
STATUTES OF CALIFORNIA
FIRST EXTRAORDINARY SESSION
1968

PROCLAMATION BY THE GOVERNOR

Convening the Legislature in First Extraordinary Session

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, RONALD REAGAN, Governor of the State of California, by virtue of the power and authority in me vested by Section 3 of Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the ninth day of September, 1968, at 12:00 o'clock noon of said day for the following purposes and to legislate upon the following subjects:

Item No 1. To consider and act upon legislation relative to maximum unemployment disability benefits.

Item No 2. To consider and act upon legislation relative to maximum workmen's compensation benefits.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of September, 1968

RONALD REAGAN
Governor of California

[SEAL]

[Attest] FRANK M. JORDAN
Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, the Legislature of the State of California has been called in extraordinary session and has convened on September 9, 1968; and

WHEREAS, on account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration;

NOW, THEREFORE, I, RONALD REAGAN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated September 5, 1968, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation, to wit:

Item No. 3. To consider and act upon legislation relative to property tax relief.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 12th day of September, 1968.

RONALD REAGAN
Governor of California

[SEAL]

[Attest] FRANK M. JORDAN
Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, the Legislature of the State of California has been called in extraordinary session and has convened on September 9, 1968; and

WHEREAS, on account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration;

NOW, THEREFORE, I, RONALD REAGAN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated September 5, 1968, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation, to wit

Item No. 4. To consider and act upon legislation relative to photographs, negatives, or prints made in the course of post mortem examinations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of September, 1968

RONALD REAGAN
Governor of California

[SEAL]

[Attest] FRANK M. JORDAN
Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, the Legislature of the State of California has been called in extraordinary session and has convened on September 9, 1968; and

WHEREAS, on account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration;

NOW, THEREFORE, I, RONALD REAGAN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated September 5, 1968, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation, to wit

Item No. 5. To consider and act upon legislation relative to relocation assistance in connection with state highway construction

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of September, 1968.

RONALD REAGAN
Governor of California

[SEAL]

[Attest] FRANK M. JORDAN
Secretary of State

PROCLAMATION

WHEREAS, the Legislature of the State of California has been called in extraordinary session and has convened on September 9, 1968; and

WHEREAS, on account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration;

NOW, THEREFORE, I, RONALD REAGAN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated September 5, 1968, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation, to wit

Item No. 6. To consider and act upon legislation relative to the San Francisco Bay Area Rapid Transit District.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of September, 1968.

RONALD REAGAN
Governor of California

[SEAL]

[Attest] FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA

Passed at the 1968 First Extraordinary Session of the Legislature

CHAPTER 1

An act to amend Sections 210, 251, 254, 401, 2611.6, 6051, 6052.5, 6201, 17171, 17204, 18401, 18402, 18405, 18410.6, 19507, and 19524 of the Revenue and Taxation Code, to add Sections 129, 218, 219, 224, 255.1, and 471 to the Revenue and Taxation Code, to add Section 29100.5 to the Government Code, to add Sections 17910 and 20816 to the Education Code, to repeal Section 6052.5 of the Revenue and Taxation Code, to repeal Sections 63 and 64 of Chapter 1209 of the Statutes of 1967, to repeal Section 21 of Chapter 940 of the Statutes of 1968, relating to tax relief, making an appropriation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 23, 1968. Filed with Secretary of State September 23, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 129 is added to the Revenue and Taxation Code, to read:

129. "Business inventories" shall include goods intended for sale in the ordinary course of business and shall include raw materials and work in process with respect to such goods. "Business inventories" shall also include animals and crops held primarily for sale, or animals used in the production of food or fiber and feed for such animals.

"Business inventories" shall not include any goods being leased or rented nor shall "business inventories" include business machinery or equipment or office furniture, machines or equipment, except when such property is held for sale in the ordinary course of business.

SEC. 2. Section 210 of the Revenue and Taxation Code is amended to read:

210. The householder's exemption is as specified in Section 10½ of Article XIII of the Constitution. If a householder fails to select the personal property to be exempted, the assessor shall apply the one-hundred-dollar (\$100) exemption to household furnishings and personal effects not otherwise exempted by law.

SEC. 3. Section 218 is added to the Revenue and Taxation Code, to read:

218. The homeowner's property tax exemption is the amount of the assessed value of the dwelling as specified in Section 1d of Article XIII of the Constitution. The exemption does not extend to property which is rented, vacant, under construction on the lien date, or which is a vacation or secondary home of the owner or owners, nor does it apply to property on which an owner receives the veteran's exemption, or to property for which an owner received an allowance for taxes, either in whole or in part, either directly or indirectly, for the property tax year from the state or any political subdivision thereof, except assistance received under the Senior Citizens Property Tax Assistance Law provided for in Part 10.5 (commencing with Section 19501) of Division 2 of this code. "Owner" includes a person purchasing the dwelling under a contract of sale. As used in this section, "dwelling" shall include:

(a) A single-family dwelling occupied by an owner thereof as his principal place of residence on the lien date.

(b) A multiple-dwelling unit occupied by an owner thereof on the lien date as his principal place of residence. As used in this subdivision, "multiple-dwelling unit" does not include any unit containing more than two separate dwelling units.

(c) A condominium occupied by an owner thereof as his principal place of residence on the lien date.

"Dwelling" means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated.

The exemption provided for in Section 1d of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located.

SEC. 4. Section 219 is added to the Revenue and Taxation Code, to read:

219. Business inventories shall be assessed for taxation at the same ratio of assessed to full cash value as the ratio specified in Section 401. After such property has been so assessed, 15 percent of the assessed value of such property shall be exempt from taxation and such exemption shall be indicated on the assessment roll. The county assessor shall notify the auditor of the total assessed value of the exempt property within each city, district and revenue district wholly or partially within the county. The exemption provided for in this section shall not apply to business inventories assessed as escaped property. The board shall prescribe all procedures and forms required to carry this exemption into effect and to insure accurate data for reimbursement calculations.

SEC. 5. Section 224 is added to the Revenue and Taxation Code, to read:

224. The personal effects and household furnishings in excess of one hundred dollars (\$100) of every householder shall be exempt from taxation.

The word "householder" means any person owning, purchasing or renting real property which he is using regularly, if not continuously, as a residence or residences.

The phrase "personal effects and household furnishings" does not include boats, aircraft, vehicles, or personalty held or used in connection with a trade, profession or business.

SEC 6. Section 251 of the Revenue and Taxation Code, as amended by Chapter 279 of the Statutes of the 1968 Regular Session of the Legislature, is amended to read:

251. The board shall prescribe all procedure and forms required to carry into effect the veterans', church, cemetery, orphanage, college, exhibition, immature forest trees, welfare and homeowner's property tax exemption.

SEC. 7. Section 254 of the Revenue and Taxation Code is amended to read:

254. Any person claiming the church, cemetery, orphanage, college, exhibition, welfare or homeowner's property tax exemption shall make a return of the property to the assessor annually, the same as property is listed for taxation, and shall accompany it by an affidavit, giving any information required by the board.

Any person claiming the immature forest trees exemption shall meet the requirements mentioned above except that each owner or new owner of timber need file only when making his original claim for exemption.

Any person claiming the homeowner's property tax exemption shall meet the requirements of the first paragraph of this section and shall state his name, the address of the property, that the property was owned by him and was occupied as his principal place of residence on the lien date, and such other information as the board may prescribe.

SEC. 8. Section 255.1 is added to the Revenue and Taxation Code, to read:

255.1 Affidavits required for the homeowner's property tax exemption shall be filed between the lien date and 5 o'clock p m on April 15.

SEC. 8 5. Section 471 is added to the Revenue and Taxation Code, to read:

471. Any person who knowingly makes any false statement in a claim for the homeowners' property tax exemption or in any claim for payment for property tax relief to homeowners for the 1968-1969 fiscal year is guilty of a misdemeanor and upon conviction thereof may be punished by imprisonment in a county jail for a period not exceeding six months or by a fine not exceeding five hundred dollars (\$500), or by both.

SEC 9. Section 2611.6 of the Revenue and Taxation Code is amended to read:

2611 6 The information in the tax bill shall include the full cash value and assessed value of locally assessed property and the assessment ratio used to determine the assessed value.

If a tax bill relates to property to which the homeowner's property tax exemption is applicable, that fact and the amount

of the exemption granted, expressed in assessed value, shall be indicated on the bill.

SEC. 10. Section 401 of the Revenue and Taxation Code is amended to read:

401. Every assessor shall assess all property subject to general property taxation from the lien date for the 1967-68 fiscal year through the 1970-71 fiscal year at a publicly announced ratio of his own choosing which shall be between 20 percent and 25 percent of full cash value. Beginning with the lien date for the 1971-72 fiscal year, he shall assess all property subject to general property taxation at 25 percent of its full cash value.

The ratio which an assessor chooses for each fiscal year for the 1967-68 fiscal year through the 1970-71 fiscal year may be the same ratio as the ratio of assessed to full cash value announced by the assessor during the preceding fiscal year or the assessor may announce a ratio closer to 25 percent than the ratio announced by the assessor during the preceding year. No assessor shall announce a ratio farther away from 25 percent of full cash value than the ratio announced by the assessor for the preceding fiscal year.

SEC. 11. Section 6051 of the Revenue and Taxation Code, as amended by Chapter 408 of the Statutes of the 1968 Regular Session of the Legislature, is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of $2\frac{1}{2}$ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of $2\frac{1}{2}$ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1969, and at the rate of $3\frac{1}{2}$ percent thereafter.

SEC. 12. Section 6052.5 of the Revenue and Taxation Code, as amended by Chapter 408 of the Statutes of the 1968 Regular Session of the Legislature, is repealed.

SEC. 13. Section 6052.5 of the Revenue and Taxation Code, as amended by Section 4.5 of Chapter 940 of the Statutes of the 1968 Regular Session of the Legislature, is amended to read:

6052.5. The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent (\$.01) to and including one hundred dollars (\$100), at the 4-percent rate and at the 5-percent rate and at the $3\frac{1}{2}$ -percent rate and at the $4\frac{1}{2}$ -percent rate and at any other combined rates of state, local and rapid transit district taxes administered by the board. The schedules shall be identical with the following tables up to the amounts specified therein:

4 percent		5 percent	
Price	Tax	Price	Tax
.01-.12	.00	.01- .10	.00
.13-.34	.01	.11- .27	.01
.35-.59	.02	.28- .47	.02
.60-.87	.03	.48- .68	.03
		.69- .89	.04
		.90-1.09	.05

3½ percent		4½ percent	
Price	Tax	Price	Tax
.01- .13	.00	.01- .12	.00
.14- .40	.01	.13- .30	.01
.41- .68	.02	.31- .51	.02
.69- .99	.03	.52- .77	.03
1.00-1.28	.04	.78- .99	.04
		1.00-1.22	.05

The remainder of the schedules at the 3½-percent rate and at the 4½-percent rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction.

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed. When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way.

The board shall enforce the provisions of this section.

SEC. 14. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 408 of the Statutes of the 1968 Regular Session of the Legislature, is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including

June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1969, and at the rate of 3½ percent thereafter.

SEC. 15. Section 17171 of the Revenue and Taxation Code is amended to read:

17171. (a) A taxpayer, at his election, may take a standard deduction as follows:

(1) In the case of a taxpayer, other than a head of a household or a married couple filing a joint return, the standard deduction shall be one thousand dollars (\$1,000);

(2) In the case of a head of household or a married couple filing a joint return, the standard deduction shall be two thousand dollars (\$2,000);

(3) If the adjusted gross income (for purposes of Section 17048) of a taxpayer is less than ten thousand dollars (\$10,000), the standard deduction shall be determined under the tax table provided in Section 17048.

(b) The standard deduction provided for in subsection (a) shall be in lieu of all deductions other than those which under Section 17072 are to be subtracted from gross income in computing adjusted gross income

SEC. 16. Section 17204 of the Revenue and Taxation Code is amended to read:

17204. (a) Except as otherwise provided in this section and Section 17205, the following taxes shall be allowed as a deduction for the taxable year within which paid or accrued:

(1) State and local, and foreign, real property taxes, less any amounts received from the state pursuant to the authorization contained in Section 1d of Article XIII of the Constitution;

(2) State and local personal property taxes;

(3) State and local general sales taxes;

(4) State and local taxes on the sale of gasoline, diesel fuel, and other motor fuels; and

In addition, there shall be allowed as a deduction state and local, and foreign, taxes not described in the preceding sentence which are paid or accrued within the taxable year in carrying on a trade or business or an activity described in Section 17252 (relating to expenses for production of income).

(b) For purposes of this section and Section 17205—

(1) The term "personal property tax" means an ad valorem tax which is imposed on an annual basis in respect of personal property, and for the purpose of allowing a deduction under this part, includes, but is not limited to, fees imposed as an excise tax under Section 10751 of the Revenue and Taxation Code.

(2) (A) The term "general sales tax" means a tax imposed at one rate in respect of the sale at retail of a broad range of classes of items.

(B) In the case of items of food, clothing, medical supplies, and motor vehicles—

(i) The fact that the tax does not apply in respect of some or all of such items shall not be taken into account in determining whether the tax applies in respect of a broad range of classes of items, and

(ii) The fact that the rate of tax applicable in respect of some or all of such items is lower than the general rate of tax shall not be taken into account in determining whether the tax is imposed at one rate.

(C) Except in the case of a lower rate of tax applicable in respect of an item described in subparagraph (B), no deduction shall be allowed under this section for any general sales tax imposed in respect of an item at a rate other than the general rate of tax.

(D) A compensating use tax in respect of an item shall be treated as a general sales tax. For purposes of the preceding sentence, the term "compensating use tax" means, in respect of any item, a tax which—

(1) Is imposed on the use, storage, or consumption of such item, and

(ii) Is complementary to a general sales tax, but only if a deduction is allowable under subdivision (a)(3) in respect of items sold at retail in the taxing jurisdiction which are similar to such item.

(3) A state or local tax includes only a tax imposed by a state, a possession of the United States, or a political subdivision of any of the foregoing, or by the District of Columbia.

(4) A foreign tax includes only a tax imposed by the authority of a foreign country.

(5) If the amount of any general sales tax or of any tax on the sale of gasoline, diesel fuel, or other motor fuel is separately stated, then, to the extent that the amount so stated is paid by the consumer (otherwise than in connection with the consumer's trade or business) to his seller, such amount shall be treated as a tax imposed on, and paid by, such consumer.

(e) No deduction shall be allowed for the following taxes:

(1) Taxes paid or accrued to the state under this part;

(2) Taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority of:

(A) The government of the United States or any foreign country;

(B) Any state, territory, county, city and county, school district, municipality, or other taxing subdivision of any state or territory;

(C) Taxes imposed by authority of the government of the United States include—

(i) The tax imposed by Section 3101 of the Internal Revenue Code of 1954 (relating to the tax on employees under the Federal Insurance Contributions Act);

(ii) The taxes imposed by Sections 3201 and 3211 of the Internal Revenue Code of 1954 (relating to the taxes on railroad employees and railroad employee representatives); and

(iii) The tax withheld on wages under Section 3402 of the Internal Revenue Code of 1954.

(3) Federal war profits and excess profits taxes.

(4) Estate, inheritance, legacy, succession, and gift taxes;

(5) Taxes computed as an addition to, or as a percentage of, taxes which are not deductible under this section;

(6) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this does not exclude the allowance as a deduction of so much of the taxes assessed against local benefits as is properly allocable to maintenance or interest charges.

(7) Taxes on real property, to the extent that Section 17205 requires such taxes to be treated as imposed on another taxpayer.

SEC. 17. Section 18401 of the Revenue and Taxation Code is amended to read:

18401. Every individual taxable under this part shall make a return to the Franchise Tax Board, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year—

(a) An adjusted gross income over three thousand two hundred fifty dollars (\$3,250), if single;

(b) An adjusted gross income of over six thousand five hundred dollars (\$6,500), if married; or

(c) A gross income of over seven thousand dollars (\$7,000), regardless of the amount of adjusted gross income.

SEC. 18. Section 18402 of the Revenue and Taxation Code is amended to read:

18402. If a husband and wife have for the taxable year an aggregate adjusted gross income of over six thousand five hundred dollars (\$6,500), or an aggregate gross income of over seven thousand dollars (\$7,000)—

(a) Each shall make such a return, or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income, as provided in Section 17045. No joint return shall be made if; (1) one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year (this exception shall not apply if the nonresident or his or her spouse was an active member of the armed forces or any auxiliary branch thereof during the taxable year), or (2) husband and wife have different taxable years; except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each. The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under Section 17553.

(c) In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator; except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (1) no return for the taxable year has been made by the decedent, (2) no executor or administrator has been appointed, and (3) no executor or administrator is appointed before the last day prescribed by law for filing the return of the surviving spouse. If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute his separate return.

SEC. 19. Section 18405 of the Revenue and Taxation Code is amended to read:

18405. Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having an adjusted gross income for the taxable year of over three thousand two hundred fifty dollars (\$3,250), if single.

(b) Every individual having an adjusted gross income for the taxable year of over six thousand five hundred dollars (\$6,500), if married.

(c) Every individual having a gross income for the taxable year of over seven thousand dollars (\$7,000), regardless of the amount of adjusted gross income.

(d) Every estate the net income of which for the taxable year is over one thousand dollars (\$1,000).

(e) Every trust the net income of which for the taxable year is over one hundred dollars (\$100).

(f) Every estate or trust the gross income of which for the taxable year is over seven thousand dollars (\$7,000), regardless of the amount of the net income.

(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the Franchise Tax Board may prescribe.

SEC 20. Section 18410.6 of the Revenue and Taxation Code is amended to read:

18410.6. For the purposes of Sections 18586 to 18589, inclusive (relating to period of limitations upon assessment and

collection), and for the purposes of Section 18681 (relating to delinquent returns), a joint return made under Section 18410 shall be deemed to have been filed:

(a) Where both spouses filed separate returns prior to making the joint return, on the date the last separate return was filed (but not earlier than the last date prescribed by this part for filing the return of either spouse).

(b) Where one spouse filed a separate return prior to the making of the joint return, and the other spouse had three thousand two hundred fifty dollars (\$3,250) or less of adjusted gross income and seven thousand dollars (\$7,000) or less of gross income for such taxable year, on the date of the filing of such separate return (but not earlier than the last date prescribed by law for the filing of such separate return).

(c) Where only one spouse filed a separate return prior to the making of a joint return and the other spouse had an adjusted gross income of more than three thousand two hundred fifty dollars (\$3,250) or a gross income of more than seven thousand dollars (\$7,000) for such taxable year, on the date of the filing of such joint return.

SEC. 20.5. Section 19507 of the Revenue and Taxation Code is amended to read:

19507. "Property taxes accrued" means current property taxes (exclusive of special assessments, interest, penalties, principal payments on improvement bonds and charges for service) assessed against a claimant's homestead by any taxing agency (as defined in Section 121) for any fiscal year ending on or after June 30, 1968.

"Property taxes accrued" for the fiscal year ending June 30, 1969, shall be reduced for amounts claimed and received, or receivable, pursuant to the authorization contained in Section 1d of Article XIII of the Constitution.

When a claimant and his household own their homestead for only part of a year and rent the same or a different homestead for part of the same year, "property taxes accrued" means only taxes assessed against the homestead when both owned and occupied as such by claimant and his household, multiplied by the percentage of 12 months that such property was owned and occupied by such household as its homestead in such year. Whenever a homestead is an integral part of a large unit such as a farm, or a multipurpose or multidwelling building, "property taxes accrued" shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. Where a claimant or member of the household is purchasing property under an unrecorded contract of sale, the Franchise Tax Board may require an affidavit under penalty of perjury stating the following:

(a) That he purchased the real property pursuant to such unrecorded contract of sale.

(b) That under such unrecorded contract of sale he is obligated and responsible for the payment of the taxes.

The Franchise Tax Board shall by regulation determine the amount of "property taxes accrued" when a household owns two or more homesteads during the same year.

SEC. 21. Section 19524 of the Revenue and Taxation Code is amended to read:

19524. Assistance shall not be granted under this article with respect to property tax fiscal years during which the claimant or any member of the household received a public assistance grant which contained an allowance for property taxes.

SEC. 22. Section 17910 is added to the Education Code, to read:

17910. The Superintendent of Public Instruction shall compute the state equalization aid pursuant to this article upon the basis that the district's assessed value has not been reduced by the exemption of 15 percent of the assessed value of business inventories in the district or reduced by the homeowner's property tax exemption.

SEC. 22.5. Section 20816 is added to the Education Code, to read:

20816. (a) The maximum rate of school district tax, including any maximum rate fixed pursuant to Section 20803, is increased in any fiscal year for any school district situated wholly or in part within a county which, in the 1968-1969 fiscal year, household furnishings and personal effects were enrolled on the county assessment roll.

(b) The increase in maximum tax rate shall be in an amount equal to the 2 percent of the total of the school district tax rates at which property taxes were levied and collected for purposes of the district during the 1968-1969 fiscal year, but subject to the provisions of subdivisions (c).

(c) On or before the first day of February in any year, the governing board of the district may submit a petition to the county superintendent of schools requesting that officer to fix the maximum tax rate of the district for the next succeeding fiscal year at a rate higher than that provided for in subdivision (b). The petition shall demonstrate, on the basis of the best information available to the governing board, that the net loss in revenue which would have resulted to the district in the 1968-1969 fiscal year if household furnishings and personal effects had been exempted from property taxation, taking into consideration increases in state equalization aid which would have accrued to the district as result thereof, exceeds the revenues produced by the increase in maximum tax rate provided for in subdivision (b).

The assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968-1969 and 1969-1970 fiscal years and shall certify his findings to the county auditor and the county superintendent of schools. The county superintendent of schools shall estimate the amount of equalization aid to be received by the district on the basis of the loss in assessed

value certified by the assessor. The county auditor shall apply the tax rate of the district for the 1968-1969 fiscal year to the amount of assessed value determined by the assessor and from the amount computed shall subtract the amount certified by the county superintendent of schools. The tax rate of the district for this purpose shall then be computed by determining the rate which will reflect this remaining amount. The district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (b).

SEC. 23. Section 63 of Chapter 1209 of the Statutes of the 1967 Regular Session of the Legislature is repealed.

SEC. 24. Section 64 of Chapter 1209 of the Statutes of the 1967 Regular Session of the Legislature, as amended by Chapter 408 of the Statutes of the 1968 Regular Session of the Legislature, is repealed.

SEC. 25. Section 21 of Chapter 940 of the Statutes of the 1968 Regular Session of the Legislature is repealed.

SEC. 26. Section 6052.5 of the Revenue and Taxation Code as amended by Section 4.5 of Chapter 940 of the Statutes of the 1968 Regular Session of the Legislature and as further amended by Section 13 of this act shall only become operative if the addition of Section 1d to Article XIII of the State Constitution proposed by Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session is not approved by the voters at the special election on November 5, 1968; in which case said section of the Revenue and Taxation Code shall become operative on July 1, 1969.

SEC. 26.5. Section 29100.5 is added to the Government Code, to read:

29100.5. At the time the rate of tax is fixed, local government units shall not take into account the exemption provided for in Section 219 of the Revenue and Taxation Code, whether such property appears on the secured or unsecured roll. On or before September 15th of each year, the auditor shall compute for each city, district and revenue district wholly or partially within the county which levies taxes on property, the amount of revenue lost by reason of the partial exemption of business inventories based on the assessed value of the exempt property reported by the county assessor pursuant to Section 219 and the tax rate applicable to such property attributable to the city, district and revenue district for the fiscal year. The auditor shall, on or before October 1st of each year, allocate to each such revenue district, city or district funds equal to 75 percent of the revenue lost by each such governmental entity by reason of the partial exemption for business inventories in such fiscal year. The auditor, on or before April 30th, shall allocate to each such revenue district, city or district funds equal to 25 percent of the revenue lost by each such governmental entity by reason of the partial exemption for business inventories in such fiscal year.

SEC. 26.6. Section 26.5 of this act shall only become operative if Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session of the Legislature is approved by the voters; in which case, said section shall become operative at the same time as said amendment takes effect.

SEC. 27. Section 23 of this act shall become operative at 12 o'clock p.m. on September 30, 1968. All funds transferred to the Property Tax Relief Fund pursuant to Section 63 of Chapter 1209 of the Statutes of the 1967 Regular Session of the Legislature shall be transferred by the Controller to the Homeowner's Property Tax Relief Fund, which is hereby created. In addition, between October 1, 1968, and June 30, 1969, the Controller shall transfer from the General Fund to the Homeowner's Property Tax Relief Fund, the sum of one hundred forty-five million dollars (\$145,000,000). On July 1, 1969, the Homeowner's Property Tax Relief Fund shall be abolished if Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session of the Legislature is approved by the voters, in which case all moneys in said fund on said date shall be transferred by the Controller to the State General Fund.

SEC. 28. (a) There shall be submitted to the people at the general election, to be held on the fifth day of November, 1968, the constitutional amendment to add Section 1d to Article XIII of the Constitution to provide property tax relief, as proposed by Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session of the Legislature which shall appear first, numbered 1-a, on the ballot. Except as otherwise provided in this section, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measure submitted pursuant to this section. A ballot pamphlet shall be prepared, compiled and distributed, relating to Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session of the Legislature. The Secretary of State shall distribute the ballot pamphlets to the county clerks not later than 20 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election.

(b) Within two days after the effective date of this section or within two days after the adoption by the Legislature of Senate Constitutional Amendment No. 1, whichever occurs later, the author and first coauthor of the constitutional amendment and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure. If the constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was

no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure. No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State within two days after the effective date of this section or within two days after the adoption by the Legislature of Senate Constitutional Amendment No. 1, whichever occurs later.

(c) Upon the effective date of this section the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this section and shall also request the Legislative Counsel to prepare an analysis of said measure in accordance with Section 3566 of the Elections Code. Said title and said analysis shall be filed with the Secretary of State within two days after the effective date of this section or within two days after the adoption by the Legislature of Senate Constitutional Amendment No. 1, whichever occurs later. The measure submitted pursuant to this section shall be designated on the ballots at the election by its ballot title.

SEC. 29. The Legislature finds and declares that an overwhelming percentage of the persons who itemize deductions on their personal income tax returns are property owners, as such persons are permitted to deduct the interest paid on their mortgages and the taxes paid on their homes. Many individuals who are not in a financial position to purchase homes are tenants and will be unaffected by an integrated system of property tax relief. Therefore, in order to bring these tenants who do not itemize personal income tax deductions into parity with homeowners, the Legislature finds that it is equitable to provide them with an alternate form of tax relief by means of an increase in the amount of the standard deduction provided for in the Personal Income Tax Law. It is the purpose of Section 15 of this act to provide such alternate relief.

SEC. 30. There is hereby appropriated to the Controller from the Homeowner's Property Tax Relief Fund the sum of one hundred eighty-three million seven hundred fifty thousand dollars (\$183,750,000), from the Property Tax Relief Fund a sum sufficient to make the allocations provided for in Section 31 of this act, and from the State General Fund a sum sufficient to make the allocations provided for in Sections 33 and 33.5 of this act.

SEC. 31. (a) The amount appropriated by Section 30 from the Property Tax Relief Fund created by Section 152 of Chapter 963 of the Statutes of the 1967 Regular Session of the Legislature shall be allocated to counties and cities and counties for property tax relief in the 1969-1970 fiscal year in the following manner:

Alameda	\$3,262,278
Alpine	772
Amador	14,813
Butte	158,449

Calaveras	13,237
Colusa	56,102
Contra Costa	1,587,007
Del Norte	34,669
El Dorado	47,873
Fresno	910,917
Glenn	54,998
Humboldt	276,933
Imperial	193,286
Inyo	14,655
Kern	651,077
Kings	145,799
Lake	13,395
Lassen	34,299
Los Angeles	18,959,706
Madera	94,994
Marin	173,093
Mariposa	11,031
Mendocino	87,891
Merced	208,725
Modoc	35,412
Mono	4,171
Monterey	309,840
Napa	114,180
Nevada	22,169
Orange	2,163,934
Placer	78,489
Plumas	7,488
Riverside	682,793
Sacramento	907,277
San Benito	33,096
San Bernardino	1,154,201
San Diego	1,379,718
San Francisco	1,956,405
San Joaquin	867,612
San Luis Obispo	111,977
San Mateo	947,446
Santa Barbara	329,868
Santa Clara	2,398,673
Santa Cruz	152,847
Shasta	122,121
Sierra	3,900
Siskiyou	70,012
Solano	139,462
Sonoma	304,537
Stanislaus	460,689
Sutter	68,898
Tehama	65,398
Trinity	8,908
Tulare	409,480
Tuolumne	31,028
Ventura	355,386

Yolo	269,506
Yuba	45,734

(b) For 1970-71 and each year thereafter, each county shall receive the amount shown for it in subdivision (a) adjusted by the percentage that the bank and corporation tax revenues are estimated on the first day of July of each year by the Department of Finance to increase or decrease when compared to the base period figure provided for in subdivision (c) of this section.

(c) The base period figure shall be computed by multiplying the revenue received pursuant to the Bank and Corporation Tax Law provided for in Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code during the 1968-69 fiscal year by a factor of 1.06.

(d) Seventy-five percent of the amount to be allocated to each county pursuant to subdivisions (a) and (b) shall be allocated on or before August 31st each year. The remaining 25 percent shall be allocated on or before April 30th.

SEC. 32. For the 1968-1969 fiscal year only, the one hundred eighty-three million seven hundred fifty thousand dollars (\$183,750,000) appropriated by Section 30 from the Homeowner's Property Tax Relief Fund shall be allocated in the manner specified in Section 33.5 and in the following manner:

(a) Between the lien date in 1969 and 5 o'clock p.m. on April 15, 1969, the assessor shall make claim forms available which shall include a statement in all claims for the homeowners' property tax exemption for the 1969-1970 fiscal year to determine if the homeowners also owned and occupied a dwelling entitled to the homeowner's property tax exemption as their principal place of residence on the lien date in 1968. The assessor shall also make claim forms available between the lien date in 1969 and 5 o'clock p.m. on April 15, 1969, for any person who owned such a dwelling in the county on the lien date in 1968, which they occupied on that date as their principal place of residence and which was assessed for ad valorem property taxes for the 1968-1969 fiscal year. Such forms shall be filed by the taxpayer between the lien date and April 15, 1969. Out of the funds authorized for allocation pursuant to this section, fifty cents (\$0.50) shall be allocated during the 1968-1969 fiscal year to each county and city and county for each application certified by the assessor of such county or city and county pursuant to this section. The preceding sentence shall apply only to the 1968-1969 fiscal year and is intended to assist counties with the initial expense of administration of the homeowner's property tax exemption.

The State Board of Equalization shall prescribe the contents of the claims forms to be made available by assessors and shall notify assessors of the contents specified, on or before December 31, 1968. Each assessor shall incorporate the specifications on the claims forms he makes available. The board may also

prescribe rules and regulations to govern assessors in processing claims for payments for property tax relief to homeowners for the 1968-1969 fiscal year.

(b) All claims received and approved by the assessor pursuant to subdivision (a) for the lien date in 1968 shall be compiled into a certified list by the assessor containing the name and current mailing address of each claimant entitled to the homeowners' property tax exemption for the 1968-1969 fiscal year. The list shall be mailed to the Controller on or before May 15, 1969.

(c) On or before June 15, 1969, the Controller shall draw his warrant in the amount of seventy dollars (\$70) in favor of each authorized claimant on an assessor's list submitted pursuant to subdivision (b). The warrant shall be accompanied by a statement that the amount so paid is property tax relief provided by the Legislature.

The addition of Section 1d to Article XIII of the State Constitution proposed by Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session will not be presented to the voters until November 5, 1968, which will occur too late to provide property tax relief to homeowners for the 1968-1969 fiscal year in the manner otherwise provided by law. It is the purpose of this section to provide a different means of allocating such relief to homeowners for the 1968-1969 fiscal year only.

(d) Out of the funds authorized for allocation pursuant to this section, the sum of two hundred fifty thousand dollars (\$250,000) shall be retained by the Controller to carry out the duties imposed on him by this section.

(e) The payments made pursuant to subdivision (c) are in lieu of the exemption provided for in Section 218 of the Revenue and Taxation Code. Only one payment shall be allowed for each dwelling pursuant to this section and the assessor shall not certify claims for the same dwelling from more than one person.

SEC. 33. (a) On or before March 31, 1970, and the last day of March of each year thereafter, the Controller shall draw from the General Fund and pay therefrom to each city and county auditor the amounts claimed on the preceding December 1 pursuant to subdivisions (d) and (e) to reimburse local governmental agencies for the tax loss attributable to the homeowner's property tax exemption. Upon receipt of the payments the respective auditors shall apportion the reimbursement proceeds to the local entities in accordance with the claims previously made.

(b) Revenues paid pursuant to this chapter may be used for county, city, district or other municipal purposes and may, but need not necessarily, be used for purposes of general interest and benefit to the state. It is the purpose of this section to carry out the mandate of Section 1d of Article XIII of the Constitution of the State of California and permit recipients of revenues paid pursuant to this chapter to use such revenues

for any purpose for which the recipient could use its property tax revenues.

(c) For the purpose of fixing tax rates for ad valorem taxes every taxing agency and revenue district shall compute the rates by including in the base the exempt values for which the homeowner's property tax exemption is granted under Section 1d of Article XIII of the Constitution, together with the values of taxable property against which the taxes are levied.

(d) On or before December 1 of each year each county auditor shall file with the Controller in such form as the Controller directs, a statement of the amounts of exempt values granted for the homeowner's property tax exemption under Section 1d of Article XIII of the Constitution for the county, each city and school district or portion thereof within the county, each special district or subdivision or zone thereof or portion thereof within the county, for which a tax levy is carried on the county assessment roll. The auditor shall therein compute and show the total amount of ad valorem tax loss to the county and the cities and districts resulting from the exemption and the statement shall claim such amount against the state for payment of reimbursement.

(e) On or before December 1 of each year the auditor of each city whose taxes are not collected by the county shall file with the Controller in such form as the Controller directs, a statement of the amounts of the exempt values granted for the homeowner's property tax exemption under Section 1d of Article XIII of the Constitution for the city, each district, subdistrict or special zone within the city for which a tax levy is carried on the city assessment roll and the tax rates applicable to each. The auditor shall therein compute and show the total amount of ad valorem tax loss to the city and the districts resulting from the exemption and the statement shall claim such amount against the state for payment of reimbursement.

Sec. 33.5. (a). Notwithstanding the provisions of Section 21 of this act, which disqualify a recipient of public assistance under the Senior Citizens Property Tax Assistance Law, the sum of one million dollars (\$1,000,000) from item 309 of the Budget Act of 1968 shall be allocated by the Controller to the State Department of Social Welfare to meet the unmet shelter needs of public assistance recipients.

(b) Notwithstanding the provisions of Section 3 of this act, which disqualify a recipient of public assistance for the homeowner's property tax exemption, the sum of five hundred thousand dollars (\$500,000) from the Homeowner's Property Tax Relief Fund shall be allocated by the Controller to the State Department of Social Welfare to meet the unmet shelter needs of public assistance recipients.

Sec. 34. (a) Sections 1 to 9, inclusive, of this act shall only become operative if Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session is approved by the voters, in which case said sections shall become operative on the lien date in 1969.

(b) Sections 11 and 14 of this act shall only become operative if Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session is not approved by the voters; in which case said sections shall become operative on July 1, 1969.

(c) Sections 15 to 20, inclusive, subdivision (b) of Section 33.5, Sections 20.5, 29 and 35, and Sections 30 to 33, inclusive, of this act shall only become operative if Senate Constitutional Amendment No. 1 of the 1968 First Extraordinary Session of the Legislature is approved by the voters; in which case said sections shall become operative at the same time as said amendment takes effect. If they become operative, the provisions of this act affecting personal income taxes shall be applied in the computation of taxes for taxable years beginning on and after January 1, 1968.

(d) Sections 10, 12, 21, 22, 24, 25 and 28 and subdivision (a) of Section 33.5 of this act shall go into immediate effect.

(e) The provisions of Section 21 of this act shall be applied to claims filed for property tax assistance for fiscal years ending on and after June 30, 1968, and the provisions of Section 20.5 shall be applied to claims filed for property tax assistance for fiscal years ending on and after June 30, 1969.

SEC. 35. Notwithstanding any other provision of law to the contrary, the maximum tax rates of all cities and districts within the state with maximum tax rates established by law and which are located in a county in which household furnishings and personal effects were on the county assessment roll for the 1968-1969 assessment year are increased in accordance with the provisions of this section.

(a) The amount of the increase shall be 2 percent of the rate of the city or district for the 1968-1969 fiscal year on all property subject to taxation by the city or district during such fiscal year, including household furnishings and personal effects, unless the provisions of subdivision (b) apply.

(b) On or before the first day of February of any year, the legislative body of the city or district may, by resolution, request an increase in the city or district's maximum tax rate above the increase allowed by subdivision (a). Upon receipt of such a resolution, the assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968-1969 and 1969-1970 fiscal years and shall certify his finding to the county auditor. The county auditor shall apply the tax rate of the city or district for the 1968-1969 fiscal year to the amount of assessed value determined by the assessor. The tax rate of the city or district shall then be computed by determining the rate which will reflect this amount. The city or district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (a).

This section shall not apply to school districts.

It is the purpose of this section to permit local government to make up revenue lost by reason of the exemption for household furnishings and personal effects.

SEC. 36. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to provide property tax relief to homeowners and compensatory tax relief to tenants at the earliest possible time and in order to place necessary constitutional provisions on the ballot for the November election, it is necessary that this act go into immediate effect.

CHAPTER 2

An act to amend Section 19532 of the Revenue and Taxation Code, relating to tax relief.

[Approved by Governor September 23, 1968. Filed with Secretary of State September 23, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 19532 of the Revenue and Taxation Code is amended to read:

19532. The claim on which the assistance is based shall be filed after May 15 of the fiscal year for which assistance is claimed but on or before October 15 succeeding the fiscal year for which assistance is claimed for property taxes paid.

The state shall assist the claimant after June 30 and before November 30 of the calendar year in which the claim is filed, except that if the claim is defective, assistance shall be made as promptly as is practicable after the claim has been perfected. The Franchise Tax Board, whenever in its judgment good cause exists, may grant a reasonable extension of time for filing a claim. No extension or extensions shall aggregate more than six months from the due date provided for filing the claim. The first claim filed shall include proof of the claimant's age, acceptable to the Franchise Tax Board.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Because of an unfamiliarity on the part of the public with the Senior Citizens Property Tax Assistance Law many persons have not yet claimed their exemptions. It is necessary that the time for filing such claims be extended in order that the intent of the Legislature in enacting the law be carried out,

CHAPTER 3

An act to amend Sections 15952 and 15956 of the Government Code, to add Article 3.5 (commencing with Section 156) to Chapter 1 of Division 1 of, and to repeal Sections 103.8, 103.9, 135.1, and 135.2 of, the Streets and Highways Code, relating to highway relocation assistance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 23, 1968 Filed with Secretary of State September 23, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 15952 of the Government Code is amended to read:

15952. The payment of moving expenses shall be made to eligible persons in accordance with the provisions of this chapter and such rules and regulations as shall be adopted by the Board of Control.

SEC. 2. Section 15956 of the Government Code is amended to read:

15956. The Board of Control is authorized to adopt rules and regulations to implement the payment of moving expenses as authorized by this chapter. Such rules and regulations may include provisions authorizing payments made to individuals and families of fixed amounts not to exceed two hundred dollars (\$200) in lieu of their respective reasonable and necessary moving expenses.

SEC. 3. Article 3.5 (commencing with Section 156) is added to Chapter 1 of Division 1 of the Streets and Highways Code, to read:

Article 3.5. Highway Relocation Assistance

156. As used in this article:

(a) "Displaced person" means any individual, family, business or farm operation which moves from real property acquired for state highway purposes or for a federal-aid highway.

(b) "Individual" means a person who is not a member of a family.

(c) "Family" means two or more persons living together in the same dwelling unit who are related to each other by blood, marriage, adoption or legal guardianship.

(d) "Business" means any lawful activity conducted primarily for the purchase and resale, manufacture, processing or marketing of products, commodities, or other personal property; or for the sale of services to the public; or by a nonprofit corporation.

(e) "Farm operation" means any activity conducted primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity

to be capable of contributing materially to the operator's support.

156.5. (a) The department is authorized to give relocation advisory assistance to any individual, family, business or farm operation displaced because of the acquisition of real property for any project on the state highway system or federal-aid systems.

(b) In giving such assistance, the department may establish a local relocation advisory assistance office to assist in obtaining replacement facilities for individuals, families and businesses which must relocate because of the acquisition of right-of-way for any project on the state highway system or federal-aid system.

157. (a) As a part of the cost of construction the department may compensate a displaced person for his actual and reasonable expense in moving himself, family, business or farm operation, including moving personal property.

(b) Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subdivision in lieu of the payments authorized by subdivision (a) of this section may receive a moving expense allowance, determined according to a schedule established by the department, not to exceed two hundred dollars (\$200), and in addition a relocation allowance of one hundred dollars (\$100).

(c) Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this subdivision in lieu of the payment authorized by subdivision (a) of this section, may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or five thousand dollars (\$5,000), whichever is lesser. In the case of a business, no payment shall be made under this subdivision unless the department is satisfied that the business cannot be relocated without a substantial loss of patronage, and is not a part of a commercial enterprise having at least one other establishment, not being acquired, which is engaged in the same or similar business. For purposes of this subdivision, the term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before federal, state and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period. To be eligible for the payment authorized by this subdivision the business or farm operation must make its state income tax returns available and its financial statements and accounting records available for audit for confidential use to determine the payment authorized by this subdivision.

157.5. (a) In addition to the payments authorized by Section 157, the department, as a part of the cost of construction, may make a payment to the owner of real property acquired

for a project on the state highway system or the federal-aid system, which is improved with a single, two- or three-family dwelling, actually owned and occupied by the owner for not less than one year prior to the first written offer for the acquisition of such property.

(b) Such payment, not to exceed five thousand dollars (\$5,000), shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the department, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and place of employment and available on the market.

(c) Such payment shall be made only to a displaced owner who purchases and occupies a dwelling, that meets standards established by the department, within one year subsequent to the date on which he is required to move from the dwelling acquired for the project.

158. (a) In addition to the payment authorized by Section 157, as a part of the cost of construction, the department may make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under Section 157 5, which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to first written offer for the acquisition of such property.

(b) Such payment, not to exceed one thousand five hundred dollars (\$1,500), shall be the additional amount which is necessary to enable such individual or family to lease or rent for a period not to exceed two years, or to make the downpayment on the purchase of a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

158 5. Any displaced person aggrieved by a determination as to eligibility for a payment authorized by this article, or the amount of a payment, may have his application reviewed by the director whose decision shall be final.

159. The department is authorized to adopt rules and regulations to implement this article, and such other rules and regulations relating to highway relocation assistance as may be necessary or desirable under federal laws and the rules and regulations promulgated thereunder. Such rules and regulations shall include provisions relating to:

(a) A moving expense allowance, as provided in subdivision (b) of Section 157, for a displaced person who moves from a dwelling, determined according to a schedule, not to exceed two hundred dollars (\$200);

(b) The standards for decent, safe, and sanitary dwellings;

(c) Procedure for an aggrieved displaced person to have his determination of eligibility or amount of payment reviewed by the director; and

(d) Eligibility of displaced persons for relocation assistance payments, the procedure for such persons to claim such payments and the amounts thereof.

159.3. No payment received by a displaced person under this article shall be considered as income for the purposes of the Personal Income Tax Law or the Bank and Corporation Tax Law, nor shall such payments be considered as income or resources to any recipient of public assistance and such payments shall not be deducted from the amount of aid to which the recipient would otherwise be entitled under Part 3 (commencing with Section 11000) of Division 9 of the Welfare and Institutions Code.

159.5. Nothing contained in this statute shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of damages not in existence on the date of enactment of this article.

159.6. This article shall be known as the California Legislature Highway Relocation Assistance Act of 1968.

SEC. 4. Section 103.8 of the Streets and Highways Code is repealed.

SEC. 5. Section 103.9 of the Streets and Highways Code is repealed.

SEC. 6. Section 135.1 of the Streets and Highways Code is repealed.

SEC. 7. Section 135.2 of the Streets and Highways Code is repealed.

SEC. 8. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 9. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The acquisition of real property for state highway purposes is requiring an increasing number of citizens to move and relocate their residences, farms and businesses. These persons incur expenses which are not fully compensated for under existing California law. The Federal-Aid Highway Act of 1968, effective August 23, 1968, provides for federal participation in relocation assistance and payments only where such payment is authorized by state law. The prompt and equitable relocation and reestablishment of families, farms, and businesses is necessary. The expeditious implementation of relocation payments and advisory assistance is necessary for the efficient operation of the state highway right-of-way acquisition program. Immediate statutory authorization to make such payments and assistance is required. It is therefore necessary that this act go into immediate effect.

CHAPTER 4

An act to amend Sections 4368, 4453, 4454, 4460, 4701, 4702, 4707, and 5303 of, and to add Sections 3208.1 and 3208.2 to, the Labor Code, relating to workmen's compensation.

[Approved by Governor September 25, 1968 Filed with
Secretary of State September 25, 1968]

The people of the State of California do enact as follows:

SECTION 1. Section 3208.1 is added to the Labor Code, to read:

3208.1. An injury may be either: (a) "specific," occurring as the result of one incident or exposure which causes disability or need for medical treatment; or (b) "cumulative," occurring as repetitive mentally or physically traumatic activities extending over a period of time, the combined effect of which causes any disability or need for medical treatment; provided, however, that the date of cumulative injury shall be the date of disability caused thereby.

SEC. 2. Section 3208.2 is added to the Labor Code, to read:

3208.2. When disability, need for medical treatment, or death results from the combined effects of two or more injuries, either specific, cumulative, or both, all questions of fact and law shall be separately determined with respect to each such injury, including, but not limited to, the apportionment between such injuries of liability for disability benefits, the cost of medical treatment, and any death benefit.

SEC. 3. Section 4368 of the Labor Code is amended to read:

4368. In addition to the death benefit, reasonable expenses of the disaster service worker's burial, not exceeding seven hundred dollars (\$700), shall be paid.

SEC. 4. Section 4453 of the Labor Code is amended to read:

4453. In computing average annual earnings for the purposes of temporary disability indemnity only, the average weekly earnings shall be taken at not less than thirty-eight dollars and forty-six cents (\$38.46) nor more than one hundred thirty-four dollars and sixty-two cents (\$134.62). In computing average annual earnings for purposes of permanent disability indemnity, the average weekly earnings shall be taken at not less than thirty dollars and seventy-seven cents (\$30.77) nor more than eighty dollars and seventy-seven cents (\$80.77). Between these limits the average weekly earnings, except as provided in Sections 4456 to 4459, shall be arrived at as follows:

(a) Where the employment is for 30 or more hours a week and for five or more working days a week, the average weekly earnings shall be 95 percent of the number of working days a week times the daily earnings at the time of the injury.

(b) Where the employee is working for two or more employers at or about the time of the injury, the average weekly earnings shall be taken as 95 percent of the aggregate of such

earnings from all employments computed in terms of one week; but the earnings from employments other than the employment in which the injury occurred shall not be taken at a higher rate than the hourly rate paid at the time of the injury.

(c) If the earnings are at an irregular rate, such as piecework, or on a commission basis, or are specified to be by the week, month or other period, then the average weekly earnings mentioned in subdivision (a) above shall be taken as 95 percent of the actual weekly earnings averaged for such period of time, not exceeding one year, as may conveniently be taken to determine an average weekly rate of pay.

(d) Where the employment is for less than 30 hours per week, or where for any reason the foregoing methods of arriving at the average weekly earnings cannot reasonably and fairly be applied, the average weekly earnings shall be taken at 95 percent of the sum which reasonably represents the average weekly earning capacity of the injured employee at the time of his injury, due consideration being given to his actual earnings from all sources and employments.

SEC. 5. Section 4454 of the Labor Code is amended to read:

4454. In determining average weekly earnings within the limits fixed in Section 4453, there shall be included overtime and the market value of board, lodging, fuel, and other advantages received by the injured employee as part of his remuneration, which can be estimated in money, but such average weekly earnings shall not include any sum which the employer pays to or for the injured employee to cover any special expenses entailed on the employee by the nature of his employment, nor shall there be included either the cost or the market value of any savings, wage continuation, wage replacement, or stock acquisition program or of any employee benefit programs for which the employer pays or contributes to persons other than the employee or his family.

SEC. 6. Section 4460 of the Labor Code is amended to read:

4460. For the purpose of computing the temporary disability indemnity payable to any employee who sustains an original injury causing temporary disability, the maximum average weekly earnings shall be taken at one hundred thirty-four dollars and sixty-two cents (\$134.62). For the purpose of computing the permanent disability indemnity payable to any employee who sustains an original injury causing permanent disability, the maximum average weekly earnings shall be taken at eighty dollars and seventy-seven cents (\$80.77).

Every computation made pursuant to this section as last amended shall be made only with reference to temporary disability or such permanent disability resulting from an original injury sustained after the act last amending this section becomes effective; provided, however, that all rights presently existing under this section shall be continued in force.

SEC. 7. Section 4701 of the Labor Code is amended to read:

4701. Where an injury causes death, either with or without disability, the employer shall be liable, in addition to any other benefits provided by this division, for:

(a) Reasonable expenses of the employee's burial, not exceeding one thousand dollars (\$1,000).

(b) A death benefit, to be allowed to the dependents when the employee leaves any person dependent upon him for support.

SEC. 8. Section 4702 of the Labor Code is amended to read:

4702. Except as provided in the next paragraph, the death benefit in cases of total dependency, when added to all accrued disability indemnity, shall be the sum of twenty thousand dollars (\$20,000) except in the case of a surviving widow and one or more dependent minor children, in which case the death benefit shall be twenty-three thousand dollars (\$23,000) and except as otherwise provided in Sections 4553 and 4554. In cases of partial dependency the death benefit shall be a sum equal to four times the amount annually devoted to the support of the dependents by the employee, not to exceed the sum of fifteen thousand dollars (\$15,000). The death benefit in all cases shall be paid in installments in the same manner and amounts as temporary disability indemnity, payments to be made at least twice each calendar month, unless the appeals board otherwise orders.

Disability indemnity shall not be deducted from the death benefit and shall be paid in addition to the death benefit when the original injury resulting in death occurs after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature.

Every computation made pursuant to this section shall be made only with reference to death resulting from an original injury sustained after this section as amended during the 1959 Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force.

SEC. 9. Section 4707 of the Labor Code is amended to read:

4707. No benefits, except reasonable expenses of burial, not exceeding one thousand dollars (\$1,000) shall be awarded under this division on account of the death of an employee who is a member of the State Employees' Retirement System unless it shall be determined that a special death benefit, as defined in the State Employees' Retirement Law, will not be paid by the State Employees' Retirement System to the widow or children under 18 years of age, of the deceased, on account of said death, but if the total death allowance paid to said widow and children shall be less than the benefit otherwise payable under this division such widow and children shall be entitled, under this division, to the difference.

SEC. 10. Section 5303 of the Labor Code is amended to read:

5303. There is but one cause of action for each injury coming within the provisions of this division. All claims brought for medical expense, disability payments, death benefits, burial expense, liens, or any other matter arising out of such injury may, in the discretion of the appeals board, be joined in the same proceeding at any time; provided, however, that no injury, whether specific or cumulative, shall, for any purpose whatsoever, merge into or form a part of another injury; nor shall any award based on a cumulative injury include disability caused by any specific injury or by any other cumulative injury causing or contributing to the existing disability, need for medical treatment or death.

SEC. 11. This act shall become operative on January 1, 1969.

CHAPTER 5

An act to amend Sections 2655 and 3271 of, and to add Sections 2604.5 and 2706.1 to, the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

[Approved by Governor September 25, 1968. Filed with Secretary of State September 25, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 2604.5 is added to the Unemployment Insurance Code, to read:

2604.5. (a) The director shall study and determine:

(1) The annual cost to the Disability Fund of paying benefits under Sections 2610, 2611, 2653, 2655, 2710, and 2801 of the Unemployment Insurance Code under the amendments proposed in Senate Bill No. 633 of the 1968 Regular Session of the Legislature, as last amended, compared with the annual cost of paying benefits under Section 2655 in effect for periods of disability commencing on and after January 1, 1969, and prior to January 1, 1970.

(2) The cost to the Disability Fund of Senate Bill No. 633 of the 1968 Regular Session of the Legislature, as last amended.

(3) The annual cost to the Disability Fund of paying benefits under wage bases other than those proposed by Senate Bill No. 633 of the 1968 Regular Session of the Legislature, as last amended, compared with the annual cost of paying benefits under Section 2655.

(b) In making this study, the director shall use acceptable statistical and actuarial methods and shall use the most recent revenue and claims experience for which reliable data are available.

(c) The director shall report, not later than March 31, 1969, to the Governor and the Legislature the results of the study required by this section.

SEC. 2. Section 2655 of the Unemployment Insurance Code is amended to read:

2655. An individual's "weekly benefit amount" shall be the amount appearing in column B in the table set forth in this subdivision on the line of which in column A of such table there appears the wage bracket containing the amount of wages paid to such individual for employment by employers during the quarter of his disability base period in which such wages were the highest.

A	B
Amount of wages in highest quarter	Weekly benefit amount
\$75- \$524.99 -----	\$25
525- 549.99 -----	26
550- 574.99 -----	27
575- 599.99 -----	28
600- 624.99 -----	29
625- 649.99 -----	30
650- 674.99 -----	31
675- 699.99 -----	32
700- 724.99 -----	33
725- 749.99 -----	34
750- 774.99 -----	35
775- 799.99 -----	36
800- 824.99 -----	37
825- 849.99 -----	38
850- 874.99 -----	39
875- 899.99 -----	40
900- 924.99 -----	41
925- 949.99 -----	42
950- 974.99 -----	43
975- 999.99 -----	44
1,000- 1,024.99 -----	45
1,025- 1,049.99 -----	46
1,050- 1,074.99 -----	47
1,075- 1,099.99 -----	48
1,100- 1,124.99 -----	49
1,125- 1,149.99 -----	50
1,150- 1,174.99 -----	51
1,175- 1,199.99 -----	52
1,200- 1,224.99 -----	53
1,225- 1,249.99 -----	54
1,250- 1,274.99 -----	55
1,275- 1,299.99 -----	56
1,300- 1,324.99 -----	57
1,325- 1,349.99 -----	58
1,350- 1,374.99 -----	59
1,375- 1,399.99 -----	60
1,400- 1,424.99 -----	61
1,425- 1,449.99 -----	62
1,450- 1,474.99 -----	63
1,475- 1,499.99 -----	64
1,500- 1,524.99 -----	65

A	B
Amount of wages in highest quarter	Weekly benefit amount
1,525- 1,549.99	66
1,550- 1,574.99	67
1,575- 1,599.99	68
1,600- 1,624.99	69
1,625- 1,649.99	70
1,650- 1,674.99	71
1,675- 1,699.99	72
1,700- 1,724.99	73
1,725- 1,749.99	74
1,750- 1,774.99	75
1,775- 1,799.99	76
1,800- 1,824.99	77
1,825- 1,849.99	78
1,850- 1,874.99	79
1,875- 1,899.99	80
1,900- 1,924.99	81
1,925- 1,949.99	82
1,950- 1,974.99	83
1,975- 1,999.99	84
2,000- 2,024.99	85
2,025- 2,049.99	86
2,050 and over	87

Sec 3. Section 2706.1 is added to the Unemployment Insurance Code, to read:

2706.1. A first claim, accompanied by a certificate on a form furnished by the department to the claimant, shall be filed not later than the 20th consecutive day following the first compensable day of unemployment and disability with respect to which the claim is made for benefits, which time shall be extended by the department upon a showing of good cause. If a first claim is not complete, the claim form shall be returned to the claimant for completion and it shall be completed and returned not later than the 10th consecutive day after the date it was mailed by the department to the claimant, except that such time shall be extended by the department upon a showing of good cause.

Sec. 4. Section 3271 of the Unemployment Insurance Code is amended to read:

3271. Until January 1, 1971, the director shall approve any amendment to a voluntary plan adjusting the provisions thereof as to periods after the effective date of the amendment as to which he finds that the plan as amended will conform to the standards set forth in Section 3254 and that either of the following exist:

(a) A majority of the employees covered by the plan have consented in writing to the amendment.

(b) All of the employees covered by the plan who are adversely affected by the amendment have consented in writing to the amendment.

(c) The insurer of such plan, if any, has certified to the director that notice of the amendment either separately or as a part of a new certificate or statement of coverage, has, at least 10 days prior to the effective date of the proposed amendment, been delivered to the employer for distribution to his employees within 10 days thereafter and has further certified that such notice specifically included notification to the employees covered by the plan of their right to withdraw from the plan.

Nothing contained in this section is intended to deny or limit the right of the director to make regulations supplementary thereto, nor on the general subject of requirements for amendments of voluntary plans subsequent to January 1, 1971.

SEC. 5. The provisions of Section 2655 of the Unemployment Insurance Code as amended by this act shall be applicable with respect to periods of disability commencing on and after January 1, 1969. The provisions of Section 2655 of said code as in effect prior to the amendments made by this act shall remain applicable with respect to periods of disability commencing prior to January 1, 1969.

CHAPTER 6

An act to add Section 129 to the Code of Civil Procedure, relating to coroners, declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 25, 1968. Filed with Secretary of State September 25, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 129 is added to the Code of Civil Procedure, to read:

129. Notwithstanding any other provision of law, no copy, reproduction, or facsimile of any kind shall be made of any photograph, negative, or print of the body, or any portion of the body, of a deceased person taken in the course of a post mortem examination or autopsy made by or caused to be made by the coroner, except for use in a criminal action or proceeding in this state which relates to the death of that person, or except as a court of this state permits, by order after good cause has been shown and after written notification of the request for the court order has been served, at least five days before the order is made, upon the district attorney of the county in which the post mortem examination or autopsy has been made or caused to be made.

This section shall not apply to the making of such a copy, reproduction, or facsimile for use in the field of forensic pa-

thology, medical or scientific education or research, or for use by any law enforcement agency in this or any other state or the United States.

This section shall apply to any such copy, reproduction, or facsimile, and to any such photograph, negative, or print, heretofore or hereafter made.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is the policy of the State of California to protect individuals and families against unconscionable invasions of their privacy. The reproduction, for unrelated or improper purposes, of any photograph of the body of a deceased person taken in the course of a post mortem examination or autopsy is contrary to such policy. In order to provide for the fullest application of that policy and for the fair and orderly administration of justice, it is necessary that this act go into immediate effect.

CHAPTER 7

An act to amend Section 17303.5 of the Education Code, relating to property tax relief through state financial support for public school districts.

[Approved by Governor October 2, 1968. Filed with Secretary of State October 2, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 17303.5 of the Education Code is amended to read:

17303.5. The amount transferred pursuant to subdivision (b) of Section 17301 shall be expended in accordance with the following schedule:

(a) Twenty-one dollars and fifty cents (\$21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to one dollar and sixty cents (\$1.60) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.

(b) Four dollars (\$4) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.

(c) Twelve dollars and eighty-five cents (\$12.85) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division.

(d) Three dollars and six cents (\$3.06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352.

(e) Ninety-six cents (\$0.96) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426.

(f) Fifty-seven dollars and seventeen cents (\$57.17) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.

(g) Three dollars and fifty cents (\$3.50) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.

SEC. 2. This act shall be deemed to be "property tax relief," as that term is used in Section 64 of Chapter 1209 of the Statutes of 1967 and Section 4 of Chapter 408 of the Statutes of 1968.

SEC. 3. The provisions of this act shall not be construed as impairing or otherwise affecting the validity of any school district budget proceedings undertaken pursuant to Division 16 (commencing with Section 20501) of the Education Code for the fiscal year 1968-1969. Notwithstanding the provisions of Sections 20951 and 21001, and any other provisions of the Education Code to the contrary, the governing board of any school district may budget and use any unbudgeted apportionments from the State School Fund provided during the 1968-

1969 fiscal year pursuant to the provisions of this act without repetition of any publication or other budgeting procedures which would otherwise be required.

SEC. 4. This act shall be deemed operative for the entire 1968-1969 fiscal year as though the same had been enacted into law and become operative on July 1, 1968. The Superintendent of Public Instruction shall, for such purposes, have authority to take all necessary steps to effect the mid-fiscal-year transition involved, including the authority to adjust allowance computations, apportionments, and disbursements ordered from the State School Fund.

CONCURRENT RESOLUTIONS AND
CONSTITUTIONAL AMENDMENTS

FIRST EXTRAORDINARY SESSION

1968

CONCURRENT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

Adopted at the 1968 First Extraordinary Session of the Legislature

RESOLUTION CHAPTER 1

Assembly Concurrent Resolution No. 1—Relative to commending the 1968 Olympic Team.

[Filed with Secretary of State September 12, 1968]

WHEREAS, Participation in the Olympic Games by amateur athletes representing the United States and other countries has contributed substantially to a better understanding among all peoples; and

WHEREAS, The requirement that United States Olympic Team members be of amateur standing dictates the need for a broad plan of voluntary support to sustain the participants; and

WHEREAS, The State of California is proud of the past and present efforts which have been made, and of the future efforts which will be exerted, by the fine men and women selected to represent the United States; and

WHEREAS, The XIX Olympiad to be held in Mexico City beginning October 12 of this year will be a continuation of this great competitive event; and

WHEREAS, The State of California's Echo Summit, El Dorado County, has been honored by being selected to provide the high-altitude training facilities needed for proper pregame conditioning; and

WHEREAS, The State of California expects that her contribution of athletes, to be selected as final team members, will be greater than any other state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members and the people of the state wish the 1968 Olympic Team, its coaches, and staff, the best possible success in the XIX Olympiad to be held in Mexico City; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the United States Olympic Committee.

RESOLUTION CHAPTER 2

Assembly Concurrent Resolution No. 2—Relative to proclaiming the week of October 6 to 13 as Angelo Noce Week.

[Filed with Secretary of State September 12, 1968]

WHEREAS, During his life, Angelo Noce gave unselfishly of his time to make Columbus Day a legal holiday; and

WHEREAS, Columbus Day was first officially proclaimed by Colorado Governor Jesse F. McDonald, as a legal holiday in the State of Colorado; and

WHEREAS, Angelo Noce devoted most of his life to making Columbus Day a national holiday, and when he died in 1922 at the age of 74, 35 states had adopted his proposal; and

WHEREAS, Angelo Noce should be known as the "Founder of Columbus Day in America," and proper tribute should be given to his memory by the State of California; and

WHEREAS, Angelo Noce contributed to the history and color of the State of California by working in the "Mother Lode" goldfields, attending school in Jackson, California, enrolling in the first class at St. Mary's College in 1863, studying printing and journalism at Santa Clara University, and working on the Amador Dispatch in Jackson, and was buried at the Jackson Catholic Cemetery; and

WHEREAS, He also enjoyed respect and renown as an outstanding Fourth Degree Knight of Columbus, Catholic Lay Apostle, a citizen and patriot, and for his leadership and personal life; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Governor be requested to proclaim October 6 to 13, inclusive, as Angelo Noce Week; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Northern California Chapter, Knights of Columbus and Squires.

RESOLUTION CHAPTER 3

Assembly Concurrent Resolution No. 3—Relative to proclaiming the week of September 23 to 29 as Cabrillo Festival Week.

[Filed with Secretary of State September 12, 1968]

WHEREAS, The State of California has now become the number one state in our nation, with a population which now exceeds the entire nation of Canada; and

WHEREAS, The gross national product of this state alone would rank seventh of all the nations in the world; and

WHEREAS, This beautiful state is acknowledged to be the most bountifully endowed and the most desirable region for the habitation of man on the face of the earth; and

WHEREAS, The people of this state take great and justifiable pride in their accomplishments, their culture, and their history; and

WHEREAS, All the lands of this great state were discovered and opened to western civilization by the gallant Portuguese navigator Juan Rodríguez Cabrillo on September 28, 1542, at the Harbor of San Diego; and

WHEREAS, The people of our state honor the exploits of Cabrillo and the contributions of Portuguese people in the discovery and development of our land; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members proclaim the week of September 23 through September 29 as Cabrillo Festival Week in honor of the discoverer of the West Coast of the United States and encourage all citizens to join in paying tribute to Juan Rodríguez Cabrillo; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Earl C. Cantos, Chairman, 1968 Cabrillo Festival, San Diego, California.

RESOLUTION CHAPTER 4

Assembly Concurrent Resolution No. 4—Relative to congratulating the McGeorge School of Law of the University of the Pacific.

[Filed with Secretary of State September 12, 1968]

WHEREAS, The McGeorge School of Law of the University of the Pacific at Sacramento has produced innumerable outstanding members of the legal profession of this state; and

WHEREAS, The educational program at McGeorge has recently received national attention through its recognition by the American Bar Association; and

WHEREAS, The commencement of the 45th year of law classes at the McGeorge School of Law, to be marked by a spectacular and elegant dinner dance, will take place on Saturday, September 28, 1968, at the Mall of the Florin Center; and

WHEREAS, The theme of the evening will be "A Return to the World of the Magna Charta," with the mall transformed into the land of the old common law; and

WHEREAS, The purpose of the function is to raise badly needed scholarship and loan funds for the record enrollment of 525 students expected to attend law classes at the Sacramento campus commencing September 9; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members congratulate the administration, faculty, students, and alumni of the McGeorge

School of Law of the University of the Pacific on the occasion of the celebration commemorating 45 years of service to the citizens and members of the legal profession of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the McGeorge School of Law.

RESOLUTION CHAPTER 5

Assembly Concurrent Resolution No. 6—Relative to the contributions of Mexican-Americans.

[Filed with Secretary of State September 18, 1968.]

WHEREAS, The people of California first threw off the shackles of colonial oppression on September 15, 1810, when California was liberated from Spain; and

WHEREAS, This revolution for freedom, independence, liberty and self-government was courageously waged by the ancestors of our citizens who are now known as Mexican-Americans; and

WHEREAS, This day ought to be recognized as the first independence day for the State of California; and

WHEREAS, The contributions of the Mexican-Americans to California have been manifest and today our daily lives are enriched by the legacy of their culture; and

WHEREAS, The Mexican-American citizens of California are justifiably proud of their culture and history; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members recognize and appreciate the role that ancestors of our Mexican-American citizens played in freeing California from Spain on September 15, 1810.

RESOLUTION CHAPTER 6

Senate Concurrent Resolution No. 3—Relative to the retirement of W. R. "Ralph" Currie.

[Filed with Secretary of State September 18, 1968.]

WHEREAS, It is with a deep sense of personal loss that the members have learned of the impending retirement of a dear and trusted friend and esteemed adviser, W. R. "Ralph" Currie, chief financial economist for the Budget Division of the State Department of Finance; and

WHEREAS, Ralph Currie received his A.B. degree in economics from Whitman College, Walla Walla, Washington,

and graduated from the Stanford Graduate School of Business in 1929, thereafter serving with distinction with the Research Department of the State Chamber of Commerce from 1929 to 1936; and

WHEREAS, Since 1936, when he came to work for the State Department of Finance, Ralph Currie has faithfully served the administrations of six Governors: Frank Merriam, Culbert Olson, Earl Warren, Goodwin Knight, Edmund Brown, and Ronald Reagan; and

WHEREAS, Throughout the years, he has won the respect of men of stature of all political persuasions, despite their divergent and oft-conflicting views, because of his honesty and ability, and his unerring devotion to principle, to the people, and to the unfailing service of their elected representatives; and

WHEREAS, His creative genius has brought him national prominence in the field of state finance, and has earned him a place of honor in the annals of this state as the pioneering "master architect" of California's financial system; now therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members extend their personal thanks to W. R. "Ralph" Currie, along with their heartfelt and sincerest best wishes for the future; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to W. R. "Ralph" Currie.

RESOLUTION CHAPTER 7

Senate Concurrent Resolution No. 1—Relative to official designation of Needles Freeway.

[Filed with Secretary of State September 19, 1968]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That State Highway Route 40, between Barstow and the Arizona state line, which runs through the City of Needles, is hereby officially designated the Needles Freeway; and be it further

Resolved, That the Division of Highways of the Department of Public Works is hereby requested to erect and maintain appropriate signs on this state highway showing the official designation; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Public Works.

RESOLUTION CHAPTER 8

Senate Concurrent Resolution No. 5—Relative to a California Highway Commission rehearing of the routing of the Century Freeway through the City of Lynwood

[Filed with Secretary of State September 19, 1968]

WHEREAS, The adoption of the route of Route 105 (Century) Freeway by the California Highway Commission was based on the adopted report "Brown-Dash Brown-Green-Orange Route," which stated that the Century Freeway could and should provide improved public bus transportation within and into the surrounding communities; and

WHEREAS, The additional cost and additional land required to provide the separate bus lanes, adequate bus stops, and exclusive on and off ramps for bus use to make feasible this improved public bus transportation was not published in the adopted report; and

WHEREAS, The adopted report proposes to elevate the Pacific Electric tracks which parallel the freeway to eliminate six existing grade crossings and thus improve the traffic circulation in the City of Lynwood; and

WHEREAS, The additional cost of \$7 million to elevate the the Pacific Electric tracks would make the Brown-Dash Brown-Green-Orange Route nearly \$8 million more costly than the Green-Orange Route, and thus drastically affect the benefit-cost ratio of the Brown-Dash Brown-Green-Orange Route; and

WHEREAS, The routing of the freeway through the vacant land of the old peat bog and Desser mire lots would eliminate the need to demolish the Bunch Junior High, Martin Luther King, and Frances Willard Schools; and

WHEREAS, The Western Gear Corporation, located in Lynwood, employs over 220 residents with an annual payroll of \$2.5 million, purchases over \$650,000 worth of goods and services from 53 independent local concerns annually, and pays \$14,500 in sales tax and \$222,000 in property tax annually to the city; and

WHEREAS, The Brown-Dash Brown-Green-Orange Route with the overhead structures of the freeway would create a serious security problem for and would greatly hamper the future expansion at the present site (since a minimum of four acres would be lost to the freeway) of the Western Gear Corporation, which is a vital supplier of marine units, aircraft transmissions and accessories, and missile components to the United States Navy and a leader in the scientific medical equipment field, including being the world's largest manufacturer of artificial kidneys; and

WHEREAS, The Brown-Dash Brown-Green-Orange Route would cause the City of Lynwood to suffer a loss of \$4.1 million in assessed valuation out of a total loss of \$9.3 million (44 percent of the total) in assessed valuation of all eight cities concerned, and the adoption of the Green Route would reduce

this loss from 44 percent to 31 percent, with the loss suffered by the City of Paramount, which has the second highest loss, being 23 6 percent regardless of the route selected; and

WHEREAS, The routing of the freeway through the City of Lynwood will penalize a planned residential-industrial type community with a low tax rate per capita that resulted from years of cooperative planning, by the removal of prime industrial land from its tax base; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the California Highway Commission is hereby requested to schedule a rehearing on the routing of Route 105 (Century) Freeway through the City of Lynwood; and be it further

Resolved. That the Secretary of the Senate transmit a copy of this resolution to the California Highway Commission.

RESOLUTION CHAPTER 9

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1d to Article XIII thereof, relating to the homeowners' property tax exemption.

[Filed with Secretary of State September 20, 1968]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1968 First Extraordinary Session commencing on the ninth day of September, 1968, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the state be amended by adding Section 1d to Article XIII thereof, to read:

SEC. 1d. The homeowners' property tax exemption shall apply to each dwelling, as defined by the Legislature, occupied by an owner thereof on the lien date as his principal place of residence. This exemption shall not apply to any dwelling if an owner thereof has been granted an exemption for the assessment year pursuant to Section 1 $\frac{1}{2}$, 1 $\frac{1}{2}$ a or 1 $\frac{1}{2}$ b of this article, nor shall it apply to any property which the Legislature, by general laws, excludes from the exemption by reason of the fact that the tax on such property is paid either in whole or in part, either directly or indirectly, by the state or any political subdivision thereof. Only one homeowners' property tax exemption shall apply to each dwelling.

There is exempt from taxation the amount of \$750 of the assessed value of the dwelling and this shall be known as the homeowners' property tax exemption. The amount of the exemption may be increased or decreased by the Legislature, a majority of all of the members elected to each of the two

houses voting in favor thereof, but such exemption shall not be reduced below \$750 of such assessed value.

The Legislature shall provide by general laws for subventions to counties, cities and counties, cities, and districts in this state in an amount equal to the amount of revenue lost by each such county, city and county, city, and district by reason of the homeowners' property tax exemption. No increase by the Legislature in the homeowners' property tax exemption above the amount of \$750 shall be effective for any fiscal year, unless the Legislature increases the rate of state taxes in an amount sufficient to provide subventions, and shall provide subventions, during such fiscal year to each county, city and county, city and district in this state a sum equal to the amount of revenue lost by each by reason of such increase.

Any revenues subvented by the state to replace revenues lost by reason of the homeowners' property tax exemption may be used by a county, city and county, city, or district for state purposes or for county, city and county, city, or district purposes, as the case may be.

Nothing in this Constitution shall constitute a limitation on the taxation of property, or on the bonding capacity of the state or of any city, city and county, county, or district, when based on a percentage of assessed or market value of property; provided, however that the Legislature may establish maximum property tax rates and bonding limitations for units of local government.

For the 1968-1969 fiscal year only, the Legislature may effect the exemption by payment of \$70 to taxpayers in the manner specified in Senate Bill No. 8 of the 1968 First Extraordinary Session of the Legislature, the provisions of which are hereby ratified.

And be it further resolved. That there is a conflict within the meaning of subdivision (b) of Section 24 of Article IV of the Constitution between this measure and Proposition No. 9 and, therefore, as provided in that subdivision, if both measures are approved by the voters, the measure receiving the higher affirmative vote shall prevail.

RESOLUTION CHAPTER 10

Senate Concurrent Resolution No. 4—Relative to the appointment of Eldridge Cleaver as a lecturer at the University of California at Berkeley.

[Filed with Secretary of State September 20, 1968]

WHEREAS, The University of California at Berkeley has announced that Eldridge Cleaver will be a lecturer in a 10-week course to be given this fall with the approval of the Board of Educational Development, a unit of the Academic Senate of the University; and

WHEREAS, Eldridge Cleaver, a leader of the organization known as the "Black Panthers," does not possess the academic qualifications to teach at a university and is an avowed advocate of racism and violence; and

WHEREAS, It is a travesty of academic freedom to appoint a person totally devoid of academic qualifications whose evident purpose is to preach violent revolution as a "lecturer" at a university supported by the citizens of this state; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members censure the Regents, the President of the University of California and the Chancellor and the Academic Senate of the University of California at Berkeley for their wholly irresponsible action in approving the appointment of Eldridge Cleaver as a lecturer; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the University of California and the Chancellor and Academic Senate of the University of California at Berkeley.

RESOLUTION CHAPTER 11

Senate Concurrent Resolution No. 6—Relating to the retirement of Frank E. Caine.

[Filed with Secretary of State September 20, 1968.]

WHEREAS, The members have learned that Frank E. ("Ed") Caine is retiring as Tax Counsel for the Franchise Tax Board; and

WHEREAS, Ed, a native Californian born and educated in San Francisco, received his law degree from McGeorge School of Law; and

WHEREAS, He has devoted 31 years to state service, beginning with the Department of Employment in November of 1937, and has been with the Franchise Tax Board since 1941, where for many years he was in charge of the Appeals Section, Legal Division, was Assistant to the Chief Counsel, and more recently has been in charge of the Legislative Section of the Legal Division; and

WHEREAS, Over the years Mr. Caine has been instrumental in the formulation and writing of many of the laws dealing with the bank and corporation and personal income tax laws; and

WHEREAS, He is a confirmed sports enthusiast and is widely known as an avid participant in golf, carrying a handicap of 11 and known to his golfing buddies as "Sandbagger"; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members commend Frank E. Caine for his outstanding career with the Franchise Tax

Board and extend their best wishes to him and his family upon his retirement after 31 years of dedicated public service; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to Frank E. Caine

RESOLUTION CHAPTER 12

Senate Concurrent Resolution No. 7—Relative to final adjournment of the 1968 First Extraordinary Session of the Legislature.

[Filed with Secretary of State September 20, 1968]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1968 First Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 5 o'clock p.m. on September 20, 1968.

RESOLUTION CHAPTER 13

Senate Concurrent Resolution No. 2—Relative to feasibility of inclusion of certain land in Sylmar, California, in state park system.

[Filed with Secretary of State September 27, 1968]

WHEREAS, It has come to the attention of Members of the Legislature that 164 acres of state land situated at the intersection of Hubbard and Eldridge Streets, Sylmar, California, is included on a list of surplus lands authorized for sale by the Department of General Services under Assembly Bill 1204 (Ch. 1318, Stats. 1968); and

WHEREAS, This property is scenic and would constitute an extremely attractive addition to the state park system; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members request the Department of Parks and Recreation to conduct a study of the 164 acres of state land situated at the intersection of Hubbard and Eldridge Streets, Sylmar, California, regarding the feasibility of inclusion of such property in the state park system and to render a report thereon, including its recommendations thereon, to the Legislature by the fifth legislative day of the 1969 Regular Session of the Legislature; and be it further

Resolved, That pending the results of such study the Director of General Services remove such property from the list of surplus lands to be offered for public sale; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Director of Parks and Recreation and to the Director of General Services.