum

This measure would request the State Department of Health Services to authorize a study to determine the actual efficacy of silver nitrate as a prophylactic efficient treatment for ophthalmia neonatorum and to compare the efficacy of the chemical to that of medications recently developed to combat ophthalmia neonatorum. It would request that the department report the results of the study to the Legislature by January 1, 1981.

Res. Ch. 68 (AJR 70) Fenton Plant closings.

This measure would request the President and Congress to enact legislation to prevent or minimize specified harmful effects of plant closings and operations changes.

Res. Ch. 69 (AJR 72) Statham. Bank protection projects

This measure would declare support for the bank protection efforts of the United States Army Corps of Engineers and would memorialize the corps to hasten its efforts to protect our river banks

Res. Ch. 70 (AJR 75) Hannigan Adult basic education

This measure would memorialize the Congress of the United States to give immediate and urgent consideration to increasing appropriations for the funding of basic education for adults arriving in California from other states and countries.

Res. Ch. 71 (AJR 80) Wray. Indochinese refugees' health services

This measure would memorialize the President and Congress to, as expeditiously as possible, make every effort to ensure that funds be given to counties with large populations of Indochinese refugees for the purpose of implementing agreements entered into between this state and the federal government concerning health care services for such refugees

Res. Ch. 72 (ACR 80) Lehman Mid-Valley Canal

This measure would request the Department of Water Resources, if the federal government does not reinstate funding to complete the Mid-Valley Canal study, by July 1, 1981, to study construction of the canal under specified alternatives and submit a report to the Legislature by July 1, 1982.

Res. Ch. 73 (ACR 86) Perino. 1980 statewide conference on aging.

This measure would request the California Commission on Aging to call, and to select appropriate dates for, a State Conference on Aging in March or April of 1981 to determine facts about the needs of the elderly and prepare recommendations and plans for the White House Conference on Aging in 1981, and to request all area agencies and commissions on aging to provide assistance in such undertaking, as specified, and to submit a specified report to the Legislature on or before February 1, 1981.

This measure would request that delegates to the 1981 White House Conference on Aging and the 1981 Statehouse Conference on Aging be selected by specified means.

Res. Ch 74 (ACR 99) Lancaster. Firefighters.

This measure would request the State Board of Fire Services to conduct a study to establish voluntary health standards for the selection of individuals into the fire service that are physically and medically capable of performing as firefighters.

It would request the state board to submit a report of its study, with legislative recommendations, to the Legislature on or before January 1, 1981

Res. Ch. 75 (ACR 100) Lancaster. Firefighters

This measure would request the State Board of Fire Services to conduct a study to establish a voluntary preventive program of physical fitness to promote and maintain firefighters in good physical condition

It would request the state board to submit a report of its study, with legislative recommendations, to the Legislature on or before January 1, 1981.

Res. Ch 76 (ACR 120) Mori Joint Rules Joint Legislative Audit Committee. Auditor General. study or audit.

Existing statutory provisions require the Joint Legislative Audit Committee to establish priorities and assign all work to be done by the Auditor General.

This measure would include such a provision in the Temporary Joint Rules of the Senate and Assembly for the 1979–80 Regular Session

This measure would also require any bill requiring action by the Auditor General to contain an appropriation for the cost of any study or audit. The Joint Legislative Audit Committee would be authorized to waive such provisions and the chairman of the committee would be authorized to waive such provisions if the cost of a study or audit is less than $100,000.

The measure would further require that any bill or resolution assigning a study to the Joint Legislative Audit Committee or the Auditor General shall be referred to the respective rules committees, and that before the committees act upon or assign the bill or resolution they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study.

Res. Ch. 77 (SCA 37) Garamendi. Judges' salaries.

The Constitution presently provides that salaries of elected state officers may not be reduced during their term of office, and that laws that set these salaries are appropriations

This measure would provide that, beginning on January 1, 1981, the base salary of a judge of a court of record shall equal the annual salary payable as of July 1, 1980, for that office, had the judge been elected in 1978. The measure would authorize the Legislature to prescribe increases in those salaries during the term of office, and to terminate increases in those salaries at any time during the term of office, but it would prohibit a reduction in the salary of a judge during a term of office below the highest level paid during that term of office. The measure would also provide the law setting the salaries of judges shall not constitute an obligation of contract under any provision of law.

Res. Ch. 78 (SCR 50) Nejedly. John T Knox Freeway

This measure would designate Interstate 180 from the Richmond-San Rafael Bridge to the Albany Interchange as the John T. Knox Freeway

Res. Ch. 79 (SCR 86) Foran POW/MIA Recognition Day.

This measure would proclaim July 18, 1980, POW/MIA Recognition Day, and urge all California citizens, local entities, and private organizations to participate therein

Res. Ch 80 (ACR 153) Kapiloff. San Diego-Coronado Bridge

This measure would request the Department of Transportation to permit the use of the San Diego-Coronado Bridge as a part of the course for a walkathon on November 15, 1980, sponsored by the KGB Radio Station to raise funds for the Leukemia Society of America, San Diego Chapter, if the department is requested to do so by the Cities of San Diego and Coronado in accordance with specified provisions of the Vehicle Code.

Res Ch 81 (AJR 54) Imbrecht Recreational boating facilities.

This measure would request that local, regional, state, and federal governmental entities affirmatively seek the development of recreational boating facilities in California.

Res Ch. 82 (AJR 89) Mello Philippine Scouts

This measure would memorialize the President and Congress to support and enact legislation which would authorize pay and benefits for members of the Philippine Scouts or their survivors at the same rates of pay and benefit as other members of the United States Army of corresponding grades and lengths of service.

Res Ch. 83 (AJR 93) Hayes Summer job programs

This measure requests the federal government to permit the City of Los Angeles to use population information gathered in 1977 for the Public Employment and Housing Survey, or its equivalent, to determine summer job programs

Res. Ch. 84 (SCR 64) Ayala State highways· Daniel D. Mikesell Interchange.
This measure would designate the interchange located at the intersection of Interstate Routes 10 and 15 the Daniel D. Mikesell Interchange

Res Ch. 85 (ACR 134) Thurman Diesel fuel· agricultural uses
This measure would urge refiners and distributors of diesel fuel to provide the total current needs of diesel fuel to persons engaged in agricultural production and transportation activities, unless undue hardship would be placed upon persons with equal or higher priority needs

Res Ch. 86 (ACR 154) Felando Vincent Thomas Bridge marathon.
This measure would request the Department of Transportation to close one lane of the Vincent Thomas Bridge upon request of the Los Angeles City Council for the running of a marathon on October 19, 1980.

Res. Ch. 87 (AJR 78) Mello. Commercial whaling
This measure requests the President and Congress of the United States and other United States government officials to vigorously seek passage of a moratorium on commercial whaling at the next meeting of the International Whaling Commission.

Res Ch. 88 (ACR 102) Thurman Traffic safety
This measure would request the Department of Transportation to continue its program of furnishing traffic engineering services to cities.

Res Ch. 89 (ACR 117) Egeland Autism
This measure would direct the State Department of Developmental Services, in conjunction with various organizations and experts concerned with autism, to draft a pamphlet on early identification of autism, to develop a plan for the distribution of such pamphlet, and to submit such draft and plan to the Assembly Permanent Subcommittee on Mental Health and Developmental Disabilities and the Senate Committee on Health and Welfare by January 1, 1981

Res Ch. 90 (ACR 127) Perino California Exposition and State Fair
This measure would request the State of California to demonstrate its commitment to the California Exposition and State Fair by continuing to appropriate funds to the facility so long as it shows progress in achieving its goal of self-sufficiency under progressive management.

Res. Ch 91 (ACR 129) Mello. Silver-Haired Legislature.
This measure would request the California Commission on Aging to call a 1980 session of the California Silver-Haired Legislature, which shall be comprised of senior citizens, and which shall propose, debate, and make recommendations upon legislation which affects elderly Californians
This measure would further request that a report of the proceedings of 1980 Silver-Haired Legislature be presented to the State Legislature and that sessions of the Silver-Haired Legislature, if deemed worthwhile, be held annually

Res. Ch. 92 (ACR 137) Harris. Route 24· William Byron Rumford Freeway
This measure would designate a specified portion of State Highway Route 24 as the William Byron Rumford Freeway

Res. Ch. 93 (ACR 138) Moore. State highways· Marina Del Rey Freeway
This measure would request the Department of Transportation to remove construction debris remaining at the Lincoln Boulevard off ramp of the Marina Del Rey Freeway (State Highway Route 90)

Res Ch 94 (SCA 33) Keene Lieutenant Governor
The California Constitution presently requires the Lieutenant Governor to have the same qualifications as the Governor and to serve as President of the Senate
This measure would repeal the provision that the Lieutenant Governor shall serve as President of the Senate

Res Ch. 95 (SJR 43) Mills San Diego Naval Regional Medical Center.

This measure would request the President, Congress, and other responsible officials to cooperate with local officials in the location of the proposed Naval Regional Medical Center in San Diego, taking various specified matters into consideration

Res Ch. 96 (SCR 77) Alquist Highway signs: California National Guard Armories.

This measure would request the Department of Transportation to erect highway signs providing directions to 25 California National Guard armories designated by the Office of Emergency Services and Military Department as congregate care centers or disaster assistance centers

Res Ch 97 (SCR 63) Sieroty. National Register of Historic Places.

This measure would do all of the following

(1) Request the State Historic Preservation Officer to initiate procedures to assist state and federal agencies in preserving and maintaining all state-owned and federally-owned sites, including known Native American burial places, eligible for listing on the National Register of Historic Places.

(2) Request state agencies to inventory specified significant historic and cultural sites, structures, and objects, including Native American burial places, which may qualify for listing on the register, by July 1, 1983

(3) Direct state agencies and request federal agencies to ensure, until completion of such inventory, that any property which might qualify is not inadvertently transferred or substantially altered

(4) Request that the State Historic Preservation Officer encourage, in cooperation with local government agencies, an inventory of sites owned by local government, including known Native American burial places, which might qualify for listing on the register

Res Ch 98 (SJR 38) Roberti Drug labeling

This measure would memorialize Congress to enact specified drug labeling provisions.

Res. Ch. 99 (ACR 96) Perino. Mobilehomes: earthquake proof

Existing law does not expressly require the Department of Housing and Community Development to study the effects and costs of damages to mobilehomes and their owners and tenants caused by earthquakes and does not require such a study of alternative design concepts or the installation of devices to alleviate this damage.

This measure would so direct the Department of Housing and Community Development, with the assistance of the Seismic Safety Commission, to make such a study in a specified manner, declare the intent of the Legislature relating to regulations which may be adopted by the Commission of Housing and Community Development as a result of the study, and would require prescribed reports to the Legislature

Res Ch. 100 (ACR 112) Alatorre. Peace officers: training

Existing law provides for training of peace officers relating to specified subjects, which do not include white collar crime or community participation in crime prevention

This measure would direct the Commission on Peace Officer Standards and Training to include within its training program instruction in white collar crime and community participation in crime prevention

The measure would specify that such instruction shall be provided only if SB 1428 is chaptered.

Res Ch 101 (ACR 152) Mello Lifeline gas and electric rates

This measure would request the Public Utilities Commission to review and revise the lifeline gas and electric rate structure applicable to customers who live in areas of the state with cooler climates to more nearly reflect their energy needs and to review the manner in which lifeline rates are formulated to insure an equitable distribution of utility costs, taking into consideration the rates now paid by small and large residential and nonresidential ratepayers

Res. Ch. 102 (ACR 156) Egeland Women's Equality Day

The measure would commend the women of California and recognize their organization and activities, and would recognize August 26, 1980, as Women's Equality Day

Res. Ch 103 (ACR 157) Greene Evaluation of educational programs

Under existing law, the Legislature is required to conduct a comprehensive study of specific educational programs, which terminate on specified dates, unless the Legislature enacts legislation providing otherwise

This measure would direct the Speaker of the Assembly and the Senate Rules Committee to appoint a Joint Ad Hoc Educational Sunset Review Committee for the purposes of studying specified issues relating to those programs.

Res Ch. 104 (AJR 81) Thurman. Fuel· gasoline allocation program. agriculture· aviation fuel.

This measure would memorialize the Department of Energy to make every effort to improve and streamline its regulations dealing with the gasoline allocation program and to shorten the amount of time necessary to render relief to Californians experiencing fuel related hardships. It would, also, memorialize the Department of Agriculture and the Department of Energy to develop a program providing for the total current needs of all aviation fuels for agricultural purposes, and would memorialize the President and Congress to take all the necessary actions to ensure the implementation of such a program at the earliest possible date.

Res. Ch 105 (SJR 31) Wilson Shipbuilding and shipyard facilities

This measure would memorialize the President and the Congress to promptly institute a coordinated, coherent, and effective policy and program which will ensure continuity and stability in the maintenance of essential shipyard resources and work forces The measure would also deplore the continuing inadequacy of national policymaking and decisionmaking in devising a comprehensive industrial strategy for shipbuilding

Res. Ch 106 (SCR 81) Nejedly Diethylstilbestrol· programs.

This measure would request the Attorney General to utilize all legal means available to recover reimbursement for funds appropriated by the state to implement the provisions of the diethylstilbestrol (DES) program, as proposed in Senate Bill 1392, and the amount of funds expended by the state for DES-related treatment

Res. Ch. 107 (ACR 132) Bosco Highway bridges memorials

This measure would designate the bridge on State Highway Route 101 at Smith Point the Charles Edward Wagner Memorial Bridge and the third and most westerly span of the Samoa Bridge on State Highway Route 255 the Richard F Denbo Memorial Span

Res Ch. 108 (ACR 147) Mangers. Diabetes health problem

This measure would request the Governor and his appointed officers in the State Department of Health Services, Chronic Disease Control Section, to the extent federal funds are made available, to develop a long range plan in the context of federal policy, in consultation with representatives of the California Society of Internal Medicine, American College of Physicians, California Chapter of the American Academy of Pediatrics, and the California Medical Association, and implement programs to combat diabetes

Res. Ch 109 (ACR 159) Bane Home protection companies

This measure requests the Department of Insurance to license home protection companies pursuant to existing law, notwithstanding expressed uncertainties with respect to inspection fees under that law, and declares that the Legislature will seek to enact legislation not later than July 1, 1981, to resolve those uncertainties The measure further requests the department not to proceed against a home protection company for alleged violation of a specified provision of law which is not clearly a violation of the provision, declares that the licensure by the department prior to the enactment of the proposed legislation is not determinative of the issues created by the uncertainties of existing law, and further declares that the measure shall have no effect on and after January 1, 1982

Res. Ch 110 (AJR 83) Hughes Library services ethnic groups.
This measure would memorialize the President and the Congress to enact legislation that promotes development of community based ethnic library services that meet the needs of the country's diverse ethnic populations and that provides funds for specified purposes relating to these services.

Res Ch 111 (AJR 85) Levine. Swedish investigation. Raoul Wallenberg.
This measure commends the Swedish government for investigating the case of Raoul Wallenberg who was kidnapped by the Soviet Union in 1945 and requests the Secretary of State to call upon the government of the Soviet Union to reexamine the records in this matter

Res. Ch. 112 (AJR 87) Wyman Energy wind, solar, geothermal, and mineral resources
This measure would memorialize the Secretary of the Interior to require the United States Bureau of Land Management to perform certain designated functions in connection with the development of wind, solar, geothermal, and mineral resources on lands administered by the bureau in this state

Res. Ch 113 (AJR 88) Rogers. Energy conservation financing· residential customers
This measure would memorialize the United States Secretary of Energy to implement the Energy Security Act as it amends the National Energy and Conservation Policy Act relating to energy conservation financing, and would declare that the Public Utilities Commission of this state give continued special priority to consideration of the Pacific Gas and Electric Company's designated zero interest plans

Res Ch 114 (AJR 90) Lehman Funding of the Olympic Games.
This measure would memorialize the President and Congress to make the necessary revisions in federal tax law to allow for a $1 voluntary tax designation for the financial support of the United States Olympic athletes and their participation in the Olympic Games

Res Ch 115 (AJR 92) Hannigan National Port Week.
This measure would memorialize the United States Congress to designate the week beginning on October 5, 1980, as "National Port Week" and to support legislation requiring the Secretary of Commerce to report annually on the conditions of the public ports in this country

Res Ch. 116 (AJR 95) Chappie Federal wilderness areas
This measure would memorialize the United States Senate Committee on Natural Resources to hold full public hearings, including hearings in northern California, to assess the economic impact which the proposed federal wilderness areas contained in a bill recently passed by the House of Representatives would have on the state.

Res Ch. 117 (AJR 97) Kapiloff Marine Mammal Protection Act of 1972 human safety
This measure would request the Secretary of Commerce to immediately review the regulations under the Marine Mammal Protection Act of 1972 in order to assure the safety of fishing vessel crew members.

Res. Ch 118 (SJR 44) Russell Alaskan energy resources.
This measure would state the Legislature's opposition to the federal government setting aside large tracts of Alaskan land from energy resource development

Res Ch 119 (SJR 24) Roberti Indochinese refugees
This measure would, among other things, commend the President of the United States for his decision to increase the maximum monthly quota of Indochinese refugees permitted to enter the United States.
This measure would also memorialize the Congress and the President of the United States to persuade the Republic of Vietnam to stop the deportation, harrassment, and exploitation of the ethnic Chinese minority in Vietnam, and to persuade other nations to participate in the effort to solve the Indochinese refugee problem
This measure would also urge the Congress to appropriate such funding as is necessary

for the orderly admission into the United States of the full authorized quota of Indochinese refugees and would urge the President and the Secretary of State to take specified actions to assist the Indochinese and other refugees.

Res. Ch. 120 (SCR 73) Greene Food push carts.

This measure would provide that certain statutory sanitation requirements for vehicles apply to food push carts and request the State Department of Health Services to adopt rules and regulations applicable to food push carts by January 1, 1981

Res. Ch. 121 (SCR 59) Russell Mentally disordered offenders

This measure would request the performance of an independent study to review the statutes relating to noncustodial treatment of mentally disordered offenders and the state and local programs implementing such statutes and report the findings to the Legislature by July 1, 1981 This measure would allocate $65,000 from the contingent funds of the Senate and Assembly to the Joint Rules Committee to contract with an independent entity for the study

Res. Ch. 122 (ACR 139) Hallett. Public Employees' Retirement System· industrial benefits

This measure would request the State Personnel Board, in cooperation with the Department of Finance, to conduct a study on the inclusion of state employees in the industrial member category of membership under the Public Employees' Retirement System and would require the board to submit to the Legislature, at the commencement of each session of the Legislature, a report thereon until the study is completed.

Res. Ch. 123 (ACR 158) McCarthy John T. Knox.

This measure would express the Legislature's commendations and appreciation to its good friend and longtime colleague, John Knox, upon his retirement as a Member and Speaker pro Tempore of the Assembly, and extend to him its best wishes for every success in his future endeavors.

Res Ch. 124 (AJR 96) Filante. Nuclear waste disposal.

This measure would memorialize the Special Subcommittee on Energy, Environment, and Natural Resources of the United States House of Representatives to assist California in studying the problem of depositing nuclear waste in the Pacific Ocean, as specified.

Res. Ch. 125 (AJR 98) Berman. Jewish emigration from the Union of Soviet Socialist Republics.

This measure would memorialize the President to urge the USSR to abide by its commitment to the Universal Declaration of Human Rights and to the Helsinki Final Act of 1975, and abandon its restrictive emigration policies to allow the free emigration of Jewish individuals from the Soviet Union

CROSS REFERENCE TABLES

BILL TO CHAPTER NUMBER

1980

1979–80 REGULAR SESSION

CROSS REFERENCE TABLES

Bill to Chapter Number

ASSEMBLY BILLS

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
15	937	870	26	1387	1178
30	254	894	1362	1396	277
59	658	905	1280	1403	373
74	1358	920	65	1404	1328
85	1160	927	941	1410	63
90	348	943	204	1414	1129
144	58	945	612	1435	2
145	173	946	1041	1454	81
203	1370	955	76	1473	176
232	620	978	403	1474	30
263	611	990	809	1484	1039
285	18	997	739	1486	289
290	619	1017	1350	1493	177
295	1355	1023	836	1518	14
325	29	1034	495	1535	55
329	19	1048	66	1542	945
330	36	1055	213	1550	1177
399	529	1061	372	1571	39
414	284	1065	70	1576	248
418	128	1075	175	1579	944
420	383	1108	613	1613	15
432	843	1120	37	1625	375
469	1159	1131	1289	1630	290
472	390	1141	607	1635	537
481	1281	1143	1198	1644	943
493	530	1147	933	1663	21
496	615	1150	693	1676	44
502	174	1162	533	1682	183
507	1339	1171	910	1685	167
538	1137	1180	1008	1709	41
556	838	1196	614	1726	942
565	665	1198	1170	1755	147
574	184	1201	11	1756	609
670	27	1202	1191	1764	17
677	315	1215	1181	1765	1018
717	400	1216	20	1788	404
718	467	1226	64	1791	255
723	340	1242	138	1793	683
728	24	1248	31	1797	1175
732	1226	1250	844	1799	934
734	1288	1254	162	1811	845
754	810	1274	1278	1813	1270
760	137	1283	946	1814	1300
761	531	1295	681	1829	979
763	401	1301	171	1839	1267
776	616	1308	532	1860	32
807	1014	1310	1180	1861	151
831	402	1342	410	1862	178
859	736	1374	322	1873	77
869	67	1379	83	1874	1298

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
1880	52	2034	34	2142	536
1881	321	2036	903	2143	496
1890	74	2038	469	2144	924
1902	7	2042	1187	2146	215
1905	139	2060	153	2147	131
1916	602	2061	97	2148	207
1917	165	2062	53	2149	323
1923	79	2063	127	2151	283
1924	23	2065	75	2152	1171
1925	8	2066	88	2153	1154
1931	168	2067	996	2154	161
1934	1021	2068	98	2162	129
1935	468	2070	80	2166	651
1939	71	2073	148	2168	1347
1941	10	2077	126	2170	397
1942	1357	2078	343	2173	374
1946	538	2079	320	2177	206
1948	22	2083	407	2184	119
1950	921	2084	166	2185	140
1953	169	2085	154	2186	100
1956	152	2086	661	2191	245
1959	87	2087	155	2193	291
1960	445	2088	1188	2194	121
1963	1	2091	172	2195	1308
1964	978	2092	634	2196	1354
1966	408	2095	395	2198	926
1967	163	2098	326	2202	1046
1971	170	2099	28	2203	314
1972	885	2101	156	2204	84
1973	60	2102	157	2207	205
1974	709	2104	1277	2209	887
1975	345	2105	711	2210	972
1977	160	2106	99	2211	973
1980	112	2108	350	2215	1157
1981	1310	2109	922	2216	1360
1982	45	2111	846	2217	617
1984	405	2112	216	2218	258
1985	947	2113	1185	2224	180
1987	342	2114	618	2225	141
1988	1279	2115	682	2226	796
1992	818	2116	124	2229	380
1993	338	2117	123	2230	247
1994	610	2118	246	2231	1016
1995	382	2119	89	2232	849
1996	130	2120	122	2233	113
2002	406	2121	381	2234	879
2003	33	2122	396	2237	399
2004	179	2123	132	2238	1173
2005	349	2124	470	2239	1174
2006	1186	2129	1268	2240	471
2007	209	2130	847	2244	191
2011	197	2133	274	2247	929
2014	186	2134	269	2248	1134
2015	257	2135	923	2249	351
2020	510	2136	1266	2251	54
2025	1361	2137	103	2256	142
2030	904	2138	588	2258	930
2033	710	2140	848	2259	790

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2260	120	2375	668	2490	701
2263	394	2378	1223	2493	293
2264	1135	2380	540	2495	966
2266	104	2382	1307	2497	855
2267	669	2383	938	2498	702
2275	534	2388	853	2505	544
2276	694	2391	673	2506	508
2277	627	2392	1275	2507	422
2279	133	2394	1276	2510	965
2283	1271	2395	305	2511	964
2286	1325	2401	541	2513	738
2287	149	2402	352	2514	821
2291	311	2404	252	2515	820
2292	143	2406	743	2519	963
2294	472	2407	1015	2521	159
2295	473	2408	804	2522	261
2296	238	2409	1315	2524	571
2297	398	2410	925	2529	1311
2298	1273	2412	474	2530	581
2302	831	2413	260	2540	272
2303	417	2414	927	2546	629
2307	1316	2415	741	2547	271
2308	416	2416	334	2552	576
2310	670	2417	189	2554	856
2311	931	2418	201	2555	583
2312	181	2420	292	2557	962
2314	306	2421	928	2558	309
2316	932	2422	158	2563	421
2320	1152	2425	318	2564	886
2324	908	2428	742	2566	961
2325	1274	2429	307	2567	580
2326	936	2430	734	2571	1028
2328	535	2431	674	2573	262
2329	1020	2433	974	2575	476
2330	415	2437	1162	2576	795
2333	671	2438	971	2578	1269
2335	850	2439	412	2579	1010
2336	101	2442	542	2581	857
2338	1019	2445	566	2582	703
2339	414	2446	543	2583	312
2340	413	2448	679	2585	267
2341	628	2450	239	2588	977
2342	539	2451	308	2591	1317
2345	672	2454	504	2604	803
2348	280	2456	1217	2605	1309
2351	712	2460	960	2607	1189
2358	740	2461	994	2609	698
2359	1282	2469	1027	2612	815
2361	1372	2473	970	2613	1029
2362	259	2475	423	2615	1261
2364	713	2479	411	2616	1184
2365	851	2481	1219	2617	545
2366	188	2482	319	2622	574
2367	935	2484	379	2625	420
2368	852	2485	475	2626	1264
2370	1161	2486	854	2627	858
2371	939	2487	575	2628	884
2373	446	2488	675	2632	1263

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2637	1030	2764	431	2905	1296
2639	586	2767	1294	2909	686
2640	419	2768	958	2912	1165
2646	794	2769	1290	2915	1149
2647	1376	2771	498	2916	1131
2648	646	2777	1349	2918	1202
2655	1262	2779	636	2925	969
2656	546	2780	1153	2931	1379
2658	1272	2782	303	2944	85
2661	744	2790	353	2945	356
2667	1031	2793	957	2947	1164
2670	263	2798	667	2948	976
2671	704	2799	680	2949	975
2672	125	2800	1213	2952	1195
2673	705	2803	1141	2953	954
2674	1244	2804	477	2954	1292
2677	1032	2805	1179	2962	883
2683	793	2806	1145	2965	427
2685	869	2807	868	2966	953
2687	1183	2811	956	2967	499
2688	1265	2813	1009	2968	952
2689	507	2814	270	2969	1293
2691	878	2815	687	2971	1011
2692	715	2821	791	2973	899
2695	582	2823	877	2975	912
2698	1150	2825	789	2977	1367
2699	1182	2829	1167	2978	241
2700	808	2831	430	2979	268
2701	304	2832	346	2980	1193
2702	1023	2833	429	2985	955
2706	1371	2834	332	2986	663
2707	1295	2837	1168	2989	951
2710	1013	2840	1343	2990	426
2712	1022	2843	1169	2991	1194
2715	281	2845	569	2992	911
2716	282	2846	111	2994	940
2720	792	2848	1038	2995	717
2721	432	2849	596	2998	1132
2724	745	2851	950	3000	718
2725	659	2853	1143	3001	719
2730	1176	2857	393	3005	1037
2734	637	2859	949	3010	1190
2738	968	2861	1172	3018	1192
2739	1133	2862	948	3022	1035
2740	1136	2866	1163	3024	478
2741	967	2867	354	3025	685
2744	1299	2869	428	3028	355
2745	695	2870	424	3034	1320
2747	875	2873	833	3035	479
2748	959	2875	716	3040	357
2749	1166	2882	1201	3042	1007
2750	1042	2883	867	3043	1373
2751	547	2885	1314	3044	1291
2752	708	2893	1327	3048	733
2753	548	2895	1345	3050	866
2757	497	2898	1304	3051	1224
2758	630	2899	587	3057	987
2761	418	2900	746	3062	1196

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3064	1012	3199	551	3333	1214
3067	1283	3201	553	3335	439
3069	990	3210	435	3336	279
3070	1229	3211	1216	3337	1230
3075	1353	3213	696	3340	1312
3079	859	3214	1209	3341	558
3089	264	3215	552	3343	1155
3091	788	3217	1301	3345	434
3092	684	3218	707	3346	1321
3093	1203	3224	294	3348	335
3099	199	3228	1356	3350	591
3100	331	3229	1024	3351	333
3104	865	3232	860	3354	317
3107	1034	3236	377	3355	310
3109	1036	3237	1359	3356	699
3110	313	3240	185	3358	336
3112	506	3242	465	3359	327
3113	480	3243	557	3360	295
3114	873	3245	1351	3361	440
3119	217	3246	862	3362	244
3120	344	3248	388	3363	347
3122	1204	3252	1144	3367	1156
3126	481	3253	484	3369	1333
3127	1212	3255	202	3370	329
3128	1033	3256	1017	3371	1381
3129	735	3257	210	3373	559
3131	549	3264	1092	3377	1001
3132	876	3265	437	3378	389
3138	1207	3266	438	3379	278
3140	747	3268	678	3380	561
3141	706	3269	1329	3381	1232
3142	1139	3270	787	3383	1043
3150	861	3272	265	3384	1228
3151	466	3273	341	3389	988
3153	550	3274	834	3391	664
3155	1208	3276	554	3393	1380
3158	482	3277	436	3397	441
3160	425	3278	590	3407	560
3165	992	3279	1005	3408	502
3166	589	3285	1227	3410	993
3167	358	3287	1004	3413	564
3170	1026	3296	1003	3416	442
3171	584	3297	677	3417	999
3173	1148	3298	266	3419	1000
3174	500	3299	362	3420	409
3175	676	3300	512	3422	881
3177	483	3301	501	3425	562
3179	378	3304	242	3427	688
3180	273	3305	243	3432	1243
3181	190	3306	579	3437	503
3183	748	3311	863	3438	563
3184	360	3312	697	3439	1151
3185	316	3316	689	3440	443
3186	1303	3319	359	3441	444
3187	361	3323	555	3449	565
3191	1025	3328	556	3450	983
3192	433	3329	991	3452	339
3196	1210	3332	1002	3455	1147

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
3457	982	3465	981	3477	980
3458	567	3467	657	3482	1377
3461	363	3473	598	3485	1225
3462	864	3475	1332	3487	871
3464	1146	3476	749		

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16	819
56	1257
82	872
85	1348
88	40
90	1256
109	1365
125	1260
148	90
162	799
164	802
180	801
183	805
200	632
208	12
240	107
241	447
246	1220
261	364
344	995
351	92
357	1255
374	4
379	1095
382	78
393	25
394	720
410	1061
418	1331
433	1252
435	840
460	721
475	666
487	366
488	518
500	16
502	1200
512	1318
528	46
544	1060
545	633
547	9
579	1253
593	722
599	194
604	519
612	13
624	250
649	647
654	568
685	1114
710	592
713	1199
722	520
729	654
735	1322
761	86
764	913
767	1346
769	47
781	1071
782	1254
806	985
862	917
863	798
872	450
895	105
908	998
912	907
936	451
938	644
940	1221
941	35
961	48
1046	521
1047	5
1048	1063
1049	91
1057	56
1061	723
1076	240
1087	164
1108	193
1115	522
1116	38
1117	448
1121	108
1123	997
1156	218
1161	832
1184	1062
1200	57
1214	106
1220	51
1226	1006
1230	6
1236	42
1246	146
1247	73
1249	1344
1252	144
1253	102
1256	110
1259	645
1260	1081
1262	72
1263	1240
1264	3
1265	737
1267	68
1269	93
1273	1090
1275	296
1276	731
1277	221
1279	192
1280	222
1288	732
1290	824
1292	989
1296	337
1297	94
1299	69
1300	800
1301	219
1303	639
1304	727
1305	1084
1306	1245
1308	62
1309	888
1310	726
1312	223
1318	452
1319	371
1321	50
1322	724
1323	1123
1324	1077
1325	134
1327	1119
1328	1234
1332	513
1337	514
1338	593
1340	1122
1342	195
1343	109
1351	1341
1352	1205
1355	224
1356	43
1364	515
1366	1118
1367	900
1370	594
1374	775
1375	200
1377	621
1378	595
1379	212
1380	622
1381	725
1382	585
1383	1197

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
1384	49	1478	914	1589	652
1386	714	1479	1231	1590	490
1388	597	1481	517	1591	638
1389	516	1483	1059	1595	227
1390	1326	1485	95	1597	1124
1391	449	1486	870	1598	1250
1392	776	1487	226	1601	635
1397	453	1488	691	1603	369
1401	986	1490	603	1607	641
1402	1097	1493	1324	1608	570
1403	485	1495	220	1609	1251
1405	1366	1497	1247	1610	762
1407	59	1499	655	1611	905
1408	578	1503	825	1613	759
1411	208	1504	826	1615	889
1412	642	1506	455	1616	1218
1413	61	1511	1064	1619	229
1414	1098	1513	1374	1622	1099
1416	150	1515	779	1623	365
1417	286	1516	487	1626	228
1418	454	1518	1138	1627	1045
1419	777	1519	488	1633	755
1420	1058	1520	780	1635	890
1421	1057	1521	1049	1637	1044
1422	285	1523	456	1640	774
1425	486	1524	489	1645	1128
1426	288	1525	136	1646	491
1427	387	1530	297	1647	1102
1428	1047	1531	187	1648	756
1429	276	1534	781	1649	643
1430	984	1535	1222	1650	891
1431	729	1538	114	1652	1101
1436	118	1539	135	1655	608
1437	700	1540	1050	1656	823
1439	1056	1541	600	1659	1120
1440	880	1547	214	1660	505
1443	730	1550	82	1661	1085
1444	1055	1551	457	1662	1233
1445	1054	1552	782	1664	196
1446	1305	1553	324	1665	1127
1447	1340	1554	524	1667	493
1448	837	1557	1286	1669	523
1449	1287	1558	1313	1670	1334
1450	778	1560	577	1673	492
1451	117	1562	750	1674	1363
1454	882	1563	841	1676	1259
1456	370	1564	1051	1678	230
1459	728	1569	760	1683	650
1461	225	1570	1052	1684	368
1463	1126	1576	1248	1685	1100
1465	807	1577	1249	1686	573
1466	656	1579	761	1687	906
1467	806	1580	1130	1688	1206
1471	662	1581	1087	1694	763
1472	116	1582	827	1695	1337
1474	1246	1583	1211	1697	1323
1476	918	1586	1086	1698	367
1477	599	1588	1125	1699	892

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1703	1053	1818	1069	1936	458
1704	525	1820	1070	1939	115
1706	631	1821	145	1940	299
1708	298	1823	1091	1944	1107
1709	1103	1824	606	1945	459
1713	1104	1825	1078	1949	385
1715	894	1826	1302	1952	528
1716	895	1831	786	1953	494
1717	893	1832	1116	1956	640
1718	526	1833	256	1958	96
1719	328	1834	1115	1959	767
1720	1067	1837	785	1960	1142
1721	1066	1838	1048	1963	460
1722	1065	1841	1089	1965	235
1723	902	1845	1158	1966	768
1725	653	1850	1284	1967	384
1726	1285	1852	1338	1969	461
1727	1076	1853	251	1971	769
1728	842	1854	330	1972	1342
1730	896	1855	198	1973	690
1735	1258	1856	1083	1975	1080
1736	601	1857	1040	1977	1113
1737	1375	1859	817	1979	1110
1738	649	1860	1088	1982	300
1739	1075	1863	784	1983	325
1741	897	1864	509	1984	1239
1742	1237	1865	386	1985	770
1744	757	1866	648	1987	829
1746	1074	1868	604	1989	1242
1747	764	1870	797	1990	1368
1750	1072	1872	1082	1992	236
1752	765	1874	874	1993	771
1753	828	1875	783	1994	772
1754	1238	1877	1117	1995	237
1755	898	1878	822	1997	660
1756	253	1882	754	2000	211
1760	766	1883	753	2005	811
1761	1215	1884	527	2006	812
1763	1106	1886	1096	2007	813
1765	624	1890	1094	2008	462
1766	1073	1893	916	2009	463
1771	1068	1895	752	2010	814
1772	623	1896	1111	2011	1140
1773	572	1904	1378	2013	1093
1776	1336	1912	231	2014	1306
1777	1335	1914	203	2021	301
1779	392	1915	1079	2025	920
1786	391	1916	232	2027	275
1789	1369	1917	1364	2030	816
1795	233	1918	1112	2031	1330
1796	1319	1919	692	2040	1241
1802	625	1922	1109	2041	1297
1803	1236	1924	1108	2044	1352
1807	758	1926	626	2046	773
1810	1121	1928	751	2049	830
1811	1235	1930	915	2050	901
1812	1105	1933	234	2052	464
1813	605	1934	249	2058	302

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
2059	182	2064	909	2068	839
2060	835	2066	287		
2063	919	2067	376		

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ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
3	45	46	1		
30	10	90	49		

ASSEMBLY CONCURRENT RESOLUTIONS

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
40	67	106	31	137	92
62	8	107	37	138	93
72	2	108	15	139	122
80	72	109	34	142	25
85	14	110	38	146	29
86	73	112	100	147	108
91	5	114	46	151	53
92	9	117	89	152	101
96	99	119	52	153	80
98	11	120	76	154	86
99	74	127	90	156	102
100	75	129	91	157	103
101	24	130	18	158	123
102	88	132	107	159	109
105	30	134	85		

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
13	54	66	28	85	111
45	55	70	68	87	112
50	26	71	39	88	113
53	16	72	69	89	82
54	81	73	56	90	114
55	23	75	70	92	115
56	33	76	17	93	83
58	32	78	87	95	116
59	19	79	57	96	124
61	27	80	71	97	117
62	20	81	104	98	125
64	42	83	110		

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
14	47	28	48	37	77
26	43	33	94		

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
36	21	52	63	69	22
38	58	53	59	70	51
40	6	56	12	71	35
43	4	58	62	73	120
45	13	59	121	76	41
49	7	63	97	77	96
50	78	64	84	81	106
51	3	68	50	86	79

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
24	119	33	44	41	64
29	65	36	61	43	95
30	40	37	36	44	118
31	105	38	98		
32	66	39	60		

BILLS VETOED BY GOVERNOR

1980

ASSEMBLY BILLS

179, 314, 382, 871, 1000, 1176, 1222, 1232, 1265, 1323, 1893, 1976, 2001, 2012, 2126, 2131, 2164, 2188, 2227, 2252, 2274, 2289, 2357, 2463, 2501, 2539, 2650, 2785, 2874, 2876, 2879, 3116, 3197, 3288, 3313, 3366, 3375, 3460

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225, 329, 462, 468, 515, 584, 661, 664, 675, 822, 830, 958, 1010, 1244, 1278, 1311, 1373, 1394, 1423, 1426, 1632, 1707, 1724, 1840, 1867, 1937, 1974, 2041, 2043