CALIFORNIA LEGISLATURE

1975–76 REGULAR SESSION

and

1975–76 FIRST EXTRAORDINARY SESSION
1975–76 SECOND EXTRAORDINARY SESSION
1975–76 THIRD EXTRAORDINARY SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments) Adopted in 1975

and

1969–1975 Statutory Record

DARRYL R. WHITE
Secretary of the Senate

JAMES D. DRISCOLL
Chief Clerk of the Assembly

Compiled by
GEORGE H. MURPHY
Legislative Counsel

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PREFACE

Digests

The Summary Digest consists of a short summary of each law enacted, and of each constitutional amendment, concurrent or joint resolution adopted by the Legislature in 1975. Except for technical corrections indicated by "*" (words stricken out or added), the summary of each measure is identical to the Legislative Counsel's digest which appeared on the face of the legislative measure when placed on final passage by both houses.

Cross-Reference Tables

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

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

Index

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

Statutory Record

This edition of the Summary Digest includes a cumulative statutory record for 1969–1975, followed by a list of concurrent resolutions adopted in the years 1969–1975 which affect concurrent resolutions adopted in prior years, and lists of new general laws passed in the years 1969–1975 which do not specifically amend, add to, or repeal any existing code or general law. Cumulative statutory records for 10-year periods, 1959–1968 and 1949–1958, and for the 16-year period, 1933–1948, are published in separate volumes, which supplement the original statutory record, 1850–1932, published in 1933.

ABBREVIATIONS

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

EFFECTIVE DATES

Regular Session

The 1975–76 Regular Session convened on December 2, 1974, and the interim study recess commenced on September 12, 1975. Statutes enacted in 1975, other than those taking immediate effect, will become effective January 1, 1976 In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect.

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

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

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

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

Extraordinary Sessions

An urgency statute enacted at a special session of the Legislature takes effect immediately, as outlined above, and the same rules apply with respect to a delayed *operative* date. A nonurgency statute takes effect on the 91st day after adjournment of the special session at which the bill was passed.

The 1975–76 First Extraordinary Session convened on February 17, 1975, and adjourned sine die on June 27, 1975 The 91st day after adjournment is September 26, 1975. However, the operation of the statutes enacted at this session is contingent upon adoption by the electors at the November 2, 1976, general election.

The 1975–76 Second Extraordinary Session convened on May 19, 1975, and adjourned sine die on September 12, 1975. The 91st day after adjournment is December 12, 1975.

The 1975–76 Third Extraordinary Session convened on May 20, 1975, and adjourned sine die on May 29, 1975. The 91st day after adjournment is August 28, 1975.

DIGESTS OF STATUTES ENACTED IN 1975

1975–76 REGULAR SESSION

BILL CHAPTERS

Ch 1 (SB 12) Song Probate husband and wife

During the 1973–74 session several bills were enacted into law, relating to the administration of estates, involving community property, applicable to the estates of persons dying on or after January 1, 1975

This bill would extend the date of application to July 1, 1975

The bill would take effect immediately, as an urgency statute

Ch 2 (AB 132) Knox Personal income taxes· retirement plan contribution deductions

Under existing Personal Income Tax Law, a self-employed person may deduct amounts contributed to a qualified retirement pension plan which do not exceed $2,500 or 10 percent of the earned income derived from such trade or business A plan is disqualified if excess contributions are made to such plan

This bill would provide that contributions by a self-employed person which do not exceed the special limitations for self-employed individuals under Section 404(e) of the Internal Revenue Code of 1954, as amended by the federal Employee Retirement Income Security Act of 1974, contained in P L 93-406, would not exceed otherwise authorized contributions and would not disqualify such plan

This bill would further provide that such contributions would be deductible under California law to the extent they do not exceed presently authorized contribution limits

This act would take effect immediately as a tax levy and would apply to taxable years beginning on or after January 1, 1974

Ch 3 (AB 424) Berman Drug abuse programs

The State Office of Narcotics and Drug Abuse is the state agency responsible for development of a comprehensive state plan for drug abuse prevention, and is the single state agency for purposes of receiving federal funds for drug abuse prevention

This bill would not change the existing law relating to drug abuse programs, except that it would permit the State Department of Health to make advance payment of federal funds, to the extent permitted by the federal contract with the State Office of Narcotics and Drug Abuse and the interagency agreement between the state office and the state department, to private nonprofit or county drug abuse treatment and prevention programs which are under subcontract with the state department or are part of the community mental health service programs

This bill is an urgency statute that would take effect immediately

Ch 4 (AB 456) Leroy F Greene Hughes Stadium Field Act

Under existing law, a "school building," as defined, which has been examined and found not to comply with Field Act structural standards, may not, except under certain circumstances, continue to be used for school purposes after June 30, 1975

This bill would permit Hughes Stadium in Sacramento to be used for school purposes after June 30, 1975, if, by that date, certain specified conditions had been met The bill would prohibit the stadium from being used for school purposes after June 30, 1977, unless it had been repaired, reconstructed, or rehabilitated in accordance with Field Act standards

The bill would become effective immediately, as an urgency statute

Ch 5 (SB 112) Berryhill Community college districts

Under existing law exemptions from the requirement that all territory of the state be included in community college districts is afforded to counties having residents accounting for fewer than 250 units of a d a in community colleges during the preceding fiscal year

This bill would modify the exemption and afford it to the school district territories

under the jurisdiction of the county superintendents of schools when the residents of such a territory account for fewer than 250 units of a d a in community colleges during the preceding fiscal year, thus, permitting deviation from precise county boundary lines, where appropriate.

This bill would take effect immediately, as an urgency statute

Ch 6 (SB 114) Marks Residential rehabilitation citizen participation

The Marks-Foran Residential Rehabilitation Act of 1973 currently requires that, prior to issuance of bonds or bond anticipation notes for financing residential rehabilitation thereunder, the city, county, city and county, housing authority, or redevelopment agency proposing the issuance of such bonds or notes first adopt a comprehensive residential rehabilitation financing program Among the elements required to be included in such a program are provisions for citizen participation in selection of residential rehabilitation areas The term "citizen participation" is not, however, defined for purposes of the Marks-Foran Residential Rehabilitation Act of 1973

This bill would define "citizen participation" for the purposes of such provisions

This bill would take effect immediately as an urgency statute

Ch 7 (AB 74) McAlister Modification of contracts

Existing law applicable to contracts for the sale of goods provides that a written contract may only be modified by a written agreement or by an oral agreement fully executed by both parties

This bill deletes the above provision and substitutes therefor the provision of the Uniform Commercial Code governing oral modifications of written contracts The provision provides that a signed agreement which excludes modification or rescission except by a signed writing cannot be otherwise modified or rescinded, but except as between merchants, such a requirement on a form supplied by the merchant must be separately signed by the other party

Ch 8 (AB 350) McAlister Claims against the state

This bill appropriates $225,000 from the Motor Vehicle Account, State Transportation Fund to settle, out of court, the claims of Helen E Smith, Terry Smith, Johnny Smith, Fawn Smith, Robin Smith, and Wendy Smith, against the State of California

This bill is to take effect immediately as an urgency statute

Ch 9 (SB 206) Berryhill Irrigation district warrants

Irrigation districts are authorized under the Irrigation District Law to issue interest-bearing warrants

This bill would specifically authorize the board of directors of an irrigation district to sell warrants in such manner and in such quantities as may be determined, but at not less than 95 percent of par value

This bill would go into immediate effect as an urgency statute

Ch 10 (AB 9) Deddeh Municipal court districts

Under existing law, the entire City of San Diego lies in the San Diego Municipal Court District, as the Constitution until recently provided that no city may be divided into more than one municipal court district

This bill implements the provisions of Proposition 13 of the November 1974 general election, which added Section 5 5 to Article VI of the Constitution, authorizing the division of cities in San Diego County into more than one municipal court district in specified circumstances This bill would remove from the San Diego Municipal Court District that portion of the City of San Diego lying southerly of the City of Chula Vista and the portion of the City of San Diego lying within San Diego Bay south of a westerly continuation of the northern boundary of National City to the point of intersection with the eastern boundary of the City of Coronado and place that area in the South Bay Municipal Court District

This bill will take effect immediately as an urgency statute

Ch 11 (AB 923) Boatwright Personal income tax renter credit—appropriation augmentation

Under existing law, certain qualified renters are entitled to receive a refund under the Personal Income Tax Law Refunds are paid from the Personal Income Tax Fund when revenues are specifically appropriated by the Legislature from the Personal Income Tax Fund for that purpose The Budget Act of 1974 appropriates $45,000,000 for such purpose

This bill would provide that credits and refunds required to be paid under the renters credit be made from the Personal Income Tax Fund when revenues are specifically appropriated by the Legislature and would appropriate $60,000,000 from the General Fund to the Personal Income Tax Fund in augmentation of the 1974 Budget Act appropriation

This bill takes effect immediately as an urgency statute

Ch 12 (AB 101) Lanterman Validations

This bill is the First Validating Act of 1975 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities

This bill is to take effect immediately as an urgency statute

Ch 13 (AB 533) Chacon Bilingual teacher aides stipends

Under current law the Superintendent of Public Instruction may contract with local agencies and the California State University and Colleges for the training of teacher aides under the Bilingual Teacher Corps Program which provides a stipend, plus necessary expenses, to such aides

This bill would also authorize the Superintendent of Public Instruction to contract with the University of California for the training of such aides

This bill would take effect immediately as an urgency statute

Ch 14 (AB 140) Leroy F Greene School sites nonuse payments—computation

(1) Present statutes provide that school districts with sites not used for specified school purposes within specified periods after acquisition are subject to nonuse payments on account of such unused sites, under specified conditions, and prescribe a method of computation of such nonuse payments which includes a factor reflecting the change of assessed value of all lands in the state from the date of purchase to the current date

This bill would authorize, for such computational method, the use of an alternative factor determined by the State Allocation Board to be applicable to the site under consideration

(2) Under current law, the school district is subject to the nonuse payments unless the State Allocation Board has made a determination that the school district will utilize the property within a reasonable period of time

This bill would require the nonuse payments to be made unless the State Allocation Board makes such a determination from time to time

(3) Existing statutes do not provide any exception from such nonuse payment requirements for good faith efforts to sell such property

This bill would prohibit computation of such nonuse payments for one year after the State Allocation Board determines that a governing board advertised, in good faith and in the preceding year, such site for sale but received no bids reflecting the fair market value of the property

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

Ch 15 (AB 355) MacDonald Data processing consolidated data center appropriation

Existing law provides for the Stephen P Teale Consolidated Data Center and money from various funds has been appropriated to support data-processing activities by various state agencies in connection with the center

This bill would appropriate $2,612,273 to the center, $1,000,000 of which would be from the State Highway Account in the State Transportation Fund and $1,612,273 of which would be from the General Fund, to be encumbered or expended only during the 1974–75 fiscal year and the bill would specify that the unencumbered balance of any

appropriation made by the bill existing on July 1, 1975, shall revert to the source from which it was appropriated The bill would also provide that the funds appropriated by the bill from the State Highway Account shall be encumbered or expended only for the purpose of providing data-processing support for the Department of Transportation

The bill would also provide that no funds appropriated by either the bill or by the Budget Act of 1974, shall be encumbered or expended for the purchase, or lease on other than a month-to-month basis, of computer mainframes for the center until at least 30 days after the presentation of the results of a study, as specified, to the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee The bill would further provide that such study shall be performed by an independent private consulting firm selected by, and responsible to, the Secretary of the Business and Transportation Agency

The bill would provide that funds appropriated by the bill may be used to replace computer equipment without regard to the competitive bidding and mainframe requirements of Section 4 of the 1974 Budget Act The bill would provide that the center shall use such authority to complete negotiations for the replacement of disk drives, if such replacement is in accordance with the results of the study provided for in the bill, and that the center shall present to the Legislature, not later than June 1, 1975, a plan for the replacement of other peripheral equipment through competitive bidding

The bill would go into immediate effect as an appropriation for the usual and current expenses of the state

Ch 16 (SB 38) Way Pest-infected citrus trees, compensation

The existing law authorizes any citrus pest control district to pay limited compensation to the owner of any citrus tree infected with quick decline which is removed by the district or the owner, within 60 days after written notice of such infection to the owner by the district, and prior to March 1, 1975

This bill would extend to March 1, 1980, the date by which such a tree is required to be removed in order for the district to pay compensation

This bill would take effect immediately as an urgency statute

Ch 17 (AB 166) Mobley County boards of education governing boards

(1) Current law requires members of county boards of education to take office on July 1st subsequent to their election, and to organize on the first meeting subsequent to July 1st in each year

The bill would substitute April 1st for July 1st as the date at which terms of county boards of education members begin for members elected at the date on which members of school district governing boards are elected It would also substitute the first meeting on and after April 1st for July 1st as the date for county boards of education annual organization meetings for county boards of education which have members elected at the date on which members of school district governing boards are elected

Furthermore, this bill would accelerate the expiration of terms of county board of education members holding such offices on the effective date of this bill to March 31st of the year of expiration

(2) Under present law, annual organizational meetings of school district governing boards, including community colleges, are held within the period of April 1 to April 15, inclusive, which follows the election of governing board members on the first Tuesday after the first Monday in March in election years, notwithstanding the fact that provision is made for school district governing board elections to be conducted in conjunction with the municipal election of a chartered city which may be held on other than the first Tuesday after the first Monday in March

This bill would permit organizational meetings to be held in a 15-day period that commences with the date upon which a governing board member elected in a year in which a regular election for governing board members is conducted takes office In years in which no such regular election for governing board members is conducted, this bill would require the organizational meeting to be held during the same 15-day period on the calendar

The bill would take effect immediately as an urgency statute

Ch 18 (AB 542) Briggs Personal property brokers' maximum charges

This bill makes a clarifying change in the law reflecting an increase in the maximum rate of charges which was made in the 1973–74 legislative session It provides that it clarifies the intention of the Legislature in enacting Chapter 1463 of the Statutes of 1974

The section amended by this bill would be repealed effective January 1, 1977

The bill will take effect immediately, as an urgency statute

Ch 19 (AB 608) Chacon Community colleges bond elections

Under current law, the maximum tax rate of a community college district is increased in order to permit the levy and collection of a tax for making lease payments for plant and equipment The authorization for the increase remains in effect until the end of a four-year period in which no bond election is submitted to the voters

This bill would permit the governing board of the district to continue to levy and collect the tax in the fifth year even if there is no election in the fourth year, if a bond election may be consolidated with another districtwide election to be held in the latter half of a calendar year, but after the end of the fourth fiscal year In order to do so, the governing board must resolve to consolidate the election with the districtwide election, and such resolution must be adopted prior to June 30 of the fourth fiscal year

This bill would take effect immediately as an urgency statute

Ch 20 (AB 76) Lanterman California Postsecondary Education Commission

Existing statutes require payment to each member of the California Postsecondary Education Commission of a $50 stipend for each day of attendance at any meeting of the commission but does not require any such payment for attendance at any meetings of committees or subcommittees of the commission

This bill would require payment to each member of the commission of a $50 stipend for each day of attendance at any meeting of a committee or subcommittee of the commission, of which committee or subcommittee such commission member is a member, and which committee or subcommittee meeting is conducted to carry out the powers and duties of the commission

Ch 21 (AB 81) Knox Revenue bonds

Existing law authorizes public agencies, such as counties, cities, and districts, to agree to jointly exercise any power common to the contracting parties To carry out the purposes of any such agreement, one of the parties may be designated as the "administering agency," or the parties may create an entirely separate entity for such purpose

Existing law further authorizes a separate entity created by a joint powers agreement, but not one of the parties to such agreement, to issue revenue bonds to finance various projects under the laws relating to the joint exercise of powers Existing law also authorizes a separate entity to issue revenue bonds under the Revenue Bond Law of 1941 for the purpose of acquiring, constructing, maintaining, or operating a facility for the collection, treatment, or disposal of sewage, waste, or storm water upon the approval of a majority of the voters voting on the proposition

In addition, present law permits issuance of revenue bonds without voter approval by ordinance of the agency governing board if compliance with a water quality control plan requires construction of facilities for the collection, treatment, or disposal of sewage, waste, or storm water, and if the appropriate regional water control board finds or determines that action is needed

This bill specifies that an election for the purposes of issuance of bonds under such provisions must be held within the combined territory of all agencies which have jointly created the agency or entity, except that with respect to agreements under such provisions of existing law on behalf of a county service area, improvement zone, improvement district, maintenance district, or other zone or area, only the territory of such county service area, improvement zone, improvement district, maintenance district, or other zone or area shall be included in the combined territory in which the election is held

This bill would revise the law with respect to issuance of bonds without voter approval to provide for such issuance, subject to the same conditions as existing law, by resolution of the local agency or entity authorizing bond issuance, rather than by ordinance of the agency governing board The bill would further provide that the resolution to issue such bonds is subject to referendum in the combined territory of all contracting parties

Finally, this bill would specify the procedures for determination of voter qualifications, manner of voting, and number of votes to which each voter is entitled for purposes of referendum, and would provide that a successful referendum serves to rescind the resolution of the authorizing agency or entity

Ch 22 (SB 66) Dunlap Schools transcript charge increase

Existing law authorizes the governing board of any school district to impose a charge of $0.50 or an amount not to exceed costs, whichever is less, for furnishing more than two copies of transcripts of former pupils' records and for more than two verifications of various records of former pupils

This bill would increase the maximum amount which may be ~~changed~~ [charged] * from $0.50 to $1

Ch 23 (SB 152) Dunlap Democratic county central committees

Present law requires a Democratic county central committee to meet in January following a direct primary election unless by majority vote the committee decides to meet in July following the direct primary election

The bill would provide that if the committee should decide to meet in July, the meetings would continue to occur in July following a direct primary election

Ch 24 (SB 39) Gregorio Subdivision Map Act

(1) The present law makes various cross references to the Subdivision Map Act in its former location in the Business and Professions Code

This bill changes those cross references to the Subdivision Map Act to correctly designate its new location in Division 2 (commencing with Section 66410) of Title 7 of the Government Code

(2) Present law also provides that when all security required under the Subdivision Map Act to secure the payment of taxes and assessments which are a lien on some part of a subdivision of five or more parcels but which are not due or payable have been deposited with the clerk of the board of supervisors and approved by the county, the clerk must certify that such deposits have been made and transmit the final map to the county recorder

This bill would amend the above provision to provide that when all certificates and security required pursuant to liens against the subdivision or any part thereof for unpaid state, county, municipal or local taxes or special assessments collected as taxes, have been filed and deposited with the clerk of the board of supervisors, and approved by the county, the clerk must certify that such certificates have been filed and deposits made and transmit the final map or parcel map to the county recorder

(3) Present law further requires a tentative and final map for all subdivisions creating five or more parcels, five or more condominiums, or a community apartment project containing five or more parcels with several exceptions, including subdivisions in which each parcel has a gross area of 40 acres or more, or is a quarter quarter section or larger, or other amount up to 60 acres as may be specified by local ordinance

This bill would exempt from the requirement of a tentative and final map subdivisions in which each parcel has a gross area of not less than 40 acres or is not less than a quarter of a quarter section, but would permit a local ordinance to specify tentative and final map approval for a subdivision in which one or more of the resultant parcels is between 40 and 60 acres in size

(4) Present law also requires each city, county, and city and county to enact an ordinance requiring a preliminary soil report of every subdivision

This bill would require instead, that such an ordinance require a preliminary soil report of every subdivision for which a tentative and final map is required

(5) The bill would also repeal the provisions in the Business and Professions Code pertaining to exclusions from subdivided lands and would repeal the provisions in the Business and Professions Code pertaining to the manner of preparing official maps and reenact those provisions in the Government Code

In addition, the bill would correct various internal cross references, and would, in appropriate places, amend the term "subdivision map" to the term "map" or "final map"

(6) The bill would provide that the Subdivision Map Act, as enacted in 1974, would

not apply to any map approved prior to March 1, 1975, nor to any final map, the tentative map of which was approved prior to such date.

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

Ch 25 (AB 192) McAlister Escheat of property

Presently, the California Unclaimed Property Law provides a comprehensive scheme for the escheat to the state of various kinds of unclaimed personal property, including amounts held by sellers (i e. holders) on account of travelers checks, money orders, and similar instruments The law also provides a presumption that the state in which a traveler's check or money order is purchased is the state of the last known address of the purchaser if the records of the seller do not show the last known address of the purchaser

This bill deletes such presumption; and, based on recommendation of the California Law Revision Commission, provides for escheat of such unclaimed property to the state if the books or records of the seller show the money order, travelers check or other similar written instrument was purchased in the state, or the seller has his principal place of business in the state and the books or records of the seller do not reflect the state of purchase, or the business has its principal place of business in the state, the books or records of the seller do show the state of purchase, but such state provides for no escheat of the property.

This bill makes related changes

Ch 26 (SB 74) Nejedly Wilderness· use of aircraft

Present law establishes a California wilderness preservation system under the California Wilderness Act and generally prohibits flying of aircraft lower than 5,000 feet in such areas

This bill would except the aerial stocking of fish and the conduct of aerial surveys of wildlife species from the application of such act.

Ch 27 (SB 157) Mills Revenue Bond Law of 1941· revenue bond anticipation notes

Present law contains no authorization for the issuance of short-term notes by local agencies in anticipation of the sale of revenue bonds previously authorized but unsold

This bill would authorize a local agency to issue notes of up to two-year term in anticipation of the sale, and up to the total amount of, revenue bonds previously authorized but unsold Notes could be renewed once for a term of up to two years for bonds still unsold

This bill would take effect immediately as an urgency statute.

Ch 28 (AB 961) Sieroty Youth Authority

Present law authorizes the Director of the Youth Authority, with the approval of the Director of Finance, to enter into contracts with a county to furnish temporary emergency detention facilities, rather than predisposition detention facilities, along with necessary incidental services for certain minors held in custody in specified circumstances This authorization will terminate April 1, 1975. It also specifies that such facilities are not to be used for minors alleged to be eligible to be declared dependent children of the court

This bill would extend such authorization until January 1, 1976, and provide that such facilities also shall not be used for persons alleged to be declared wards of the court on noncriminal grounds

Further, it would require that when a person is detained in a Youth Authority facility located other than in the county which has contracted for services, the county shall provide adequate consultation between such person and his attorney If the minor's parent or guardian lacks adequate private means of transportation and if the minor has been detained in the facility for more than 10 days it also would require the county to make reasonable efforts to provide for visitation between the minor and his parents

It would provide that no appropriation is made by the act nor is any obligation created thereby for the reimbursement of any local agency for costs incurred as a result of this act

It also would take effect immediately as an urgency statute

Ch 29 (SB 72) Grunsky Local agencies, pension trusts

Existing law specifies that legislative bodies of local agencies may fund local agency pension trusts by individual life insurance contracts, individual annuities, group policies of life insurance, group annuities, or any combination thereof

This bill specifies that such legislative bodies may fund pension trusts by any other investment authorized under Article 1 5 of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, which includes various types of common and preferred stocks and shares, bonds, various securities, specified real property, registered warrants, and deposits at interest

Ch. 30 (SB 137) Behr State parks Rancho Olompali

Pursuant to subitem (f) of Item 410 of the Budget Act of 1974, $172,000 was appropriated to the Department of Parks and Recreation, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for the stated purpose of acquiring and developing Rancho Olompali for the state park system However, Item 410 omitted a cross-reference to a provision of law authorizing bond funds to be used for acquisition projects, thereby creating an ambiguity as to whether the appropriation could be expended for acquisition, as well as for development

This bill would amend and supplement the Budget Act of 1974 to appropriate $172,000 to the department, payable from such fund, for the acquisition and development of such project and would further provide that the appropriation contained in the act is intended to be in lieu of the present appropriation and that the appropriation is only available for such project if the State Park and Recreation Commission recommends the project and the project is reviewed by the Secretary of the Resources Agency

The bill would take effect immediately as an urgency statute

Ch 31 (SB 346) Moscone Department of Justice appropriation to pay claim

This bill would appropriate $50,000 from the General Fund to the Department of Justice for settlement of the claim of Donovan Lenhart against the State of California

This bill would take effect immediately as an urgency statute

Ch 32 (AB 189) Thurman Workers' compensation

The existing law defines "common trade or business," for purposes of workers' compensation group policies, for agricultural enterprises, the building and construction industry, the transportation and warehousing industry, and the timber and lumber industry

This bill would add provisions defining "common trade or business," for purposes of workers' compensation, for public agencies providing industrial, domestic, or agricultural water service

Ch 33 (AB 221) Lewis Traffic violations minors, penalty assessments

The law presently permits a judge, referee, or hearing officer to levy a penalty assessment for a traffic violation by a minor not relating to parking or registration or offenses by pedestrians in an amount of $5 for every $20, or fraction thereof, that the minor is required to pay into the county general fund for such violation

The bill would specifically provide that such officials may waive a penalty assessment if the amount the minor is ordered to pay to the county general fund is less than $10

Ch 34 (AB 284) Brown Grand juries

Under existing law if no indictment is returned by a grand jury, the parties are not entitled to a disclosure of the testimony of witnesses that appeared before the grand jury

This bill would require the court that impaneled the grand jury, if no indictment was returned by that grand jury, under specified circumstances, to order disclosure to defendant and prosecutor of all or part of the testimony of a witness before grand jury for use in pending or subsequent criminal proceedings

Ch 35 (AB 460) Maddy Marriage

Present law provides that evidence of specific misconduct is admissible in dissolution or legal separation proceedings when the court determines it is necessary to establish the existence of irreconcilable differences

This bill would eliminate such provision

Ch 36 (AB 387) Davis Highways disaster assistance

Federal law authorizes an emergency fund for the repair or reconstruction of highways suffering damage due to natural disaster

This bill would authorize the Director of the Office of Emergency Services to advance to the Department of Transportation funds from the Street and Highway Account in the Natural Disaster Assistance Fund to the State Highway Account in the State Transportation Fund for the restoration or repair of federal-aid highways when such funds are eligible for reimbursement from the federal emergency fund It would require the Department of Transportation to repay the Street and Highway Account upon receipt of reimbursement

This bill would take effect immediately as an urgency statute

Ch 37 (AB 31) Leroy F Greene Leasing school property

(1) Under present law, the terms "temporary use building" and "relocatable structure" are statutorily defined for purposes of provisions dealing with the lease of such facilities by school districts and the applicability thereto of earthquake standards promulgated pursuant to the Field Act This bill would redefine "relocatable structure" as any structure that is designed to be relocated

(2) Current law provides for the lease or lease-purchase of sites, buildings, and facilities by the governing board of any school district

This bill would make a clarifying amendment in a provision that deals with the leasing or lease-purchase of school property

(3) Present law makes Field Act earthquake safety standards applicable to any leased relocatable structure in which students are expected to enter This bill would make Field Act standards applicable to such leased relocatable structures when used for school purposes for a total time in excess of 3 years and would specifically exempt from Field Act standards leased trailer coaches which meet certain other prescribed standards and criteria

(4) Under present law, leased school facilities, other than those defined as "temporary use buildings," are generally subject to Field Act standards to the same extent as are owned facilities This bill would make Field Act standards generally applicable only to school facilities leased for a total time in excess of three years, or under a lease-purchase agreement

(5) Under present law leases of relocatable structures, and of equipment, may be canceled by a school district lessee during the term of the lease This bill would delete the authority of a school district lessee to so cancel such a lease

(6) Currently, the law does not specifically authorize continuing contracts for the transportation of pupils to be renegotiated during the term of such contract This bill would specifically authorize such contracts to be renegotiated annually where necessary to maintain an equitable pricing structure, but limits the amounts by which rates may be increased

This bill would validate transactions undertaken by school districts and community college districts on and after August 27, 1974 (the effective date of Chapter 547, Statutes of 1974) for the lease of relocatable structures, if such transactions would have been authorized under statutes which were repealed by Chapter 547, Statutes of 1974

(7) Current law prohibits the use of any school building after June 30, 1975, which does not conform to Field Act earthquake structural standards, but permits the State Allocation Board to authorize the use of a nonconforming building until June 30, 1977, if the school district has proceeded with a plan of repair, reconstruction or replacement of the nonconforming building and a contract has been let, and work commenced on such repair, reconstruction, or replacement

This bill revises the conditions under which the State Allocation Board may authorize the continued use of a nonconforming school building after June 30, 1975, by requiring that the school district have proceeded with a plan for the "total" repair, reconstruction or replacement, and requiring a contract to have been let for "any phase" of such work

(8) The State School Building Aid Law of 1952 requires, as a condition to receiving an apportionment, that an applicant school district have issued bonds in excess of 95% of the amount permitted under any law This bill would require, instead, that a district have issued bonds in an amount in excess of the "basic bond requirement," defined as an amount equal to 5% of the assessed valuation of taxable property of the district for

each grade level maintained by the district

(9) The bill would remove an obsolete provision

The bill would take immediate effect as an urgency statute

Ch 38 (SB 85) Berryhill State employees' health care

The existing law provides that the state's contribution with respect to specified state officers and employees for basic and related major medical plans under the State Employees' Medical and Hospital Care Act shall be $19 for employees enrolled for self alone, $33 for employees enrolled for self and one family member, and $41 for employees enrolled for self and two or more family members

This bill would provide that the state's contribution with respect to such specified state officers and employees for basic and related major medical plans under the State Employees' Medical and Hospital Care Act shall be $21 for employees enrolled for self alone, $36 for employees enrolled for self and one family member, and $46 for employees enrolled for self and two or more family members

The existing law requires contracts to be for a uniform term of at least one year This bill would, commencing in 1976, require contracts to expire on July 31

This bill would require the increase in employer contributions required during the 1974–75 fiscal year to be paid by specified 1974 Budget Act appropriation items

This bill would take effect immediately as an urgency statute and become operative March 31, 1975 † Employee and annuitant contributions would be adjusted from that date.

Ch 39 (SB 172) Collier Streets and Highways Code maintenance of code

The bill is legislation to maintain the Streets and Highways Code, with respect to the California freeway and expressway system and the state scenic highway system, making no substantive change

Ch 40 (SB 41) Rains Air pollution motor vehicles· nitrogen oxides control devices

Presently, the installation of an oxides of nitrogen exhaust emission device is required on every 1966 through 1970 model year motor vehicle having a manufacturer's gross vehicle weight rating of under 6,001 pounds registered in any county included, in whole or in part, within the South Coast Air Basin In the case of such a vehicle registered in any other county, the installation of such a device is required only upon initial registration, or upon transfer of ownership and registration, of the vehicle

This bill would require, on a statewide basis, (including the South Coast Air Basin), the installation of such a device on such a vehicle only upon initial registration, or upon transfer of ownership and registration, of the vehicle

This bill would go into immediate effect as an urgency statute

Ch 41 (AB 244) Joint Committee on Federal Social Security Amendments of 1972 Supportive services

Under existing law the state is required to pay the nonfederal share of in-home supportive services under the state supplementary program or to the extent that federal funds prove inadequate for the total funding for such services

This bill appropriates $3,600,000 ‡ in augmentation of any other appropriation of the 1974–75 fiscal year to the Department of Health for allocation to the counties within 15 days of the act's effective date to pay for in-home supportive services and provides that such appropriation shall not be expended if the Secretary of the Health and Welfare Agency decides not to expend the funds and makes a written report to the Legislature on alternatives within 15 days after its operative date

The bill would take effect immediately as an urgency statute

Ch 42 (AB 257) Badham Employment of minors

The existing law provides that no boy under 10 years of age and no girl under 18 years of age shall be employed or permitted to work in specified street occupations

This bill would provide with certain exceptions, that no minor under 10 years of age shall be employed or permitted to work in specified street occupations

† Not operative until April 23, 1975

‡ Appropriation reduced to $2,700,000 by action of the Governor

Ch 43 (AB 374) Hayden Labor wages penalty for nonpayment

Existing law does not expressly specify that the penalty provisions applicable to employers, generally, who willfully fail to pay, within designated periods, wages to employees who are discharged or who quit are also applicable to employers who lay off specified employees engaged in the production of motion pictures, and the law is unclear in this regard

This bill would specifically bring employers who lay off such motion picture production employees within such general penalty provisions for nonpayment of wages to employees who quit or were discharged

Ch 44 (AB 256) Badham Minors employment

The existing law provides that no girl under the age of 18 years and no boy under the age of 16 years shall be employed or permitted to work in certain employments in specified areas as a messenger, and no boy under the age of 18 years shall engage in such work before six in the morning or after nine at night

This bill would provide that no minor under the age of 16 years shall be employed or permitted to work in such employments in such areas as a messenger, and no minor under the age of 18 years shall engage in such work before six in the morning or after nine at night

Ch 45 (AB 67) Keysor Elections county special elections

Existing law relating to a special election for the election of a charter commission or for the submission of a proposed or revised county charter, or any proposed charter amendments requires the county clerk to mail to each qualified elector in the county the complete text of a county ordinance calling such special election

This bill would delete the above provisions

This bill would take effect immediately as an urgency statute

Ch 46 (AB 390) Bannai Mechanics liens preliminary notice

Existing law permits service of a preliminary 20-day notice that a mechanics lien may be claimed in respect to a private work of improvement to be made by numerous, alternative methods, including notice by personal delivery, leaving the notice at the appropriate address of residence or place of business, by first-class mail, by registered mail, by certified mail, or, under certain circumstances by mailing notice to the "job-site," construction lender, original contractor or general contractor

This bill revises such alternative methods to permit service of the preliminary 20-day prelien notice by personal delivery or leaving it at the appropriate address of residence or place of business, or by first-class registered or certified mail, if the person to be notified resides in the state If the person to be notified does not reside in the state, then service may be made by any method permitted as if such person resides in the state, or, if such person cannot be served by any such methods, then by first-class certified or registered mail addressed to the construction lender or original contractor

This bill also requires every written contract entered into between a property owner and an original contractor to provide space for the owner to enter his name and address of residence, and place of business if any, and requires the original contractor to make available for inspection a copy of such contract to any person seeking to serve notice required by this section

Existing law does not require any specific proof that service of the prelien notice was made

This bill requires for enforcement of the lien that proof that the preliminary 20-day notice was served be made by acknowledgment of receipt of the notice or by affidavit of the person making such service, as specified

Ch 47 (SB 58) Alquist Earthquake safety strong-motion instrumentation program

Under existing law, a strong-motion instrumentation program has been established in the state Each city and county is required to collect fees from applicants for building permits (or include a specified charge as part of its building permit fee) for deposit in the Strong-Motion Instrumentation Special Fund in the State Treasury unless the city or county has adopted an ordinance requiring the installation of accelerographs in

structures and has complied with other specified conditions

This bill would authorize any city or county that has an exemption from such fees to participate in the state strong-motion instrumentation program by a written request to the State Geologist that its exemption be rescinded

Ch. 48 (SB 99) Marks Redevelopment project areas residential construction loans

Current law does not authorize redevelopment agencies organized under the Community Redevelopment Law to lend money to private parties to finance residential construction in redevelopment project areas

This bill would authorize redevelopment agencies to make loans through qualified mortgage lenders, as defined, to private parties to finance residential construction in redevelopment project areas, pursuant to the redevelopment plan, which the redevelopment agency determines to be an integral part of a residential neighborhood Such loans would be required to be insured by the United States, the state, or any person licensed to insure mortgages in this state

The bill would empower redevelopment agencies to issue and refund revenue bonds and other obligations secured by, and payable from, specified revenues of the agency The bill would specify that such bonds, refunding bonds, and obligations would not be a debt or liability for which the faith and credit of the agency or state are pledged, but would be payable solely from such revenues and federal insurance

The bill would additionally specify requirements respecting such loans and such bonds and obligations

The bill would take effect immediately as an urgency statute

Ch. 49 (AB 71) McAlister. School ballot propositions

Existing law does not limit the number of signatures which may appear in connection with written arguments for and against school ballot propositions

This bill would limit the number of such signatures to five, and would permit the names of only the first five signatories to be printed if an argument containing more than five signatures is submitted

Ch 50 (AB 225) Z'berg Public Employees' Retirement System contributions

The Public Employees' Retirement System now permits state and school members and local miscellaneous members employed by school districts to receive service credit at retirement for unused sick leave There is no provision for employer contributions for such benefits by employers of school members and local miscellaneous members

This bill would require employers of school members and local miscellaneous members employed by school districts to make contributions for such benefits

A technical change would be made in the provision extending the service credit and all computations, payments, and acts previously made or done would be ratified, confirmed, and validated

The bill would state that no reimbursement will be made to local agencies because there are savings as well as costs resulting from the act

The bill would take effect immediately as an urgency statute

Ch. 51 (AB 265) Badham Public Employees' Retirement System

The Public Employees' Retirement Law prior to recent changes provided that upon the death of a member, a surviving "husband" must receive at least one-half of "his" support from the member in order to be a "dependent" and receive benefits under the system In addition, the provision prescribing the service retirement allowance uses the masculine pronoun to refer to the retiring member and provides for automatic continuance of the service retirement annuity to the member's surviving "wife"

This bill would eliminate the use of the masculine pronouns and change the terms "husband" and "wife" where they appear to the term "spouse" The bill would also eliminate dependent husbands from the definition of "dependent" in reference to any benefits to surviving dependent husbands and parents

Ch 52 (AB 304) Hayden Candidate

Present law requires a candidate for the office of State Senator ~~or~~ [or] * Assemblyman to file a written and signed declaration of intention to become a candidate for his party's nomination for that office The declaration of intention must be filed with the Secretary of State

This bill would require that the declaration of intention be filed with either the Secretary of State or the clerk of the county in which the candidate is a resident.

Ch 53 (AB 473) McCarthy Work furlough administrator

Under existing law, a board of supervisors may, by ordinance, provide for the operation in the county of provisions relating to work furlough for county paid prisoners In any such ordinance the board is required to prescribe whether the sheriff, the probation officer, or the superintendent of a county industrial farm or industrial road camp in the county shall perform the functions of the work furlough administrator

This bill would allow the board of supervisors to provide for the performance of any or all such functions by one or more of such persons acting separately or jointly.

This bill would take effect immediately as an urgency statute

Ch 54 (AB 475) Z'berg Off-highway vehicle area· acquisition

(1) Existing statutory law provides that a portion of the Off-Highway Vehicle Fund shall be available for grants to be made by the Department of Parks and Recreation to certain local agencies for, among other things, the acquisition of trails and areas for the use of off-highway vehicles, on a matching-fund basis, whereby the local agency provides not less than 25 percent of the acquisition cost

This bill would appropriate $292,500 from the Off-Highway Vehicle Fund to the Department of Parks and Recreation for the purpose of making a grant to the County of Sacramento for the acquisition and development of the McGill Off-Highway Vehicle Park

(2) Under existing law, funds have been appropriated to the department for certain state park system projects subject to the proviso that such funds shall not be expended on the purchase price of any real property unless and until the Attorney General certifies in writing that there is no evidence that any prescriptive right or claim in the property to be acquired exists, or that if such prescriptive right or claim does exist, the value of such right or claim has been reflected in the purchase price of such property.

The bill would, in lieu of and superseding such proviso, prohibit the expenditure of the funds appropriated for such state park system projects until the State Public Works Board has determined that the procedures and criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services The bill would also require all material relating to implied dedication to be retained in the files of the Department of General Services and to be available for post audit on a selective basis by the Attorney General

This bill would also take effect immediately, as an urgency statute

Ch 55 (AB 801) Calvo Claims against the state

This bill appropriates $260,000 from the General Fund to settle the claim of Bruce Sharp, against the State of California

This bill is to take effect immediately as an urgency statute

Ch 56 (SB 130) Roberti Advertising licensed professional services

Existing law permits any labor organization, bona fide employee group, or bona fide employee association having contracted health care services from a health care service plan under the Knox-Mills Health Plan Act to inform its members as to the benefits available and the charges therefor, notwithstanding provisions prohibiting a person's advertising that refers to cost, price, charge or fee for commodities furnished or services performed by a licensed physician and surgeon, optometrist, pharmacist, or registered dispensing optician

This bill would provide that any labor organization, bona fide employee group, or bona fide employee association having contracted health care services from a health care service plan operated by a person or organization registered under the Knox-Mills

Health Plan Act, whether or not the specific plan is operated on a prepaid basis, may inform its members as to the benefits available from, and the charges for, such plan through group or union newspapers, newsletters and direct mailings

Existing law requires a health care service plan under the Knox-Mills Health Plan Act which adopts any proposed new or revised written advertising or solicitation or any form of evidence of coverage for distribution to members of any labor organizations, bona fide employee group, or bona fide employee association having contracted health care services from such a plan to first submit such proposed advertising or solicitation or evidence of coverage to the Attorney General for a determination of whether the advertising or solicitation or evidence of coverage as proposed is untrue or misleading or deceptive

This bill would provide that the requirement of prior submission of proposed advertising or solicitation or evidence of coverage to the Attorney General apply to any health care service plan operated by a person or organization registered under the Knox-Mills Health Plan Act, whether or not the specific plan is operated on a prepaid basis

This bill would take effect immediately as an urgency statute

Ch 57 (SB 142) Deukmejian Regulatory agencies

Existing law provides for licensing and renewals of licenses on a two-year basis in some instances

This bill would give discretion to the Department of Food and Agriculture, the Department of Health, and the Department of Motor Vehicles to issue and renew on a two-year basis the licenses, certificates of registration, and other indicia of authority which they issue

This bill would not apply, however, to driver's licenses or vehicle or vessel licenses issued by the Department of Motor Vehicles

Ch 58 (SB 186) Way County service areas broadcasting

Present law provides that a county service area may be established in Inyo or Mono County to provide, as an extended service, an unlimited number of television translators and an unlimited number of television channels

This bill would provide that such a county service area may also provide as extended service the amplification and rebroadcast of an unlimited number of FM radio signals

Ch 59 (SB 643) Beilenson Appropriations personal property subventions

Item 81 of the Budget Act of 1974 appropriated $261,500,000 from the General Fund to the State Controller for payment to local taxing authorities for reimbursement of property tax revenues lost as the result of the exemption or partial exemption of certain classes of personal property

This bill would appropriate $34,300,000 from the General Fund to the State Controller in augmentation of Item 81 of the Budget Act of 1974

This bill would take effect immediately as a bill for the usual current expenses of the state

Ch 60 (AB 451) Perino Stockton Unified School District

Under existing law, a "school building," as defined, which has been examined and found not to comply with Field Act structural standards, may not, except under certain circumstances, continue to be used for school purposes after June 30, 1975

This bill would exempt school buildings of the Stockton Unified School District from the prohibition against continued use, due to a court prohibition against new school construction in the district pending resolution of a controversy involving desegregation of the district's schools, but would require that repair, reconstruction, or replacement begin by July 1, 1976, and would prohibit unsafe schools from being used after June 30, 1977

The bill would become effective immediately, as an urgency statute

Ch 61 (SB 5) Alquist Surface fault rupture hazard special studies zones

(1) The Alquist-Priolo Geologic Hazard Zones Act, among other things, requires the State Geologist to delineate special studies zones encompassing certain areas of earthquake hazard, the compilation of maps delineating such zones, and cities and counties to exercise approval authority with respect to a site approval for a proposed new real estate development (defined to include a subdivision as defined in the Subdivision Map

Act) or for a structure for human occupancy located within a delineated zone

This bill would rename such act the Alquist-Priolo Special Studies Zones Act

The bill would provide that such act is applicable to any development, site, or structure which constitutes a project, upon issuance of the official special studies zone maps to affected local jurisdictions, but that such act does not apply to any such development or structure in existence prior to the effective date of this bill and the act does not apply to the conversion of an existing apartment complex into a condominium nor to alterations or additions to any structure within a special studies zone the value of which does not exceed 50% of the value of the structure For purposes of these provisions, the bill would define "project" statutorily, rather than require the State Geologist to make such definition by regulation

(2) Under existing law, cities and counties are prohibited from approving the location of a development or structure within a special studies zone if an undue geologic hazard would be created Such approval may be withheld pending geologic and engineering studies to more adequately define the zone of hazard, and, if no undue geologic hazard is found the geologic and engineering studies may be waived

This bill would, instead, require the city or county to require, prior to the approval of a project, a geologic report defining and delineating any hazard of surface fault rupture and authorize waiver of the report requirement if no undue hazard of this kind is found No such report would be required with respect to certain single-family wood frame dwellings located within certain new real estate developments, for which developments a report has been either approved or waived

(3) Under existing law, the State Geologist is required to revise special studies zones or delineate new zones when warranted Affected cities, counties, and state agencies must submit comments within 30 days for review by the State Mining and Geology Board Within 30 days of such review, the State Geologist is required to provide copies of revised official maps to concerned state agencies and counties and cities

This bill would increase the length of both periods from 30 days to 90 days

(4) The bill would require a person who is acting as an agent for a seller of real property which is located within a delineated special studies zone, or the seller if he is acting without an agent, to disclose to any prospective purchaser the fact that the property is located within a delineated special studies zone

(5) The bill would make related, conforming, and clarifying changes, and delete obsolete provisions

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

Ch 62 (SB 119) Alquist Energy conservation, nonresidential buildings.

(1) The existing law transferred effective January 1, 1975, certain functions specified in designated provisions relating to energy conservation standards for nonresidential buildings from the Department of Housing and Community Development and the Commission of Housing and Community Development to the State Energy Resources Conservation and Development Commission

This bill would retransfer such functions to the Department of Housing and Community Development and the Commission of Housing and Community Development, but would provide that such functions shall be transferred back to the State Energy Resources Conservation and Development Commission within 30 days after the adoption of a resolution, by such commission, providing for such transfer

(2) Under the existing law, the State Energy Resources Conservation and Development Commission is required to maintain its headquarters in the City of Sacramento

This bill would, instead, require such commission to maintain its headquarters in the County of Sacramento

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

Ch 63 (AB 661) Garamendi Amador County Water Agency

(1) The Amador County Water Agency is not presently empowered to create improvement districts within the agency

This bill would authorize the creation by the agency of improvement districts comprised of contiguous or noncontiguous territory for prescribed purposes and according to specified procedures and would provide for annexations and detachments of territory to and from such improvement districts

(2) Current law does not specifically authorize the agency to adopt regulations respecting exercise of its powers

This bill would give the agency the power to adopt regulations respecting exercise of its powers

(3) Current law does not authorize the agency to establish standby charges for services made available

This bill would authorize the agency to establish such standby charges, which, in the discretion of the agency would be collected with, and in the same manner as, county taxes

(4) Current law does not specifically authorize the agency to require connection to agency sewer and storm drain systems

This bill would authorize the agency to adopt such requirements, as prescribed.

(5) Current law prohibits the agency from incurring indebtedness in any year in excess of income and revenue provided for such year, with specified exceptions

This bill would authorize the incurring of such indebtedness by the execution of contracts with Amador County and member units of the agency

(6) The interest rate of bonds of the agency is presently limited to a maximum of 5% per annum

This bill would increase such maximum interest rate to 8% per annum

(7) Current law requires bonds of the agency to be paid from annual taxes or assessments levied in the member unit of the agency for which the bonds were issued

This bill would revise the provisions specifying the source of funds for the repayment of the bonds and would establish priorities with respect to the funds used for such repayment

(8) The agency is presently empowered to construct facilities for collection, transmission, treatment, and disposal of sewage, waste, and storm water

This bill would authorize acquisition of such facilities by the agency

(9) Under present law a majority in the number of holders of title to the real property in an area to be benefited by a proposed work or improvement of the district, who also hold title to a majority of the assessed valuation of real property in such area, may prevent the agency board from authorizing such work or improvement for a period of 6 months by filing a prescribed protest with the board

This bill would revise such provisions to instead give such effect to protests signed by a majority of the qualified electors in the area to be benefited by the proposed work or improvement

(10) This bill would make further additional changes respecting the powers and procedures of the agency

(11) This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

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

Ch 64 (SB 153) Marks Ballot pamphlets

Present law requires the mailing of ballot pamphlets to each voter by the county clerk to be completed at least 10 whole days before the election

The bill would require completion of the mailing by the county clerk no later than 21 days before the election to those voters registered prior to the 53rd day before the election For those voters who register between the 54th and 29th day before the election, the bill would require the mailing to be completed at least 10 days before the election

Ch 65 (SB 171) Gregorio Public high schools smoking

(1) Under current statutory and regulatory provisions of law the use and possession of tobacco products by pupils on the premises of a high school campus are prohibited and constitute good cause for the suspension or expulsion of pupils

This bill would provide that smoking or having tobacco while under the authority of school personnel, as well as on school premises, constitutes good cause for suspension or expulsion except as otherwise provided

In addition, this bill would authorize the governing board of any school district maintaining a high school to adopt rules and regulations permitting the smoking and possession of tobacco on a high school campus, or while under the authority of school

personnel, by high school pupils

It also directs the governing board of any school district maintaining a high school to take all steps it deems practical to discourage high school students from smoking.

(2) Current law authorizes the governing board of any school district maintaining a community college to adopt rules and regulations permitting the smoking and possession of tobacco on the campus of a community college by community college pupils 18 years of age and over and enrolled in grades above the 12th grade if the campus is not shared by a high school

The bill would extend the regulatory authority of the community college district board to the situation where the student is under the authority of school personnel, as well as on campus, and it would delete the provision limiting such existing authorized rules and regulations of smoking and possession of tobacco to pupils 18 years of age and over

Ch 66 (SB 246) Petris Contracts assignee's rights and liabilities

Existing law relating to both retail installment contracts and motor vehicle conditional sales contracts provides that the assignee of the seller's rights is subject to all equities and defenses of the buyer against the seller arising out of the sale and existing in favor of the buyer at the time of the assignment Existing law regarding retail installment contracts further provides that the above provisions apply notwithstanding an agreement to the contrary and that the assignee's liability may not exceed the amount of the debt owing to the assignee at the time that notice of equities and defenses is given to the assignee

The bill would provide that as respects both types of contracts the assignee's liability may not exceed the amount of the debt owing to the assignee at the time of the assignment and that the assignee has recourse against the seller to the extent of the liability incurred by the assignee regardless of whether the assignment was with or without recourse

This bill would provide that its provisions shall only apply to assignments executed on or after January 1, 1976

Ch 67 (AB 1335) Antonovich Charitable organizations.

Existing law prohibits contests of human endurance, other than athletic events or events licensed by the state

This bill would specifically exempt from this prohibition events that are sponsored by certain charitable organizations to raise funds to further medical research, combat a disease, improve patient care or patient rehabilitation or to provide services for handicapped persons if the event does not endanger the health or safety of the participants

The bill would take effect immediately as an urgency statute

Ch 68 (AB 580) Thurman Work furlough transfer between counties

Under existing law the boards of supervisors of two or more counties having work furlough programs may enter into agreements whereby a person sentenced to, or imprisoned in, the jail of one county, but regularly employed in another county, may be transferred to the jail of the county in which he is employed, in order that he may continue in his regular employment through such county's work furlough program

Under this bill the board of supervisors of any county could delegate the authority to make such agreements to the work furlough administrator

Ch 69 (AB 1007) Miller Budget Act of 1974 augmentation

The existing law creates temporary justice court judgeships to meet judicial caseloads necessitated by the decision in Gordon v Justice Court but does not make an appropriation for such purposes

This bill would appropriate $280,000 to the Judicial Council in augmentation of Item 17 of the Budget Act of 1974 for the purpose of implementing provisions of the law providing for temporary justice court judgeships to meet criminal caseloads necessitated by the decision rendered by the court in Gordon v Justice Court

This bill would take effect immediately as it makes an appropriation for the usual current expenses of the state within the meaning of Article IV of the California Constitution

Ch 70 (AB 174) Lanterman Development centers for handicapped pupils

Existing statutes require the State Board of Education to establish standards for the admission of pupils to development centers for the handicapped

This bill would require that enrollment be on a first-come, first-served basis, and would prohibit the establishment of priorities favoring admission of such a pupil living with a parent or guardian over a pupil living in an out-of-home residential placement who has applied earlier in time for admission

This bill would also make a technical correction to reflect the fact that the State Board of Education, rather than the Superintendent of Public Instruction, is required to establish standards re such centers

Ch 71 (AB 489) Brown Sexual offenses

Under present law adulterous cohabitation, sodomy, and oral copulation are crimes This bill removes criminal sanctions from adulterous cohabitation, and it removes specific criminal sanctions from sodomy and oral copulation except. (1) when the sodomy or oral copulation is committed with a minor or by force, violence, duress, menace or threat of great bodily harm; and (2) except where the participants are confined in state prison or specified detention facilities This bill makes sexual assault on an animal for specified purposes a misdemeanor

Under present law sodomy with a human is prohibited as a felony in the state prison for not less than one year This bill increases the punishment to not less than three years state imprisonment in cases of sodomy by force, violence, duress, menace or threat of great bodily harm, and in cases where the other person is 14 years of age and 10 years younger than the defendant If the sodomy is with a person under 18, sodomy is punishable under the bill as a felony—misdemeanor by imprisonment in state prison for not more than 15 years or in the county jail for not more than one year.

This bill substantially retains the punishment for oral copulation under existing law

The law presently also provides that commission of various sex offenses is a ground for denial or revocation of a teaching credential or certificate or for discharge or denial of employment to teachers and other school district employees "Sex offense" is defined for such purposes by reference to the Penal Code provision prohibiting specific sexual conduct. This act provides that such reference will continue to apply to sodomy and oral copulation committed prior to the effective date of this act

Present law excepts adultery proceedings from provisions granting a married person a privilege not to testify against his spouse and from those provisions establishing a privilege for confidential marital communications This act revises these exceptions to reflect the elimination of adulterous cohabitation as a crime.

Under present law, a person who is determined to be a mentally disordered sex offender must register as a sex offender. This act continues to require the registration of persons determined to be sexual psychopaths or mentally disordered sex offenders under any provision contained in the Welfare and Institutions Code provisions relating to admissions and commitments to mental hospitals upon or prior to the effective date of the amendments made by this act

Ch 72 (AB 318) Davis Pneumatic tires with studs

The law presently prohibits the use of any tire on any vehicle upon any state highway having a protuberance or stud which projects beyond the tread of the tire with the exception, among others, of pneumatic tires containing metal-type studs, used between October 1st and May 1st, which have no more than 3 percent of the total tire area consisting of such studs in contact with the roadway The law further provides that this particular exception is to remain in effect until May 1, 1975

This bill would provide that this exception shall apply to such tires used between December 1st and March 1st, and shall remain in effect until March 1, 1978

This bill is an urgency statute which would take effect immediately

Ch 73 (AB 344) Perino Peace officers San Joaquin County Airport security officers

Existing law makes various airport policemen and security officers, including, persons regularly employed as airport security officers by any airport operated by the County of San Joaquin, peace officers upon meeting certain requirements Such provisions

relating to San Joaquin County have no force and effect on and after April 30, 1975

This bill would extend the peace officer status of San Joaquin County Airport security officers indefinitely by deleting the April 30, 1975, termination date of the provisions

The bill would take effect immediately as an urgency measure in order to assure continued compliance with federal airport security requirements

Ch 74 (AB 621) Chimbole Teachers medical examination certificates

The law currently requires school districts and county superintendents of schools to have in their files a medical examination certificate for each person employed for the first time by a California school district or county superintendent in a position requiring certification qualifications County superintendents and school district governing boards may also require certificated employees to undergo a periodic medical examination In each case the law requires that a medical examination certificate be submitted to the county superintendent or school district by a physician and surgeon licensed by the State Board of Medical Examiners

This bill would also recognize as valid, a medical certificate issued by an armed forces commissioned medical officer who is exempt from California licensure while discharging his official duties

The bill would take effect immediately, as an urgency statute

Ch 75 (AB 177) Lockyer Taxation

Under existing law, a deduction of a reasonable allowance for depletion of oil and gas wells is allowed in computing the regular taxes pursuant to the Personal Income Tax Law and the Bank and Corporation Tax Law

Such depletion allowance is 22% of the gross income of such oil or gas wells, excluding from such gross income an amount equal to certain rents and royalties

Such allowance may not exceed 50% of the taxable or net income of the taxpayer With the exception of such limitation, there is no other limitation on the depletion allowance

Although the taxpayer may deduct the amount of the depletion allowance from income in the determination of the regular personal income taxes or bank and corporation taxes, such amount is subject to a special tax of 2 5% imposed on items of tax preference, including such depletion allowance

This bill would limit the amount of depletion allowance with respect to taxpayers whose total accumulated depletion allowance equals the adjusted cost of their interest in the oil or gas wells subject to depletion The annual limit would be $1,500,000 reduced by 125 percent of the authorized allowance in excess of $1,500,000.

Such limit would effectively reduce the amount of income subject to the imposition of the tax on items of tax preference and increase the amount subject to regular personal income taxes or regular bank and corporation taxes

This act would take effect immediately as a tax levy, and would be applied in the computation of taxes for taxable years and income years beginning on or after January 1, 1975

Ch 76 (AB 1456) Keene Commercial fishing, silver salmon

Under the law in effect until October 1, 1976, silver salmon may be taken commercially only between June 1st and September 30th, which may not be less than 22 inches in length, in certain designated areas of the state, and after such a date, silver salmon may be taken commercially only between April 15th and September 30th, which may not be less than 25 inches in length, in such areas of the state

This bill would, instead, provide that silver salmon may be taken commercially only between May 15 and September 30, which may not be less than 22 inches in length, in such areas of the state

This bill would also take effect immediately as an urgency statute

Ch 77 (AB 333) Keene Commercial fishing restrictions

Existing law authorizes until January 1, 1978, the Director of the Department of Fish and Game, if he determines, based on thorough and adequate scientific evidence and at least one public hearing, that any species or subspecies of fish is in danger of irreparable injury, to order, by emergency regulation, the closure of any waters or otherwise restrict the taking under a commercial fishing license in state waters of such species The

director may by emergency regulation remove any such restriction under specified circumstances Any such regulations must be brought to the attention of the Legislature within 15 days

This bill would require the public hearing to be in the area of the fishery, and would reduce from 15 to 7 days, the period in which such regulations must be brought to the attention of the Legislature

Ch 78 (SB 82) Stull Community colleges nonresident tuition

Current law requires community college school districts, as a general rule, to charge a tuition fee to nonresident students, but excepts from the requirement any district which during the 1962–63 school year had more than 15% of its students as residents of another state, with such exception terminating with the beginning of the 1975–76 school year

This bill would restate such exception and, instead, make it applicable to any community college district which borders on another state and which has fewer than 500 a d.a

In addition, this bill would make particular provision in the formula used in such exception for deriving the nonresident tuition fee for nonresidents on less than a full-time basis in colleges operating on the quarter system

Ch. 79 (SB 202) Rodda School building aid.

Existing law validates certain final apportionments of state school building aid based on conditional apportionments made prior to January 1, 1975, and validates certain final apportionments of school building aid funds re structurally inadequate school facilities based on conditional apportionments made prior to January 1, 1975, authorized by the same majority vote of qualified electors as required at a district bond election

This bill would extend such validation to such apportionments made prior to January 1, 1976

Ch 80 (SB 16) Gregorio Schools physical education exemption

Under existing law pupils enrolled in grades 7 through 12 in the public schools are required to attend courses of physical education, unless otherwise excused or exempted However, school district governing boards are authorized to grant temporary exemptions to pupils who are (1) ill or injured, and (2) enrolled for one-half, or less, of the work normally required of full-time students, and such boards are authorized to grant permanent exemption to pupils who (1) have reached their 18th birthday, or (2) are enrolled as postgraduate students

This bill would state the legislative intent concerning physical fitness and compulsory attendance upon physical education courses

In addition, this bill would permit permanent exemption from courses in physical education to pupils who (1) have completed the 10th grade, rather than to pupils who have reached their 18th birthday, (2) and who are 16 years of age or older and have been enrolled in the 10th grade for one academic year or longer

This bill would require governing boards of school districts to offer a variety [of] * elective physical education courses to pupils ~~in grades 11 and 12~~ who are [so] * exempted from required physical education courses and would prohibit pupils so exempted from enrolling in fewer total hours of courses and classes if they elect not to enroll in a physical education course than they would have attended if they had not so elected

This bill would make related technical changes

Ch. 81 (SB 62) Way Regional park land exchange

The County of Tulare acquired the lands comprising Elk Bayou Regional Park with a state grant received pursuant to the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 The bond act does not authorize the exchange of such lands for other lands unless permitted by specific act of the Legislature

This bill would authorize the county to exchange a portion of such lands for contiguous lands of equal value, subject to the approval of the Secretary of the Resources Agency, and would require the lands received in such exchange to be a part of, and devoted solely to the purposes of, the regional park

The bill would take effect immediately as an urgency statute

Ch 82 (SB 338) Dunlap Juvenile court notice of hearing

Existing law provides that when a petition is filed to make a juvenile a ward of the court, the probation officer filing such petition must notify a parent or guardian of the time and place of the hearing

This bill requires that notification be given to each parent or each guardian if the whereabouts of the parent or the guardian can be ascertained by due diligence

Ch 83 (AB 108) Lanterman Motor vehicles noise limits

Existing state law prescribes noise limits of 80 dbA, 75 dbA, and 70 dbA applicable to motor vehicles (other than motorcycles, snowmobiles, and vehicles rated at over 6,000 pounds) manufactured, respectively, after 1974 and before 1978, after 1977 and before 1988, and after 1987

This bill would make the 80 dbA limit applicable to all such motor vehicles manufactured after 1974 and would delete the lower decibel limits specified for such motor vehicles manufactured in years after 1974

The bill would also make technical, clarifying changes

The bill would make additional changes in Section ~~22704~~ [27204] * of the Vehicle Code, proposed by Senate Bill No 390, regarding noise limits applicable to motor vehicles with a gross vehicle weight rating of 6,000 pounds or more, to be operative only if this bill and Senate Bill No. 390 are both chaptered and this bill is chaptered last

The bill would state the intent of the Legislature with respect to increased standards for further noise reduction for the years after 1978

Ch 84 (AB 196) Duffy Tuition waiver

Under existing law, any state-owned college, university, or other school is prohibited from charging any dependent of a veteran receiving educational assistance under specified provisions of state law and any child of any veteran of the United States military service who has a service-connected disability, tuition or incidental fees The specified provisions of state law governing educational assistance referred to exclude a dependent of a veteran from eligibility for state educational assistance during any time that the dependent is eligible to receive federal educational benefits

This bill would add children of any veteran of the United States military, who has been killed in service or has died of a service-connected disability, where the annual income of such child and the annual income of a surviving parent does not exceed $5,000, to the list of persons that any state-owned college, university, or other school is prohibited from charging for tuition or incidental fees

The bill appropriates $60,000 to the State Controller for allocation to the University of California and the California State University and Colleges in reimbursement for lost revenues

The bill would go into immediate effect as an urgency statute

Ch 85 (AB 316) Davis Water appropriation state filings

Applications for the appropriation of water made by the Department of Water Resources are exempt under existing law, until the 61st day after adjournment of the 1975 Regular Session, from the diligence provision generally applicable to appropriations of water

This bill would extend such exemption until January 1, 1980

This bill would go into immediate effect as an urgency statute

Ch 86 (AB 552) Murphy Attorney inactive status

Under existing law whenever a member of the California State Bar has, among other things, been determined to be insane, the Board of Governors of the State Bar is required to enroll such member as an "inactive member"

This bill would also require the Board of Governors to enroll any member who has been determined to be mentally incompetent as an "inactive member"

This bill would take effect immediately as an urgency statute

Ch 87 (AB 1010) Duffy Nursing schools

Existing law defines an accredited school of nursing as, among other things, one which is approved by the California Board of Nursing Education and Nurse Registration and which gives a course of instruction approved by the board covering not less than 24

months

This bill would revise such definition to provide that such course of instruction shall be approved by the board and cover not less than 2 academic years

The bill provides that it is an urgency statute, to take effect immediately

Ch 88 (AB 546) Lanterman Alcoholic beverages California Institute of Technology

Existing law prohibits, with various exceptions, the sale or exposing for sale, of intoxicating liquors within 1½ miles of certain university grounds or campuses

This bill would include in the exceptions to such prohibition the sale of alcoholic beverages, for consumption on the premises, by a nonprofit organization at a municipally owned conference center located more than one but less than 1½ miles from the California Institute of Technology in Pasadena

This bill would take effect immediately as an urgency statute

Ch 89 (SB 292) Grunsky State parks' property acquisition

Existing statutory law authorizes the Director of General Services to acquire a fee or lesser interest in real or personal property located in San Benito County and designated by the Director of Parks and Recreation Furthermore, pursuant to existing law, when property is deeded to the state for park purposes, oil and mineral rights in such property may be reserved by the grantor, provided, that any extracting of oil and minerals shall not disturb the surface of the property

This bill would instead authorize the Department of Parks and Recreation to acquire real and personal property located near Hollister in San Benito County for the state park system subject to a reservation of oil and gas and mineral rights, and such acquisition would not be subject to requirement of existing law that the extraction of oil and minerals may not disturb the surface of the property

The bill would take effect immediately as an urgency statute

Ch 90 (AB 209) Duffy Occupational education and training grant program

(1) Under existing law there is a state competitive occupational education and training grant program with grants to be provided by the state and administered by the State Scholarship and Loan Commission In order for an applicant to be eligible for such a grant the applicant must meet certain requirements including using the grant for occupational or technical training leading toward recognized occupational goals approved by the commission

This bill would require the State Scholarship and Loan Commission to recognize for approval of such grants applicants enrolled in a three-year hospital-based program that trains licensed registered nurses approved by the Board of Registered Nursing

(2) Under existing law grants awarded pursuant to the occupational education and training grant program are limited to two calendar years

This bill would permit recipients enrolled in three-year hospital-based programs to train licensed registered nurses to receive such grants for a maximum of three calendar years, and would prohibit the average annual grant therefor from exceeding the average annual grant for two-year nursing programs

Ch 91 (AB 602) Bannai Structural pest control

Existing law requires that persons applying for renewal of a license to practice structural pest control which was issued under a prior law which authorized group licenses to be issued according to the specific branches of structural pest control practiced by such individual, be issued a license in one or more branches of practice according to the group license such person held

This bill deletes such provision from the law regulating the practice of structural pest control

Ch 92 (SB 276) Behr Community colleges Field Act exemption

The current law, commonly referred to as the Field Act, requires that older school buildings, not originally constructed in accordance with prescribed structural standards, be inspected and, if necessary, repaired or reconstructed in accordance with the prescribed structural standards A school building not so repaired or reconstructed may not be used for school purposes after June 30, 1975

The current law also requires that the construction of new school buildings and the alteration of existing school buildings be in accordance with structural standards prescribed by the Department of General Services

This bill would make such law inapplicable to an offsite building during the time such building is used wholly or in part for community college purposes if such building is neither owned, nor leased under a lease-purchase agreement, by a community college district, but would not affect the validity of any action taken prior to the effective date of this bill.

The current law also contains a provision exempting from the Field Act certain existing buildings used only in part by a community college district, under specified conditions This bill would delete that provision

The bill would become effective immediately, as an urgency statute.

Ch. 93 (SB 491) Behr Insurance medical malpractice

The existing law contains no provisions specifically relating to the regulation of professional malpractice insurance other than imposing certain requirements in the case of so-called claims-made policies

This bill would create a Joint Underwriting Association, to be composed of all insurance carriers writing liability insurance, or any component thereof The association would formulate and administer a plan of operation, subject to the approval of the Insurance Commissioner, for the economic, fair, and nondiscriminatory administration and provision of malpractice insurance on a claims-made basis for licensees, as defined, in counties found by the commissioner to not have medical malpractice insurance substantially available through private insurers or in counties where a finding is made by the Commissioner that premiums charged for such malpractice insurance are so high as to cause or threaten an immediate unavailability of needed health care service to county residents Initial rates for such insurance charged by the association would be restricted to the rates charged for occurrence policies on January 1, 1975

This bill would require the Insurance Commissioner to promulgate a plan of operation if that submitted by the association is unacceptable or if no plan is submitted, with such plan requiring the association to issue a claims-made policy until the association is in full operation to any licensee whose former insurance company has refused or is unable to continue coverage

The bill would require all such liability insurers to belong to such association as a condition to the right to continue to transact any kind of liability insurance business in this state

This bill would appropriate $10,000 to the Insurance Commissioner as an advance on costs incurred pursuant to the bill, which shall be returned to the General Fund upon required reimbursement by the associations

This bill would also take effect immediately as an urgency statute.

Ch. 94 (SB 644) Beilenson Appropriations. homeowners' exemption reimbursements.

Item 83 of the Budget Act of 1974 appropriated $676,150,000 from the General Fund to the State Controller for payment to local taxing authorities for reimbursement of property tax revenues lost as a result of the homeowners' property tax exemption.

This bill would appropriate $28,200,000 from the General Fund to the State Controller in augmentation of Item 83

This bill would take effect immediately as a bill for the usual current expenses of the state

Ch 95 (AB 156) Lockyer State highways· freeway and expressway system: Route 92

The law presently provides that all of Route 92 is a part of the California freeway and expressway system

This bill would provide that the portion of Route 92 from Route 238 to Route 580 is not a part of such system

Ch 96 (AB 137) Deddeh Schools buildings, funds

Present law authorizes a school district subject to approval of the electorate to let real property belonging to the district to any person, firm, or corporation if the lessee agrees to construct a school building thereon for use of the district, or to enter into an agreement under which a person, firm, or corporation constructs a building upon a designated site and leases such building and site to the district This bill would authorize a district to lease from a nonprofit corporation, subject to specified conditions, a school facility not owned by the district, but which is on a site owned by the district and is in existence at the time of the election and is designated and described in the ballot proposition approved by the voters

Under existing law, there is no provision which would permit a county to transfer funds to a school district for the purpose of planning and constructing schools the lease-purchase of which has been authorized by the electors

This bill would authorize, for the 1974–75 fiscal year only, a county to transfer unneeded funds to a school district to plan and construct schools the lease-purchase of which had been authorized by the electors and for which an increase in the maximum tax rate had been authorized by the electors on November 5, 1974 The school district must be one in which three general obligation bond issues were defeated since 1970 Provision is made for the repayment of funds so transferred

Those provisions of this bill concerning the transfer of county funds to a school district for the planning and construction of schools would cease to be operative on June 30, 1976

This bill would validate all elections conducted for the lease or lease-purchase of sites, buildings, or facilities by the governing board of any school district, as specified, that have occurred subsequent to August 27, 1974, and prior to the effective date of this bill

The bill would take immediate effect as an urgency statute

Ch 97 (SB 357) Rodda Schools Field Act

Under existing law, commonly referred to as the "Field Act," school buildings generally must conform to certain prescribed structural standards Older school buildings which have been inspected, and found not to comply with such standards, may not continue to be used for school purposes after June 30, 1975 The law specifically exempts certain types of school buildings from this requirement Among the exemptions are buildings used for off-campus voluntary adult education courses

This bill would provide for the exemption from Field Act structural standards of buildings used for off-campus registered apprentice courses

The bill would take effect immediately, as an urgency measure

Ch 98 (AB 415) Carpenter Tax preparers

Existing law requires a tax preparer to deposit with the Division of Consumer Services, prior to registration or registration renewal, a cash or surety bond in the sum of $1,000

This bill provides that a tax preparer may deposit a certificate of deposit issued by a bank or an investment certificate issued by a savings and loan association, in lieu of a cash deposit or a surety bond

Ch 99 (SB 243) Moscone Public Employees' Retirement System· membership

Existing Public Employees' Retirement Law permits optional membership by elected officials, non-civil-service employees, as well as others

This bill would permit former state members who became members of the City and County of San Francisco retirement system upon the assumption of a state function to elect to continue in the Public Employees' Retirement System

The bill would take effect immediately as an urgency statute

Ch 100 (SB 267) Berryhill School property

Under existing law, a school district, the electors of which have approved an increased tax rate for the purpose of leasing or lease-purchasing school sites or buildings, remains solely liable for any remaining payments under such lease or lease-purchase agreement, even though a portion of the district is subsequently transferred from the district

This bill would require that where territory is transferred from a school district and is annexed to or included in another school district, the acquiring district shall automatically assume and shall pay to the district from which the territory is transferred a

proportionate share of the remaining payments due under the lease or lease-purchase agreement.

To take effect immediately, urgency statute

Ch 101 (AB 19) Arnett Senior citizens tax assistance.

Under the current Senior Citizens Property Tax Assistance Law, also known as the Gonsalves-Deukmejian-Petris Act, state funds are paid to persons 62 years of age or older according to a schedule based on household income and the amount of property taxes such persons paid on their homesteads

Total "household income" for purposes of such assistance is determined by including the income of all members of the household, and existing law defines "household" to mean the claimant, the spouse of the claimant, and those persons related to the claimant who are defined as "dependents" for purposes of the Personal Income Tax Law, all residing in the homestead

This act would delete the existing definition of "household" and, instead, would define "household" as including a claimant and all other persons whose principal place of residence is such homestead, except renters, minors and students.

By operation of existing Section 19541 of the Revenue and Taxation Code, this proposed change in the definition of "homestead" will be applied with respect to claims filed for property tax assistance for fiscal years beginning after this measure is enacted.

Ch. 102 (AB 175) Lanterman. Community care facilities: day care facilities for children

The California Community Care Facilities Act provides for the licensure and evaluation by the State Department of Health of community care facilities, which includes residential facilities, day care centers, and homefinding agencies

This bill would provide that evaluations of care and services of a day care facility for children, which is defined as a facility providing nonmedical care to infants and preschool and school age children under 18 during a portion of the day, would be required to meet regulations substantially conforming to those applicable to such facilities prior to the enactment of the California Community Care Facilities Act. Evaluation of care and services of such facilities would be limited to evaluations of health and safety considerations.

The bill would require that licenses or special permits for any such day care facilities in compliance with the act and applicable rules and regulations be issued for two-year periods and that no fee be charged for a license or special permit application for such a facility.

This bill would take effect immediately as an urgency statute

Ch 103 (AB 191) Z'berg Elections· paid political advertisements.

The law presently does not require paid political advertisements in newspapers to be labeled as such

This bill requires paid political advertisements contained in or distributed with newspapers to be labeled as such. This bill would also define paid political advertisement and it would provide that a violation of its provisions shall not constitute a crime.

Ch. 104 (AB 227) Mobley. Fireworks. local regulation

Under existing law, the State Fire Marshal is authorized to issue and renew licenses for the manufacture, import, export, sale, and use of all fireworks in the state. Any licensee desiring to manufacture or sell safe and sane fireworks is required to secure a permit from the governing body of the city or county, as appropriate. No license or permit is required of any person to use safe and sane fireworks.

This bill would provide that the existing state law concerning fireworks shall not authorize the use or discharge of fireworks in any city or county in which such use or discharge is otherwise prohibited or regulated by law or ordinance.

This bill would take effect immediately as an urgency statute.

Ch 105 (AB 714) Boatwright Property taxation· maximum rates

Existing law provides that legislatively created classifications and exemption of property for purposes of ad valorem property taxation, shall be reimbursed by the state, and present law establishes a claims procedure relevant to the recovery of such reimburse-

ments by various entities of local government Present law also requires the state to reimburse each local agency and each school district for the full costs that ensue from any new state-mandated local program or any increased level of service of an existing mandated program enacted after January 1, 1973 and for a claims procedure relevant to the recovery of such reimbursements by qualifying public entities

Present law does not limit the amount for which a reimbursement claim may be made.

This bill would limit the amount for which a reimbursement claim, arising from legislatively created ad valorem tax classifications or exemptions or from a new state-mandated local program or any increased level of service of an existing mandated program enacted after January 1, 1973, to those which exceed $50.00

Existing law provides that claims made pursuant to Section 2229 of the Revenue and Taxation Code shall be filed according to the procedure provided in subdivision (b) of Section 16113 of the Government Code, and specifies that claims made pursuant to Section 2231 of the Revenue and Taxation Code shall be submitted by a fixed date, and paid at the time provided in the bill giving rise to such claims, and that such claims include actual costs for the prior fiscal year and estimates of actual costs for the next fiscal year

This bill would specify, in addition, that claims filed by local agencies pursuant to such provisions shall be filed in the manner prescribed by the State Controller

Ch. 106 (AB 728) Boatwright. Property tax exemptions: low-value property

Under existing provisions of the California Constitution, all property is subject to property taxation unless exempted by the Constitution or by federal law.

The California Constitution was amended in the November, 1974 election to authorize the Legislature to authorize county boards of supervisors to exempt real property having a full value so low that, if not exempt, the total taxes and applicable subventions on the property would amount to less than the cost of assessing and collecting such taxes

There is no statutory legislative authorization for such boards of supervisors to exempt such real property

This bill would authorize boards of supervisors to exempt such property.

Such authority is limited to exempting property with a full value of less than $400.

Ch. 107 (AB 754) Burke. Elections· posting voters index.

Present law requires the posting at each polling place of a voter index with the names of persons who have voted shown in strikeout The precinct board is required to mark off the names from time to time at least once each hour until 4 p.m.

This bill would require the precinct board to update the list up to and including 6 p m.

Ch. 108 (AB 888) Hart Property tax limitations: federal program exemption

Under existing property tax law, local agencies may not impose property taxes at a rate that exceeds specified limits, with certain exemptions. Such agencies may exceed such property tax rate limits to pay costs they have incurred in complying with federal statutes or federal regulations or the courts.

This bill would provide that any such additional property tax rate shall not be invalidated and may continue to be made to meet recurring costs resulting from any program undertaken or implemented by a local agency, notwithstanding the reversal, repeal, stay or invalidation of the mandate, if such action occurs after the local agency has made the levy or incurred continuing obligations therefor.

This bill would take effect immediately as an urgency statute.

Ch 109 (AB 906) Z'berg. Vehicles: removal from highway by California State Police for inspection.

Under existing state law, various state and local officers, having reasonable cause to believe that a motor vehicle on a highway has been involved in a hit-and-run accident, and that the operator has failed to comply with specified requirements of the Vehicle Code, are authorized to remove the vehicle from the highway for the purpose of inspection Officers of the California State Police are not included in such provisions.

This bill would extend such authority to regularly employed and salaried officers of the California State Police on or about state grounds or properties

Ch 110 (AB 907) Z'berg Vehicles· authority of California State Police to remove from railroad right-of-way

Under existing state law, various state and local officers are authorized to remove a vehicle from a railroad right-of-way if the vehicle is parked upon any railroad track or within 7½ feet of the nearest rail Officers of the California State Police are not included in such provisions

This bill would extend such authority to regularly employed and salaried officers of the California State Police on or about state grounds or properties on or in which a vehicle is located

Ch 111 (AB 1034) Foran Golden Gate Bridge, Highway and Transportation District

Under existing law, the Golden Gate Bridge, Highway and Transportation District is required to submit its plan for transit services, other than for an interim system of buses and ferries, to the Legislature by April 1, 1975.

This bill would postpone to September 1, 1975, the date when the plan would have to be submitted to the Legislature

The bill would take effect immediately as an urgency statute

Ch 112 (SB 49) Petris Housing assistance for the physically disabled, developmentally disabled, and mentally disordered

Existing law grants the Department of Corrections, the State Department of Health, the Department of Rehabilitation, and the Department of the Youth Authority the powers of a housing authority for the purpose of providing low-rent housing, pursuant to a specified federal law, for specified persons having outpatient status who are not financially able to provide adequate housing for themselves or persons dependent on them. Operation of such a housing program in a county or city without authorization of the governing body thereof is prohibited

Under existing law, the Department of Housing and Community Development is required to provide technical assistance and coordination for such housing programs and is authorized to contract with the federal government for the purpose of disbursing federal funds for such programs, to contract with local agencies administering similar programs, and to contract with housing authorities for management of units leased by the Department of Corrections, the State Department of Health, the Department of Rehabilitation, or the Department of the Youth Authority, pursuant to such housing programs

This bill would delete all of such provisions of existing law and would enact new provisions granting the Department of Housing and Community Development the powers of a housing authority for the purpose of obtaining federal subsidies or assistance to provide leased housing for "persons requiring continuing care" and would require the department to make application for such subsidies at least annually "Persons requiring continuing care" would be defined to mean persons determined by specified public agencies or officers to be developmentally disabled, physically disabled, or mentally disordered, as defined, who are not confined to an institution under the jurisdiction of the State Department of Health and who are eligible to receive federal housing assistance because of financial inability to provide adequate housing for themselves or their dependents

The Department of Housing and Community Development would be authorized to contract with the federal government to obtain funds for disbursal to cities, counties, cities and counties, nonprofit corporations, and owners and developers of housing and to contract for disbursal of such funds with such recipients The Department of Housing and Community Development would be required to consult with the State Department of Health prior to adopting or revising regulations for administration of the bill and the State Department of Health would have responsibility for reviewing applications for federal housing subsidies under the bill.

This bill would appropriate $30,000 † to the Department of Housing and Community Development and $52,700 ‡ to the State Department of Health for the purposes of the bill

The bill would take effect immediately as an urgency statute

† Appropriation reduced to $10,000 by action of the Governor

‡ Appropriation deleted by action of the Governor

Ch 113 (SB 436) Grunsky Public social services

Under current law a county is authorized to develop methods of payment of aid which spread the issuance of public assistance warrants evenly over the calendar month.

This bill authorizes a county which elects to come under such provisions to also, at its option, elect to establish new eligibility periods and monthly or semimonthly payment periods that are not limited to a calendar month to correspond with changes of payment dates for public assistance warrants

Under existing law, a county must submit such a plan for spreading the issuance of public assistance warrants to the Department of Benefit Payments before implementing the plan.

This bill would provide that the Department of Benefit Payments must approve such plans before the county implements them

This bill is an urgency statute to take effect immediately

Ch. 114 (AB 780) Carpenter Orange County Flood Control District chief engineer

The law presently requires that the Board of Supervisors of Orange County appoint a chief engineer for the Orange County Flood Control District. The chief engineer is charged with the duty of managing and administering the affairs of the district

The bill would remove such requirement

Ch 115 (AB 972) Beverly City of Torrance park lands

The City of Torrance is eligible to purchase certain lands for Columbia Park with a state grant that is available, pursuant to the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964, until June 30, 1975 The bond act does not authorize the city to permit the owners of such lands to continue to occupy the lands after acquisition unless authorized by specific act of the Legislature

This bill would extend the city's eligibility for the grant to June 30, 1976, and would authorize the city to permit persons from whom lands for the park have been acquired and the owners of lands to be acquired for the park during a specified period to continue to occupy the lands after acquisition until June 30, 1978, in exchange for a reduction in the cost of acquisition.

This bill would take effect immediately, as an urgency statute

Ch. 116 (AB 60) Thurman. Older persons vaccine

(1) Under existing law, the Office on Aging is required to provide through local governmental or private nonprofit agencies appropriate flu vaccines to all persons 65 years of age or older.

This bill transfers the office's duties relating to flu vaccine to the Department of Health except that the Office on Aging as well as such department is to provide for the preparation and dissemination of certain information and lowers the age eligibility for such flu vaccine to 60 years of age, provides that such persons shall have first priority and then any other high-risk group identified by the United States Public Health Service

(2) Under existing law the office is required to use available federal funds in such flu vaccine programs

This bill provides that except when the Department of Health determines that it is not feasible due to excessive administrative costs, the Department of Health is required to seek and use available federal funds including reimbursement under the Medi-Cal program

This bill would appropriate $420,000 to the Department of Health, to be available for expenditure until June 30, 1976, for expenditure for flu vaccine, which is in lieu of a similar appropriation in the Budget Act of 1975

This bill would take effect immediately as an urgency statute.

Ch 117 (AB 173) Montoya Letters and correspondence state and other public entities

Existing law contains no requirement that official stationery of the state, its political subdivisions, including agencies or commissions thereof, and other public agencies or entities include the telephone number of any such entity

This bill would require the letterhead or other prominent location on official station-

ery of each state agency, county, city, school district, municipal corporation, district, political subdivision, including a board or commission thereof and every local public agency, used in communication with the public, to include the telephone number of such entity, which may be typed or handwritten

The bill makes certain findings declaring that the subject of the bill is of statewide interest and concern.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

The bill would take effect immediately as an urgency statute

Ch 118 (AB 309) Suitt. Officers and employees public retirement benefits

Under existing law the eligibility of elected public officers for retirement benefits in public retirement systems is governed by the separate provisions of various public retirement plans and various elected public officers may receive public retirement allowances while serving as elected public officers

This bill would prohibit any public officer while serving in any elective office in this state from receiving a retirement allowance which is based in whole or part upon service in that elective office

The monthly retirement allowance would be suspended during the period of service and the retired person would not acquire any additional retirement rights or benefits because of such service Any survivors would be entitled to benefits provided for survivors of retired members if the person died while serving in the public office.

The provisions of the bill would only be applicable to persons elected to public office after its effective date

The bill would take effect immediately as an urgency statute

Ch 119 (SB 349) Dills. Public Employees' Retirement System disability benefits.

Existing Public Employees' Retirement Law prescribes an industrial disability retirement benefit for local safety members, among others, and nonindustrial disability retirement pensions for state and local members

This bill would provide an increased industrial disability retirement allowance for local safety members based upon the percentage of permanent disability determined by the Workmen's Compensation Appeals Board if their employer elects to be subject to the provision and would provide an increased nonindustrial disability retirement pension for local miscellaneous and local safety members based upon the amount of credited service if their employer elects to be subject to the provision

The bill would take effect immediately as an urgency statute

Ch 120 (AB 652) Z'berg Vehicles: implements of husbandry increased width

Existing state law provides that limitations as to width, set forth in the Vehicle Code, do not apply to any trailer or semitrailer used exclusively for the transportation of implements of husbandry or tools used exclusively for the production or harvesting of agricultural products, except that such vehicles, or the load thereon when the load consists of tools, shall not exceed a width of 120 inches.

This bill would provide that any trailer or semitrailer transporting a grain-harvesting combine shall not exceed a width of 144 inches.

The bill would take effect immediately as an urgency statute

Ch 121 (AB 317) Davis Court reporters

(1) Existing law provides that regular official court reporters in Trinity County shall receive an annual salary of $6480, and reporters pro tempore shall receive a per diem of $35.

This bill would raise the annual salary of regular official court reporters to $10,000, and permit the board of supervisors to increase such compensation by ordinance The bill would also raise the per diem of court reporters pro tempore in Trinity County to $55

(2) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in San Mateo County, and to audit and inspect such records, and submit an annual report to the board of supervisors of San Mateo County and also to the Legislature summarizing

the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for Trinity County, and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of Trinity County and the Legislature

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Trinity County

(4) The bill would also provide that no reimbursement is made to local governments for costs incurred pursuant to the bill for a specified reason

Ch 122 (AB 719) Leroy F. Greene School buildings Field Act bonds.

Current law prohibits the use of any school building after June 30, 1975, which does not conform to Field Act earthquake structural standards, but permits the State Allocation Board to authorize the use of a nonconforming building until June 30, 1977, if the school district has proceeded with a plan of repair, reconstruction or replacement of the nonconforming building and a contract has been let, and work commenced on such repair, reconstruction, or replacement

This bill revises the conditions under which the State Allocation Board may authorize the continued use of a nonconforming school building after June 30, 1975, by requiring that the school district have proceeded with a plan for the "total" repair, reconstruction or replacement, and requiring a contract to have been let for "any phase" of such work.

This bill would also add certain categories of buildings operated by county officers to those to which the temporary exception applies.

This bill would also redefine "school building" to exclude certain buildings operated primarily for other than educational purposes but used incidentally for educational purposes

Existing law makes available from the proceeds of the State School Building Aid Bond Law of 1966 and in augmentation of Section 19700.745 of the Education Code not more than $12,000,000 for apportionment as loans to any school districts which lack prescribed matching funds, obtain specified approval of the State Allocation Board, levy a prescribed tax, and apply the proceeds from such tax levy as local matching funds for a particular project or projects

This bill would increase the amount available for such purposes from $12,000,000 to $19,000,000

This bill would also make available from proceeds of the State School Building Aid [Bond] * Law of 1966, up to $6,000,000 for apportionment as loans to any school district which has issued at least $37,000,000 in local bonds for the purpose of replacing structurally unsafe school buildings, upon condition that such school district has levied, or will be required to levy, a prescribed override tax for the 1974–75, 1975–76, and 1976–77 fiscal years and applied the entire proceeds thereof as local matching funds for the project for which such apportionment in made. In connection with such an apportionment, this bill also permits the State Allocation Board to increase the ratio of state assistance, under certain conditions

This bill would go into immediate effect as an urgency statute.

Ch. 123 (SB 35) Nejedly Suisun Marsh.

(1) Present law reappropriates to the Department of Parks and Recreation the sum of $2,000,000 from the Bagley Conservation Fund pursuant to Item 383.5 of the Budget Act of 1974 for the acquisition of land for the Suisun Marsh project for the state park system, provided that the funds are expended only to acquire land, the acquisition of which has the approval of the Department of Fish and Game, and provided further that the money is matched equally by the Wildlife Conservation Board.

This bill would repeal such provisions

(2) The Nejedly-Bagley-Z'berg Suisun Marsh Preservation Act of 1974 requires the Wildlife Conservation Board to acquire, and the Department of Fish and Game to administer, fee title or lesser interests, in Suisun Marsh lands which the board finds require prompt acquisition because of their critical importance to the integrity and continued wildlife use of the marsh.

This bill would appropriate for such purposes the sum of $2,000,000 from the Bagley Conservation Fund, from moneys appropriated to such fund pursuant to Item 383.5 of

the Budget Act of 1974, to the board for expenditure during the 1975–76, 1976–77, and 1977–78 fiscal years

This bill would take effect immediately as an urgency statute

Ch 124 (AB 377) Chappie Water standby charges public utility districts

Presently, the Tahoe City Public Utility District, the North Tahoe Public Utility District, and the South Tahoe Public Utility District are authorized to levy a water standby or immediate availability charge, using certain of the funds realized therefrom only to pay for the acquisition of nonpublic domestic water supply systems

This bill would permit the named districts to use these funds for maintenance and operation, as well as acquisition, of systems owned or acquired by the respective districts

Ch. 125 (AB 599) Hart Public schools

(1) Under current law, particular provision is made concerning the governing board membership of a new elementary school district formed from four or more existing elementary school districts

This bill would repeal this provision

(2) Current law establishes assessed valuation per pupil as a determinative factor for the State Board of Education to consider when it is requested to approve a proposal for the formation of a new unified school district.

This bill would require that revenue limits and necessary tax rates be considered together with assessed valuation per pupil for those purposes

(3) Present law authorizes a governing board of not to exceed 15 members to be established for a specified countywide unified district.

This bill would repeal such authority.

(4) Present law makes particular provision for the allocation of funds to repair school buildings damaged or destroyed by fire in January, 1955

This bill would repeal this provision

(5) Presently, state law requires a specified percentage of each kind of school district's "current expense of education," as defined, to be expended each fiscal year for certificated employee salaries

This bill would revise the definition of "current expense of education" to among other things, more particularly provide for the exclusion of site, building, book and media and new equipment, and facility acquisition and construction expenditures

(6) Current law requires the Superintendent of Public Instruction to make line item reviews of budgets submitted by county superintendents of schools.

This bill would require instead a program review of such budgets

(7) Present law requires school districts which levy a tax to publish and itemize their budgets in a manner which shows the functions and objects of expenditures.

This bill would require instead that budgets be published and itemized in a manner that shows program expenditures.

(8) Currently, the law provides for a corresponding adjustment to be made in the revenue limit for the succeeding fiscal year in cases where, in the preceding year, there had been an estimating error in computing the revenue limit of a school district

This bill would provide for such an adjustment in the case of estimating error, or other error.

This bill would also provide for corresponding adjustments to be made in the prescribed tax rate of a school district for the succeeding fiscal year, if the amount actually collected for the preceding fiscal year differed from the amount computed for that year

(9) An existing statute prohibits the governing board of a school district from increasing the number of administrative positions in the district above a specified ratio of administrative positions to nonadministrative positions, with certain exceptions, while other statutes prescribe a system under which state support to school districts is reduced when specified maximum ratios of administrative employees to teachers are exceeded

This bill would repeal the prohibition but would not affect the statutes prescribing such system

(10) An existing statute requires the Superintendent of Public Instruction, in determining specified allowances, to require the use of a uniform cost accounting procedure, as set forth in a specified portion of the California School Accounting Manual.

This bill would delete the reference to the specified portion of such manual, thereby making it a reference to the entire manual

Ch. 126 (AB 659) Arnett. Schools· pupil s teeth· topical applications.

Under existing law, pupils of both public and private elementary and secondary schools are required to be provided the opportunity to receive within the school year the annual topical application of fluoride or other decay-inhibiting agent to their teeth in a manner approved by the State Department of Health. However, the Legislature has expressed its intent that the program of topical application is not required to be implemented until the United States Food and Drug Administration has completed study thereon and has approved one or more preparations applicable for use in the program.

This bill would provide until January 1, 1978, that such program of topical application treatment could provide for not more than two topical applications to the teeth of each pupil within the school year, except where additional applications are available on a voluntary basis.

This bill would take effect immediately as an urgency statute.

Ch 127 (AB 793) Chappie. Tahoe City Public Utilities District: surplus funds.

The Municipal Improvement Act of 1913 provides a means for municipal corporations, which include a city, county, or district, to provide for the construction of specified public improvements by assessing owners of property benefited by such improvement for the cost thereof Surplus funds from the improvement may be used for, among other things, the maintenance of the improvement but are limited to improvements within the assessment district

The bill would provide that due to specified unusual circumstances, the Tahoe Public Utility District, having made several assessments under this act for several improvements to the sewer system under its jurisdiction, may use the aggregate of the surplus funds of the several improvements to maintain any part of the entire sewer system without regard for what part of the sewer system the funds were originally assessed.

The bill would take effect immediately as an urgency statute.

Ch. 128 (AB 817) Knox. Property tax exemptions: church parking areas.

Under existing law certain property owned by a church and used exclusively for parking of automobiles of persons while attending religious services is exempt from property taxation if, among other things, the property is not at other times, and during the preceding 12 months, has not been used for commercial purposes and no income or profit has been derived from the property during that period

This bill would eliminate the requirements that the property be used exclusively for parking of vehicles of persons attending religious services and that no income or profit be derived from the use or rental of the property, and would exempt such property if it is not at other times used for commercial purposes, as defined.

This bill would also provide that the enactment will not result in significant identifiable loss of property tax revenues by local agencies, and notwithstanding Section 2229 of the Revenue and Taxation Code, no reimbursements are to be made by the state to local agencies for such lost revenues.

Ch. 129 (AB 896) Keysor. Schools: student body funds

Present law provides that funds of student body organizations in regional occupational centers or programs may be used, subject to certain procedure and approval requirements, to finance activities for noninstructional periods or to augment or enrich programs provided by the center or program In schools or classes for adults and in elementary schools in which the student body is not organized the governing board may appoint an employee or official to act as trustee for student body funds and to receive and to expend such funds in a specified manner

This bill would instead make funds of student body organizations in regional occupational centers or programs to be governed and expended in the same manner as classes for adults and in elementary schools in which the student body is not organized.

Ch. 130 (AB 908) Z'berg Local agency indebtedness: maximum interest rate.

Existing statutory law permits the maximum interest rate for bonds authorized by the legislative body of a local agency, to be 8% per year and permits such bonds to be sold at a discount at a price yielding to the purchaser an effective interest rate not to exceed 8% per year

This bill would amend various sections of various codes to conform to the existing law.

Ch. 131 (AB 930) Craven San Diego County Flood Control District· zone commissions and subzones.

Under existing law the San Diego County Flood Control District is divided into zones and the board of directors of the district is required to appoint a commission for each zone, made up of various representatives, including a representative of the conservation districts or water agencies situated wholly or partly within a zone. If the position of representative of the conservation districts or agencies for a zone becomes vacant, the clerk of the district is required to give the conservation districts 30 days' notice of the time and place for a meeting to be held for the purpose of nominating a representative of its own choosing to fill the vacancy

The bill would delete the provision for a meeting and instead provide for 30 days' notice of the date and place for the districts to submit nominations, and would provide that if no list of nominees is submitted within the 30-day period, the board of directors of the district could appoint a representative of its own choosing

Existing law provides that (1) the district board may, concurrently with instituting a project or work of improvement, establish a subzone or participating subzones for specified reasons, which include the financing, construction, and maintaining of such project or work of improvement, and (2) such board may levy taxes or assessments in such subzones.

This bill would (1) additionally authorize such board to establish a continuously operating subzone or subzones for the above-mentioned specified reasons, and (2) prohibit revenues from taxes or assessments levied in any one subzone for such specified reasons from being expended in any other subzone, except in the case of joint projects or projects which are authorized or established outside the subzone from which the revenues are derived but which are for the benefit of such subzone

Ch. 132 (AB 1077) Vicencia Buses: axle weight limits

Existing statutory law provides that the gross weight imposed upon the highway by the wheels on any one axle of a vehicle shall not exceed 18,000 pounds, with exceptions for the rear axle of buses, which are limited to 20,500 pounds, and certain other vehicles.

This bill would limit the gross weight on any one axle of a bus to 20,500 pounds.

Ch 133 (AB 1122) Boatwright Contra Costa County Flood Control and Water Conservation District: county service areas

Existing statutory law permits any storm drain maintenance district organized in Contra Costa County under the Storm Drain Maintenance District Act or any zone established under the Contra Costa County Storm Drainage District Act to be converted into a drainage area and specifies the procedure for such conversion by resolution, notice and hearing.

This bill would permit conversion of any county service area into a drainage area, subject to the same procedure as used for the conversion to a drainage area of a storm drain maintenance district or a zone of a storm drainage district by resolution, notice and hearing

Ch. 134 (AB 1481) MacDonald Ventura County Community College District

Under existing law, Ventura County Community College District entered into a contract with a private supplier for data processing and related management services pursuant to a pilot program authorized by the Chancellor of the California Community Colleges. Such contract will terminate on July 1, 1976

This bill would make legislative findings and declarations regarding the Ventura County Community College District

This bill would authorize any contract entered into for data processing services and related management services by the Ventura County Community College District with a private commercial entity pursuant to Section 2 of Chapter 540 of the Statutes of 1971 to be renegotiated for the duration of the pilot program without putting the contract out to public bid, as specified

This bill would take effect immediately as an urgency statute

Ch 135 (SB 213) Alquist Energy gas appliances.

Under the existing law, no person shall cause to be distributed, sold, or installed in this state after January 1, 1977, or after an intermittent ignition device has been certified by the State Energy Resources Conservation and Development Commission, whichever is later, any new gas appliance, as defined, without obtaining a proper seal of certification, as prescribed, unless the commission otherwise permits such action

This bill would, instead, provide that no person shall cause to be distributed, sold, or installed in this state, after 24 months after such an intermittent ignition device has been certified by the commission, any new gas appliance without obtaining such a seal of certification, unless the commission otherwise permits such action, and would make other conforming changes in the provisions relating to intermittent ignition devices for appliances.

This bill would also appropriate $1,036,331 to the State Energy Resources Conservation and Development Commission from the State Energy Resources Conservation and Development Special Account in the General Fund for purposes of carrying out the provisions of the Warren-Alquist State Energy Resources Conservation and Development Act

Also, this bill would provide that it makes an appropriation for the usual current expenses of the state and shall go into immediate effect

Ch 136 (SB 277) Kennick Lieutenant Governor. commission memberships.

Presently, the Lieutenant Governor is prohibited from appointing a deputy to act for him at meetings of the State Lands Commission

This bill would delete this prohibition, and would take effect immediately as an urgency statute

Ch 137 (SB 446) Rains Ventura County Flood Control District tax rate

The present law provides that in Ventura County Flood Control District, which is divided into zones, the assessment on taxable property in zone 1 of the district shall not exceed $0 38 per $100 of assessed valuation until July 1, 1975, after which the tax rate on such property cannot exceed $0 20 per $100 of assessed valuation.

This bill would instead limit the tax rate in zone 1 to $0 32 per $100 of assessed valuation, without placing a time limitation as to effectiveness of such rate

The bill would take effect immediately as an urgency statute

Ch 138 (SB 856) Gregorio Public social services

The Budget Act of 1974 appropriates funds for the Medi-Cal Program for the 1974–75 fiscal year

This bill appropriates an additional $33,517,057 in augmentation of such appropriation.

The bill is to become effective immediately as an urgency statute.

Ch 139 (AB 927) Chimbole School holidays

Existing law requires the public schools to close on certain specified holidays, including November 11th, known as Veteran's Day

This bill would permit a school district whenever federal law recognizes one of such holidays on a different date to instead close the schools of the district on the date recognized by federal law

This bill would go into immediate effect as an urgency statute

Ch 140 (SB 645) Beilenson Reserves for contingencies.

The Budget Act of 1974 appropriated money for expenditure upon written authorization of the Department of Finance for emergencies.

This bill would appropriate $14,700,000 in augmentation of such appropriation

The bill would take effect immediately as a measure to provide for the usual current expenses of the state

Ch 141 (SB 1231) Grunsky Santa Cruz Port District quitclaim

There is no existing law authorizing the Director of General Services to quitclaim the state's retained interest in real property deeded in 1966 to the Santa Cruz Port District

This bill would authorize the director to quitclaim the state's retained interest in such property

The bill would take effect immediately as an urgency statute

Ch 142 (AB 217) Lockyer Elections special elections

The law presently would allow the Governor to call a special election to be held on any Tuesday which is the day after a state holiday, for the purpose of filling a vacancy in the office of Representative in Congress, State Senator, or Member of Assembly

This bill prohibits the calling of a special primary election or special election to fill such offices on such Tuesdays

Ch 143 (AB 380) Deddeh Courts

Existing law specifies the salaries and classifications for municipal court employees in San Diego County

This bill would adjust the salaries paid to these employees.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

This bill would take effect immediately as an urgency statute.

Ch 144 (AB 436) McCarthy Minors. employment.

The existing law provides that the school attendance supervisor or the county probation officer may enter any place of employment subject to the provisions of the compulsory education law for the purpose of investigating violations of such law

This bill would provide that a full-time school attendance supervisor or the county probation officer may at any time enter any place of employment for the purpose of examining minor work permits or to investigate violations of the Labor Code, the law on compulsory education, the law on compulsory continuation education, or the law on employment of minors

The existing law provides that if any attendance or probation officer is denied entrance to a place of employment, he may file an affidavit with a magistrate who may issue an order directing him to enter to make an investigation

This bill would provide that the attendance supervisor or probation officer shall report a denial of entrance or any violation of laws to the Labor Commissioner within 48 hours

The existing law provides that the Division of Labor Law Enforcement, the supervisor of attendance, or any person authorized by the school board, shall bring an action against any person, firm, or corporation that employs a minor in violation of the laws on compulsory continuation education.

This bill would provide that a supervisor of attendance, probation officer, or officer of the Superintendent of Public Instruction shall report violations of law, rule, or regulation relating to the employment of minors to the Labor Commissioner in writing within 48 hours

The existing law provides that any fines collected for violation of the laws on compulsory continuation education shall be paid into the school funds of the county in which the minor resides, and any fines collected for violation of laws restricting the employment of minors shall be paid into the school funds of the county where the offense occurred, or if collected as a result of prosecution by the Division of Labor Law Enforcement, one-half into the school fund and one-half into the General Fund of the State Treasury, or when collected as a result of prosecution by an incorporated society for the prevention of cruelty to children, to such society

This bill would provide that any fines or civil penalties collected for violations shall be paid into the State Treasury and credited to the General Fund.

The existing law requires that the authority issuing work permits file certain written reports with the Division of Labor Law Enforcement and the State Board of Education twice yearly

This bill would repeal the existing requirement that the authority issuing work permits file certain written reports with the Division of Labor Law Enforcement and the State Board of Education twice yearly

The existing law requires that the Division of Labor Law Enforcement report all violations of the child labor laws to the State Board of Education

This bill would repeal the existing requirement that the Division of Labor Law Enforcement report all violations of the child labor laws to the State Board of Education

This bill would, in addition to the above, add provisions to provide the following

Impose specified limitations upon the hours of employment of minors in agricultural occupations

Establish a system for the issuance of citations for violating child labor laws, and include provisions for the imposition of civil penalties in designated amounts under such citation system.

Prohibit minors under the age of 12 years from being in or about an agricultural zone of danger, as defined

Prohibit employing minors under the age of 16 years in or about a gasoline service station

Specify that these provisions shall not limit the authority of the Attorney General or the district attorneys to bring suit to enforce child labor laws, either upon their own complaint or the complaint of any person, independently of the Director of Industrial Relations

Make various related changes.

This bill would also incorporate additional changes in Section 12774, Education Code, proposed by Senate Bill 18, to be operative only if Senate Bill 18 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered last.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for specified reasons

Ch 145 (AB 494) Berman Public officials disclosure and conflict of interests

The law presently imposes no express limitations on the effectiveness of the Waxman-Dymally Campaign Disclosure Act or the Moscone Governmental Conflict of Interests and Disclosure Act

This bill provides that the provisions of the Moscone Governmental Conflict of Interests and Disclosure Act shall become inoperative on May 1, 1975, except that certain provisions relating to public agency conflict of interest codes shall remain in effect until a conflict of interest code is adopted pursuant to the Political Reform Act of 1974 for such agency This bill also requires the filing, for specified officers, of the financial disclosure statement due in April 1975, under the Moscone Act, such statement to cover the period between the last filing under that act through January 6, 1975 This bill provides that the provisions of the Waxman-Dymally Campaign Disclosure Act shall be inoperative except as to activities covered by the act which occur prior to January 7, 1975 and to specified campaign statements With the above exceptions, the Waxman-Dymally Act and the Moscone Act are to remain inoperative while the parallel chapters of the Political Reform Act of 1974 remain operative

This bill continues in effect for planning commissioners and planning officers of cities and counties the financial disclosure requirements of the Moscone Act until such time as a conflict of interest code is effective for their agency

This bill provides that no appropriation or reimbursement shall be made because any additional net costs imposed on local government by the act are insignificant and will not cause any financial burden.

The bill is to take effect immediately as an urgency statute

Ch 146 (AB 548) MacDonald Mobilehomes

Existing law permits the owner or management of a mobilehome park to require that any mobilehome less than 10 feet wide or more than 10 years old or both, or any mobilehome in rundown condition or in disrepair be removed from the park in the event of its sale to a third party, in order to upgrade the quality of the mobilehome park Existing law also makes the decision of the park owner or management in this regard binding and states that nothing shall be construed to deny the ownership or management the right to require prior approval of a purchaser if the mobilehome will remain located in the mobilehome park Existing law also provides that the foregoing provisions shall not be applicable to a mobilehome which remains unoccupied for 120 days and is subsequently sold during the ongoing period of vacancy

The bill would delete the provision making the decision of the ownership or management of a mobilehome park binding in regard to the age and condition of a mobilehome

to be sold to a third party and the provision exempting unoccupied mobilehomes from the application of the above provisions of existing law The bill would require the ownership or management of a mobilehome park to use reasonable discretion in determining the condition of a mobilehome and its accessory structures The bill would also modify one of the criteria permitting the park ownership or management to require a mobilehome to be removed from the park in the event of its sale to a third party by changing the requirement regarding the mobilehome's age from 10 years to 15 years or 25 years, if the mobilehome was manufactured after September 15, 1971 The bill would also limit the right of the ownership or management of the park to require prior approval of a purchaser of a mobilehome to remain in the park by providing that the approval of a purchaser cannot be withheld if the purchaser as a prospective tenant has the financial ability to pay the rent and charges of the park unless the ownership or management reasonably determines that the prospective tenant will not, based upon prior tenancies, comply with the requirements of the park rules and regulations The bill would authorize the park ownership or management to require that a prospective tenant purchasing a mobilehome to remain in the park comply with any rule or regulation of the park limiting residence within the park to adults only

Existing law requires that the management of a mobilehome park provide tenants with the language in written form of specified statutory provisions of law governing mobilehome park tenancies

This bill would specify that tenants be additionally furnished with the park rules and regulations in written form and the language of additional specified statutory provisions governing mobilehome park tenancies

This bill would make specific legislative findings and declarations regarding the necessity for owners of mobilehomes required to be moved under permit to have the unique protection from actual or constructive eviction afforded by existing specified statutory provisions

Ch 147 (AB 604) Bannai Real property

Existing law makes void any provision in, or otherwise affecting, a grant of a fee interest in, or purchase money security instrument upon, real property which forbids or restricts the right of the grantee to display a reasonable "for sale" sign on the property

This bill would also make void any such provision forbidding or restricting the right of the grantee's agent to display a reasonable "for sale" sign on the property

Existing state law contains no provision which regulates the local restriction of the display of "for sale" signs by means of ordinances

This bill would permit the display of "for sale" signs of reasonable dimensions as determined by a city or county containing at least information indicating the property is for sale, lease, or exchange, and the owner's or agent's name, address, and telephone number, notwithstanding any provision of any ordinance

Ch 148 (AB 686) MacDonald Insurance mutual fire insurers.

Existing law prohibits any county mutual fire insurer which has transformed itself into a general mutual insurer from engaging in the business of workmen's compensation insurance

This bill would delete such prohibition

Ch 149 (AB 799) Suitt Property taxation maps and plats

Existing law provides that when there is a change in boundary of a district whose tax is carried on the regular county assessment roll, the district must file a statement of such change including specified documents and plats with the county assessor and the State Board of Equalization

This measure would provide that the detachment of an area from a recreation and park district or a county service area, the proceedings for which were completed not later than February 15, 1975 in the case of the former and February 25, 1975, in the case of the latter, such detachment shall be effective for assessment and taxation purposes for the fiscal year 1975–76 if the statement and plats are filed with the county assessor and the State Board of Equalization on or before April 1, 1975

This bill would take effect as an urgency statute

Ch 150 (AB 873) Deddeh Route 54 and Sweetwater Flood Control Project

The law presently requires the County of San Diego to repay, by June 30, 1975, the funds advanced by the Department of Transportation for the county to acquire rights-of-way for Route 54 and the Sweetwater Flood Control Project pursuant to a joint powers agreement between the 2 entities

This bill would extend the date for repayment until June 30, 1980 at an interest rate equal to rate of return of Pooled Money Investment Account

The bill makes other changes which are technical and nonsubstantive, and would take effect immediately as an urgency statute

Ch 151 (AB 885) MacDonald Municipal water districts contracts with other agencies

The law presently provides that a district formed under the Municipal Water District Law of 1911 or an improvement district thereof, may contract with public or private agencies for the purpose of carrying out the powers of such district If such a contract is to be made with the United States or any department or agency thereof, or a private corporation organized under the laws of the United States, and if such contract would cause such district or improvement district to incur an indebtedness or liability exceeding in any one year the income and revenue of the district or improvement district for such year, then the assent of two-thirds of the qualified electors of the district at a special election is required

The bill would instead require the assent at any election of a majority of such electors to such contract

Ch. 152 (AB 910) Suitt Mobilehome parks permits

Under existing law, a mobilehome park is any area or tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation A valid permit issued by the Department of Housing and Community Development or any city, county, or city and county which has assumed responsibility for the enforcement of the mobilehome parks law is required under the mobilehome parks law before any person is able to operate, occupy, rent, lease, sublease, let out, or hire out for occupancy any lot in a mobilehome park

This bill would exempt the owner of one mobilehome who is also the owner of the land upon which the mobilehome is located from any mobilehome parks law permit or license requirements, when such owner rents, leases, subleases, lets out, or hires out for occupancy the mobilehome and land upon which the mobilehome is located

Ch. 153 (AB 936) Ingalls Vehicles continuation of 55-m p h speed limit

Existing provisions of state law, which make it unlawful for any person to drive a vehicle upon a highway at a speed greater than 55 miles per hour, will remain in effect only until June 30, 1975, and as of that date will be repealed, unless a statute which is chaptered before June 30, 1975, deletes or extends such date

This bill would instead repeal such speed limit on June 30, 1978, thereby retaining the 55-mile-per-hour speed limit in force until June 30, 1978

The bill would take effect immediately as an urgency statute

Ch 154 (AB 967) Gualco Recording fees

Existing law makes Section 6103 of the Government Code, which prohibits, with certain exceptions, the state or a political subdivision of the state or a public officer or body acting officially on behalf of the state, from paying a fee for the filing of any document or paper and Section 27383 of the Government Code, which prohibits a county recorder from charging the state or a political subdivision of the state for services rendered inapplicable to recording full releases executed or recorded pursuant to statutes permitting such releases upon proof that no inheritance tax is due which would be a lien on property transferred by reason of the death of the transferor or upon determination that the taxes are sufficiently secured or that a release will not endanger or jeopardize the collection of the taxes where there is full satisfaction of the amount due under the lien which is released

This bill would eliminate those exceptions, thus prohibiting fees to be charged in such situations

Ch. 155 (AB 969) Gualco. Publication.

Present law requires the tax collector, immediately after publishing notice that real property with unpaid taxes, assessments, penalties, or costs has been sold to the state, to file with the county recorder a copy of the publication and an affidavit specifically describing the manner of publication

This bill would permit the county recorder to destroy such publications and affidavits that have been on file for more than seven years.

Ch. 156 (AB 1056) Hayden. Evidence: criminal cases disposition.

Under existing law exhibits in a criminal case may be released after the final determination of the action or proceeding except where such release would result in prejudice to the state, where the exhibits consist of specified weapons, drugs, explosives, or other property the possession of which is prohibited by law, or in cases where the death penalty has not yet been carried out.

This bill would permit the prior release of such exhibits upon stipulation of the parties if no prejudice will be suffered by either party and a photographic record is made of the material released. Such weapons, drugs, explosives, and other property the possession of which is prohibited by law would not be permitted to be released

Ch 157 (AB 1065) Antonovich. Public Employees' Retirement System: service retirement.

Existing Public Employees' Retirement Law generally permits state and local miscellaneous members to retire for service commencing at age 55 with 5 years of state service

This bill would permit state and local miscellaneous members to retire for service commencing at age 50 and would prescribe the computation of the allowance between age 50 through 54¾.

Ch. 158 (AB 1073) Maddy. Sewers and sewage

Existing law authorizes a county to appropriate up to $500,000 to a revolving fund for the acquisition of property, construction of structures, and related costs needed to provide extended services to a county service area within the county, such funds to be repaid to the county as specified

This bill would authorize an advance of moneys from the Board of Supervisors of Mariposa County to Mariposa County Service Area #1 pursuant to existing law, to be reimbursed in not less than 40 years at interest not exceeding 5 percent, as determined by the board of supervisors, and to be used solely for expenses incurred in connection with the construction of facilities for collecting, treating and disposing of sewage from such service area

This bill would also declare the findings of the Legislature that a special statute is necessary for such purposes as a general statute may not be made applicable. This bill would take effect immediately as an urgency statute.

Ch. 159 (AB 1082) Knox County highways· removal of encroachments and obstructions.

Existing law authorizes the road commissioner of a county to remove specified obstructions or encroachments, which include certain advertising signs or devices of any description, from county roads.

This bill would grant the commissioner the authority to return such a sign or such a device to its owner, or otherwise dispose of it in the commissioner's discretion. However, if such a sign or device is of more than nominal value, the commissioner may not dispose of it until a reasonable attempt to identify and locate the owner of the sign or device has been made and the owner has been given a reasonable time to retrieve the sign or device

The bill would also authorize the commissioner to condition the return of such sign or device upon the payment of a sum to reimburse the commissioner for the cost of removal

The bill would make other technical, clarifying changes

Ch. 160 (AB 1165) Foran. Educational programs: federal acts.

Existing law authorizes the Board of Governors of the State Nautical School, governing boards of school districts, and county superintendents of schools to take necessary action to participate in various specified federal acts and acts amending or supplementing those acts.

This bill would authorize such agencies to take necessary action to participate in any act of Congress heretofore or hereafter enacted, rather than such specified acts.

Ch. 161 (AB 1176) Priolo. Conejo Valley School District

Current law establishes a procedure under which a school district may request an emergency apportionment during a fiscal year subject to compliance with prescribed requirements and a specific appropriation for such purpose by the Legislature.

This bill would appropriate $700,000, or so much thereof as may be necessary, for an apportionment to the Conejo Valley Unified School District during the 1974–75 fiscal year subject to compliance with such procedures and repayment over a 3-year period with interest, as specified.

This bill would go into immediate effect as an urgency statute

Ch 162 (AB 1368) Duffy Drivers' licenses: application requirements

Existing law requires the examination for a class 1 or class 2 driver's license to include a medical examination report on a form approved by the Department of Motor Vehicles or by the Federal Highway Administration of the United States Department of Transportation. Further, a class 1 or class 2 licensee is required to have in his immediate possession a medical certificate approved by one of those agencies

This bill would include in such provisions authorization for the use of a medical examination report on a form approved by the Federal Aviation Administration and would include in the requirement regarding possession of a medical certificate authority to use a medical certificate approved by the Federal Aviation Administration

The bill would incorporate additional changes in Section 12804 of the Vehicle Code, proposed by Senate Bill 244, which would be effective only if Senate Bill 244 and this bill are chaptered and become effective on January 1, 1976, and this bill is chaptered last.

Ch 163 (AB 1398) Mori County tax collections· minimal amounts.

Under existing law, any county department, officer or employee may refrain from collecting taxes, assessments, license fees which amount to $1 or less, but only upon authorization of the board of supervisors and the county counsel, or district attorney if there is no county counsel.

This bill would authorize such county department, officer or employee to refrain such collection without the authorization of the board of supervisors and the county counsel or district attorney.

Ch. 164 (AB 2389) Craven. Escondido Union School District.

Current law establishes a procedure under which a school district may request an emergency apportionment during a fiscal year subject to compliance with prescribed requirements and a specific appropriation for such purpose by the Legislature

This bill would appropriate $500,000, or so much thereof as may be necessary, for an apportionment to the Escondido Union School District during the 1974–75 fiscal year subject to compliance with such procedures and repayment by July 1, 1976, with interest, as specified.

This bill would go into immediate effect as an urgency statute

Ch. 165 (SB 222) Ayala. Ground water Chino Basin.

Under existing law municipal water districts have no authority to impose a production assessment on ground water production.

This bill would provide for the annual levy during the 1974–75, 1975–76, and 1976–77 fiscal years of a ground water production assessment at a rate of $2 per acre-foot, or less, of production from the Chino Basin, as defined, to be used for specified purposes relating to development of a management plan for the water resources of the basin The bill would specify the manner in which such assessment is to be levied and collected, would require producers to furnish an annual report of production, and would provide penalties for failure to comply and enforcement remedies The assessment would be collected

by the Chino Basin Municipal Water District, the Western Municipal Water District, and the Pomona Valley Municipal Water District, with the Chino Basin Municipal Water District having primary responsibility for administration of the act. The bill would provide for appointment of an advisory committee to assist in administration of the act.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, no reimbursement or appropriation is made by this act for a specified reason.

[This bill would go into immediate effect as an urgency statute.] *

Ch. 166 (SB 238) Way. Housing authorities: borrowing.

Under existing law housing authorities, which are public corporations of cities and counties created to provide safe and sanitary dwelling accommodations for persons of low income, are permitted to utilize various means to secure the payment of obligations incurred to finance housing projects, including pledging of rents, fees, and revenues and by mortgaging its real or personal property.

This bill would permit housing authorities, in addition, to borrow money from private and governmental sources, and issue its notes and encumber its assets as security by means of deeds of trust, limiting its obligations to the security on the deed of trust.

Ch. 167 (SB 291) Dills Alcoholic beverages· fill standards.

(1) Under existing law an off-sale general license includes the privilege of permitting the sale to consumers of distilled spirits in packages of not more than one gallon and not less than one-half pint for consumption off the premises where sold

This bill would delete the present package quantity limitations of distilled spirits and would require standards of fill for distilled spirits to conform in all respects to the standards established pursuant to the Federal Alcohol Administration Act. The bill provides that an off-sale general license shall not authorize the purchase or sale of distilled spirits in packages containing less than 6 ounces or whiskey, gin, or vodka in packages containing one-tenth gallon.

(2) Under existing law an on-sale general license authorizes the purchase and possession of distilled spirits in packages of not more than one gallon and not less than one-half pint

The bill would delete the present package quantity limitations and would require standards of fill conformity, as above, to the regulations adopted under the Federal Alcohol Administration Act. The bill provides that an on-sale license shall not authorize the purchase of distilled spirits in packages containing less than 6 ounces or whiskey, gin, or vodka in packages containing one-tenth gallon

(3) Existing law makes it a misdemeanor for a rectifier or wholesaler of distilled spirits to deliver, sell, or possess distilled spirits in packages containing more than one gallon or less than one-half pint, except that this prohibition does not apply, among other instances, to packages of distilled spirits in containers of less than one-half pint which are sold and delivered to certified common carriers operating certain vessels for use or consumption on such vessels, in transit in the Pacific Ocean from points on the California shore to points in California off the California shore.

This bill would delete the present legal quantities and would require standards of fill conformity to the regulations adopted under the Federal Alcohol Administration Act. The bill provides that a rectifier or wholesaler of distilled spirits may not purchase or sell whiskey, gin, or vodka in packages containing one-tenth gallon

This bill would broaden the exception for certain common carriers selling distilled spirits in containers of less than one-half pint by deleting the requirement that vessels operated by such common carriers be in transit in the Pacific Ocean from points on the California shore to points in California off the California shore.

Ch 168 (SB 849) Greene. Security officers.

Existing law requires a housing authority patrol officer who is a peace officer to complete a course of training relative to airport security approved by the Commission on Peace Officers Standards and Training

This bill eliminates this requirement This bill is an urgency statute and will take effect immediately

Ch 169 (AB 413) Keene Health planning: funding

Provisions of law requiring the State Department of Health to contract to provide funding to voluntary area health planning agencies have become inoperative.

This bill would restore such provisions, but would specify that contracts of the department to provide such funding shall not obligate the department in excess of available revenues derived from fees that were collected from all health facilities and from specified community care facilities pursuant to prescribed provisions which are presently inoperative.

This bill would also repeal an inoperative provision regarding such health planning agencies

This bill would take effect immediately as an urgency statute, and would remain in effect until January 1, 1976.

Ch 170 (AB 723) Ingalls Air pollution: motor vehicle inspection.

(1) Under existing law, the State Department of Consumer Affairs, with the cooperation of the State Department of the California Highway Patrol and the State Air Resources Board, is required to design and adopt a program for the mandatory periodic exhaust emission inspection of motor vehicles registered in the Counties of Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, and Ventura. The program is to be designed during 1974, adopted no later than December 31, 1974, and implemented during 1974 and 1975, and refined inspection standards are to be adopted no later than December 31, 1975.

This bill would require the program to be designed during 1974 and 1975, adopted no later than September 30, 1975, and implemented during 1975 and 1976, and refined inspection standards and techniques would be required to be adopted no later than July 1, 1976.

(2) Under existing law motor vehicles in the prescribed area weighing under 6,001 pounds are to be inspected by the Department of Consumer Affairs upon each transfer of registration subsequent to December 31, 1975, and any such motor vehicles would be subject to inspection after a date in 1975 to be determined by the department with the cooperation of the State Department of Motor Vehicles. Dates for inspection upon initial registration or renewal are one year later.

This bill would require inspection upon transfer of registration of a vehicle subsequent to July 1, 1976 and would make all such vehicles subject to inspection after a date in 1976, to be determined by the 2 departments. Dates for inspection upon initial registration or renewal are similarly revised.

(3) Under existing law periodic written reports are required to be made by the Department of Consumer Affairs to the Legislature every 12 months commencing December 31, 1974, and recommendations on the extension of the inspection program are to be submitted by December 31, 1974

This bill would change those dates to July 1, 1975, and December 31, 1976, respectively.

(4) Under existing law, the Department of Consumer Affairs is required to charge a fee for the inspection of motor vehicles, including trial inspections, conducted pursuant to the inspection program referred to in paragraph (1).

This bill would make it permissive to charge a fee for trial inspections conducted by the department in order to refine inspection standards and procedures adopted under the inspection program.

This bill would take effect immediately as an urgency statute

Ch. 171 (AB 1958) Brown Health and Welfare Agency

Under current law the Health and Welfare Agency is the single state agency required by federal law for various federally financed programs.

This bill designates the Department of Benefit Payments as the single state agency responsible for the administration of aid, and the Department of Health as the single state agency responsible for the administration of services for various federally financed programs

Under current law the Director of Benefit Payments administers aid and the Department of Health administers services to the extent delegated by the Secretary of the Health and Welfare Agency

This bill requires that each department administer aid and services respectively, and

each is responsible for adopting, amending, or repealing rules and regulations.

The bill also designates the Department of Rehabilitation as the single state agency for the purposes of federal financial participation in vocational rehabilitation services

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act

The bill is an urgency measure, to take effect immediately

Ch 172 (AB 501) Chel Jurors

Existing law requires a prospective juror to be a resident of the state and of the county or city and county for one year immediately before being selected and returned

This bill repeals that provision, and with respect to residency, provides that a person is competent to act as a juror if he meets the residency requirements of electors of this state

Ch 173 (SB 341) Song Probate

This bill revises the law applicable to estates of persons dying on or after July 1, 1975, which is applicable when one spouse predeceases the other, and which relates to the liabilities and rights of the surviving spouse and creditors, the administration of estates, and judicial proceedings involving confirmation of community property to avoid the necessity of probate More specifically, this bill would include the following changes:

Under such law, the community property is liable for all valid and enforceable debts existing at the time of dissolution of marriage by death as are chargeable by law, and the surviving spouse is personally liable for the unsecured debts of the deceased spouse to the extent of the value of the community property passing from the deceased spouse without administration

This bill provides instead that the surviving spouse is personally liable for the debts of the deceased spouse chargeable against the community property unless the interests of both spouses in the community property are administered or probated, but not to exceed the value of the interest of the surviving spouse in the community property immediately prior to the death plus the value less the amount of any liens and encumbrances at the date of death of the interest not exempt from execution of the deceased spouse passing to the surviving spouse without administration.

Existing applicable law permits a surviving spouse to petition for probate of a will or administration of the estate, as an alternative to provisions passing community property to the surviving spouse without such probate or administration Existing applicable law also permits the surviving spouse to file a petition to avoid the necessity of probate or estate administration, wherein the court confirms that certain community property passes and belongs to the surviving spouse

This bill provides for several elections by the surviving spouse of such probate or estate administration, specifies procedures and time limitations for such election, and specifies that community property confirmed by judicial proceedings as passing or belonging to the surviving spouse shall not be subject to such probate or estate administration

This bill changes the procedure for judicial confirmation to eliminate from confirmation estates elected for probate or administration where the community property (interest of the deceased spouse or interest of surviving spouse or both) is distributed in accordance with the terms of the will, and to change the requirements with respect to notice, to the petition and court order

This bill also provides a procedure for the submission of claims by the surviving spouse for the payment of debts of the surviving spouse for which the community property is liable, and for the payment of certain debts of the deceased spouse In connection with the submission of claims, this bill provides that if the surviving spouse is personally liable for the debts of the deceased spouse, the claim shall also include an inventory of the separate property of the surviving spouse and any community property not administered in the estate, together with specified information with respect to such property

This bill also permits a personal representative guardian or conservator of the surviving spouse to take various actions on behalf of the surviving spouse

This bill makes related and various changes

This bill is an urgency statute, to take effect immediately

Ch 174 (SB 476) Collier. Forest practices environmental impact

The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve

The Z'berg-Nejedly Forest Practice Act of 1973 provides, among other things, for the preparation and governmental review of timber harvesting plans

This bill would during the period from its effective date until January 1, 1976, exempt all actions taken pursuant to the Z'berg-Nejedly Forest Practice Act of 1973, specifically including the preparation, review, or approval of timber harvesting plans and amended plans, from the provisions of the Environmental Quality Act of 1970.

The bill would provide that timber operations conducted pursuant to a timber harvesting plan or amended plan which becomes effective during the effective period of the provisions of the bill shall be completed prior to June 1, 1976, except that measures to complete stocking need not be completed until five years after completion of timber operations

The bill would confirm, validate, and declare legally effective timber harvesting plans which became effective between January 1, 1975, and the effective date of the provisions of the bill

The bill would provide that nothing in such provisions shall modify, amend, or change the effect of any ruling in a specified superior court case The bill would further specify that such provisions shall not disturb specified rulings of the court in such case, except as amended, changed, or reversed on appeal

The bill would provide that it shall not be construed by implication as either authorizing or requiring the preparation of an environmental impact report after January 1, 1976, with respect to a timber harvesting plan

The bill would take effect immediately as an urgency statute The bill would remain in effect until June 1, 1976, and as of such date would be repealed

Ch 175 (SB 877) Berryhill Public Employees' Retirement System allowance increases

Existing Public Employees' Retirement Law limits cost-of-living adjustments for retired members to 2% per year

This bill would provide specified one-time increases in allowances with respect to state members who retired or died prior to January 1, 1974 Related increases in state contribution rates would be prescribed

Existing law makes every day on which an election is held throughout the state a holiday for state employees This bill would delete that holiday, and instead, provide that every employee shall be entitled to one personal holiday per calendar year.

Existing law requires state miscellaneous, patrol, and state safety members of the Public Employees' Retirement System to pay various specified rates of contribution This bill would reduce those contribution rates

Existing law provides for the continuance of a portion of the allowance to survivors of deceased state miscellaneous members of the Public Employees' Retirement System who are not coordinated with federal social security This bill would provide for a continuance to the survivors of state miscellaneous members who are coordinated with federal social security.

Existing law prescribes survivor benefits with respect to state members of the Public Employees' Retirement System who are not coordinated with federal social security and die prior to eligibility for retirement This bill would increase the amount of monthly payments under such benefit

Increases in employer contributions to the Public Employees' Retirement Fund to pay for such benefit improvements would be prescribed

The existing law provides that the state's contribution with respect to specified state officers and employees for basic and related major medical plans under the State Employees' Medical and Hospital Care Act shall be $21 for employees enrolled for self alone, $36 for an employee and 1 family member, and $46 for an employee and 2 or more family members Also, the State Personnel Board is required to recommend adjustments of the dollar amounts of such contributions based on an average amount equal to 80% of the premium charges required for basic and major medical plans for an employee enrolled for self alone

This bill would increase the state contribution amount to $22 for employees enrolled

for self alone, $37 for an employee and 1 family member, and $47 for an employee and 2 or more family members The bill would also raise the adjustment amount from 80 to 85%

This bill would take effect immediately as an urgency statute and would become operative July 1, 1975

Ch 176 (SB 199) Beilenson Budget Act of 1975

Makes appropriations for support of state government for the 1975–76 fiscal year

To take effect immediately, urgency statute

Ch 177 (AB 843) Papan Credit unions

Existing law permits the board of directors of a credit union to declare dividends from undivided profits semiannually, annually, or with the written approval of the Commissioner of Corporations, quarterly This bill provides that the rates of such dividends and the terms of payment may be established in advance by action of the board of directors, and that the board of directors may classify the share accounts of the credit union relative to the rights, restrictions, and dividend rates as prescribed in regulations promulgated by the Commissioner of Corporations

Existing law provides that the Commissioner of Corporations may establish rules and regulations to carry out the provisions of the California Credit Union Law This bill specifically gives the commissioner the authority to make rules and regulations authorizing credit unions organized under the California Credit Union Law to engage in any activity authorized by law or regulation for credit unions organized under the laws of the United States

Ch 178 (SB 241) Mills. Pupils leaving school grounds.

Current law and regulations generally prohibit pupils from leaving the school grounds during regular school hours except in an emergency or with the permission of the principal The school district could be liable for the conduct or safety of pupils who are permitted to leave during their lunch period under certain circumstances.

This bill would authorize governing boards to permit high school pupils to leave the school grounds during their lunch period, and would specify that neither the district nor its officers or employees are liable for the conduct or safety of the pupils during such time

This bill would also require that a specified notice of the decision of a governing board to grant such permission, accompany a specified notice required by law to be sent to each parent or guardian at the beginning of the first semester or quarter of the regular school term

Ch 179 (SB 323) Marks Public social services

Under the current aid to the potentially self-supporting blind program (APSB), the period a recipient may retain additional resources and income to fulfill a plan for achieving self-support cannot exceed 12 months or such other period as may be authorized by federal law

This bill would delete this provision

Ch 180 (SB 350) Alquist Special education deaf children

Existing law authorizes, until July 30, 1975, two experimental educational programs for deaf or severely hard-of-hearing children who are at least six months of age, and requires an interim evaluation report by July 1, 1974, and a final evaluation report by June 30, 1975

This bill would extend the authority to operate such programs until July 30, 1978, and extend the deadline for such reports until July 1, 1977, and June 30, 1978, respectively

This bill would go into immediate effect as an urgency statute

Ch 181 (SB 530) Rains Ventura County Flood Control District erosion of beaches and shorelines

The present law provides for the Ventura County Flood Control District and provides for specified purposes and powers for such district, including the power to protect the district from flood waters

The bill would, in addition, provide as a purpose of the district the prevention of erosion of beaches and shorelines within the district, and the restoration of such beaches or shorelines

The bill would authorize the district to

(1) Cooperate with, act in conjunction with, or contribute funds to, the United States or the state for such purposes

(2) Carry out specified technical investigations, including investigation of ocean currents and erosion.

Ch 182 (SB 678) Kennick. Vehicles occupational licensing

(1) Under existing state law, the fees for a license and special plates issued to vehicle manufacturers and distributors and branches thereof, and transporters, dealers, and automobile dismantlers is $50 for the license and first set of special plates if, in the discretion of the Department of Motor Vehicles, an investigation is necessary, plus the prevailing vehicle registration fee during the period for which the special plates are to be issued If no investigation is necessary, the fee for the first set of special plates, and for annual renewal, is such prevailing registration fee. The fee for each additional set of special plates, and for annual renewal, is also such prevailing registration fee

This bill would repeal such provisions and instead impose a $25 fee for the issuance of an original license, or an ownership change which requires a new application, to vehicle manufacturers and distributors, and branches thereof, and transporters, dealers, and automobile dismantlers, and a $15 fee for the annual renewal of the license The bill would also impose a $15 fee where an alteration of an existing license is caused by a firm name change, address change, or the addition of a branch location The bill would provide that if the holder of such license applies for special plates, the fee for such plates and their annual renewal shall be the prevailing vehicle registration fee set forth in the Vehicle Code

(2) Under existing law, various provisions regarding the issuance, refusal to issue, cancellation, and revocation, of occupational licenses are also applicable to special plates

This bill would make such provisions applicable only to licenses, while providing that when the department has issued a license, the licensee may apply for special plates, which the department will issue. The bill would retain provisions which require the return of, among other things, plates when the department cancels, suspends, or revokes an occupational license

(3) Existing law requires that certain special plates have displayed thereon the general distinguishing number assigned to the applicant, and that each set of plates also contain a number or symbol identifying the set from every other set bearing a like general distinguishing number.

This bill would require that each special plate, rather each set of plates, contain such identifying number or symbol identifying the plate from every other plate bearing a like general distinguishing number

(4) Existing law authorizes the department to refuse to issue a license to an automobile dismantler whose license was suspended for cause and the terms of suspension have not been terminated

The bill would specify that the department may refuse to issue a license if such person's license was suspended for cause and the terms of suspension have not been fulfilled

(5) The bill would also eliminate commission and conviction of a felony, or crime of moral turpitude as specific grounds for suspension or revocation of the license of a dealer, transporter, which grounds are presently generally covered by other provisions of the Vehicle Code.

(6) Existing law authorizes the department to suspend or revoke the license of a dealer, transporter, manufacturer, manufacturer branch, distributor or distributor branch upon determining that the licensee has, among other things, violated provisions regarding registration of vehicles

This bill would make such provisions applicable to a dealer of off-highway vehicles who violates provisions requiring the giving of notice to the department of the transfer of such vehicles

(7) The bill would delete certain obsolete and duplicative provision of existing law and make other, conforming changes

(8) The bill would appropriate $155,600 from the Motor Vehicle Account in the State Transportation Fund to the department for purposes of implementation.
(9) The bill would take effect immediately as an urgency statute.

Ch. 183 (SB 819) Moscone. Public social services
Under current federal law certain 1974 income tax rebates are required to be exempted in determining the amount payable under state or local programs financed in whole or in part with federal funds. In addition a one time lump sum $50 federal payment is required to be exempted in determining the amount payable under any federal or state program which furnishes aid to individuals based on need.
Under current state law, the 1974 income tax rebate exemption is authorized under the aid to families with dependent children program (A.F D.C.) and the state supplementary program for aged, blind and disabled (S.S P.) The one time lump sum $50 federal payment exemption is authorized under the S.S P. program.
This bill extends the $50 federal payment exemption to include A F.D.C. and both exemptions to include the aid to the potentially self-supporting blind program, the Medi-Cal Act and county aid and relief to indigents.
The bill provides that neither appropriation is made nor obligation created for reimbursement of any local agencies for any costs incurred by it pursuant to the act.
The bill is to become effective immediately as an urgency statute and operative on May 1, 1975 †

Ch 184 (SB 855) Marks Municipal courts San Francisco
Existing law specifies that rates of compensation of officers, attachés, and employees of the Municipal Court of the City and County of San Francisco, with the exception of court commissioners, may be adjusted on an interim basis by action of the board of supervisors and a majority of municipal court judges subject to ratification and continuation by the Legislature
This bill would permit compensation rates for municipal court commissioners to be adjusted on an interim basis by the board of supervisors and a majority vote of municipal court judges subject to ratification and continuation by the Legislature.
The bill would take effect immediately as an urgency statute

Ch. 185 (SB 1057) Nejedly Salmon fishing spawning areas.
Under existing law, (1) the Fish and Game Commission is authorized by statute to adopt regulations which, among other things, govern the manner and means of taking fish, and to designate areas as salmon spawning areas, and (2) persons are prohibited from taking salmon from such spawning areas and are also specifically prohibited by statute from possessing gaff hooks, or hooks with more than one point within 100 feet of designated portions of the Feather River and Butte Creek during the time such waterways are closed to salmon fishing as designated salmon spawning areas.
The bill would remove the statutory prohibition against the possession of such hooks within the areas of such waterways

Ch 186 (SB 1220) Collier. Highways. off-system roads.
Under the Federal-Aid Highway Amendments of 1974, funds are available for allocation to the states, under the Off-System Roads Program, for the construction, reconstruction, and improvement of any toll-free road which is in a rural area and which is not on any federal-aid system
This bill would enact the Federal Aid for Off-System Roads Act to implement the Off-System Roads Program At least 98½% of such money received by the state would be allocated to the counties, except San Francisco, for expenditure on county roads.
Funds not apportioned for county roads would be apportioned for off-system roads in the state highway system located in the north or south county group which includes the county that did not claim or use those funds Such funds, together with matching funds, would be deemed expenditures to meet the requirements of the north-south split, highway district minimums, and county minimums
The bill would take effect immediately as an urgency statute

† Not operative until July 5, 1975

Ch. 187 (SB 1238) Rodda. Public Employees' Retirement System: contribution.

Existing Public Employees' Retirement Law prescribes the contribution rate of the state with respect to state miscellaneous members.

This bill would prescribe new increased rates for the 1975–76 and subsequent fiscal years.

This bill would take effect immediately as an urgency statute

Ch. 188 (AB 43) Cullen. Bicycle licensing by retailers.

Existing statutory law provides for the licensing of bicycles by a city or county that has or adopts a bicycle licensing ordinance or resolution.

This bill would clarify existing law and make related changes to specify more explicitly the intent of the Legislature that bicycle retailers and other designated agents for licensing bicycles be encouraged by cities and counties to participate in the administration of local bicycle licensing laws by licensing bicycles operated within the jurisdiction of a city or county that has a bicycle licensing ordinance or resolution.

Additionally, three locations are specified by existing statutory law whereon a bicycle serial number may be stamped or cast.

This bill would specify the "rear dropout" and the "toeplate" as additional locations for such serial number.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason

Ch 189 (AB 139) Sieroty. Banks. savings and loan associations.

Presently, there is no provision of law which restricts the right of a bank, savings and loan association, credit union or industrial loan company to charge a penalty for the failure to pay, or the late payment of an installment into a special account or requires the institution to pay interest on such accounts.

This bill would prohibit a bank, savings and loan association, credit union or industrial loan company from imposing a penalty for failure to pay, or for the late payment of installments into specified accounts, and would require such institutions to pay on such accounts at least the minimum interest paid on regular accounts.

This bill will take effect immediately as an urgency statute [and become operative on October 1, 1975].*

Ch. 190 (AB 310) Keene. State seashores: Clem Miller.

Under existing law, 10 state seashores have been established within the state park system, including the North Coast State Seashore.

This bill would change the name of the North Coast State Seashore to the Clem Miller State Seashore

Ch. 191 (AB 385) Beverly. Funds, state: investment of surplus moneys.

The existing law provides that eligible securities for the investment of surplus moneys by the state include commercial paper which does not exceed 90 days maturity, nor exceed 15% of the resources of an investment program, and bankers acceptances eligible for use as collateral by member banks for borrowing from a Federal Reserve bank, among other things.

This bill, instead, would provide that eligible securities for the investment of surplus moneys by the state include commercial paper which does not exceed 180 days maturity, nor exceed 30 percent of the resources of an investment program, and bankers acceptances eligible for purchase by the Federal Reserve System, among other things

Ch. 192 (AB 432) Keene. Juvenile court jurisdiction

Present law provides that minors who are in danger of leading an idle, dissolute, lewd, or immoral life are within the jurisdiction of the juvenile court and may be adjudged a ward thereof.

This bill would delete such provision.

Ch. 193 (AB 468) Hart. City of Santa Barbara tidelands.

Under present law, cities may not generally lease their tidelands and submerged lands for a period exceeding 66 years. The City of Santa Barbara is restricted under existing law to leasing its tidelands and submerged lands for a period not exceeding 25 years. The city is also restricted to using the tidelands and submerged lands granted to it for certain purposes.

This bill would authorize the City of Santa Barbara to lease its tidelands and submerged lands for a period not exceeding 66 years. The bill would revise the provisions restricting the city to using the tidelands and submerged lands granted to it for certain purposes and would subject such lands to specified terms and conditions, particularly with respect to the use of revenues therefrom.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of the city for costs incurred by it pursuant to the bill.

The bill would take effect immediately as an urgency statute.

Ch. 194 (AB 490) Brown. Insurance: automobiles.

Existing law is silent concerning the coverage or noncoverage of insureds under policies of automobile liability insurance during the performance of volunteer transportation services to senior citizens or mentally or physically handicapped persons for nonprofit charitable organizations or governmental agencies, where such insureds receive reimbursement for the mileage they have actually driven in the performance of such services. Existing law does specify that the uninsured motorists coverage under such policies shall be inapplicable to a motor vehicle which is used for public or livery conveyance.

This bill would prohibit the issuance, amendment, or renewal of any policy of automobile liability insurance on or after January 1, 1976, if it contains any provision which expressly or impliedly excludes the operation or use of an insured motor vehicle by a named insured in performance of volunteer services for nonprofit charitable organizations or governmental agencies by providing transportation for senior citizens, as defined, or mentally or physically handicapped persons if the insured receives no remuneration therefor except reimbursement for mileage actually driven, at a rate not to exceed 15 cents per mile.

The bill would also specify that the term "public or livery conveyance," for purposes of the uninsured motorists coverage, would not include such performance of voluntary services where the insured receives only such mileage reimbursement and no other remuneration.

Ch. 195 (AB 522) Meade. Opening statements.

Existing law provides that in criminal trials the district attorney or other counsel for the people must open the cause and offer the evidence in support of the charge. The defendant or his counsel may then open the defense, and offer his evidence in support thereof.

This bill would revise such provisions to specify that the district attorney or other counsel for the people may make an opening statement in support of the charge, that the defendant or his counsel may then make an opening statement or may reserve the making an opening statement until after the introduction of evidence in support of the charge, and that the district attorney or other counsel for the people shall then offer the evidence in support of the charge, before the defendant or his counsel offers his evidence in support of the defense.

Ch. 196 (AB 531) Duffy. Healing arts.

The existing law, which provides for the allocation of funds to medical schools which operate an approved program of supervised clinical training for United States citizens who receive their medical training in foreign medical schools, does not expressly set forth the intention of the Legislature.

This bill would expressly provide that the intent of the Legislature in enacting the provision in question is to provide financial assistance to University of California medical schools operating supervised clinical training programs.

This bill would also provide that in allocating funds to medical schools, the amount paid is to be decreased by the amount of federal funds received for a student and by

the amount of tuition and fees paid by a participating student.

This bill appropriates three hundred thousand dollars ($300,000) to the State Scholarship and Loan Commission for expenditure during the 1975–76 fiscal year for the purposes of the act.

This bill would take effect immediately as an urgency statute, and its provisions would become operative on July 1, 1975.†

Ch. 197 (AB 725) Robinson. Public Utilities Commission: open meetings.

Presently, meetings of the Public Utilities Commission are required to be open and public except that executive sessions are permitted for deliberation on (1) litigation or the institution of enforcement proceedings, and (2) decisions to be reached in matters for which public hearings have been held.

This bill would [(1) permit executive sessions for deliberation on litigation or the institution of enforcement proceedings, rather than the institution of enforcement proceedings or litigation, and (2) would] * delete the provision permitting a meeting in executive session for deliberation on decisions to be reached in matters for which public hearings have been held.

Ch. 198 (AB 752) Duffy Marriage, family and child counseling.

Present law prohibits a person from advertising himself as performing the services of a marriage, family or child counselor unless he is licensed under the law regulating marriage, family and child counselors.

This bill would permit licensed psychologists and licensed clinical social workers to advertise that they practice marriage, family and child counseling, but would prohibit them from advertising that they hold a marriage family and child counselor's license.

Ch. 199 (AB 796) Carpenter. Community colleges: nonresident tuition

The law currently sets forth uniform standards for classifying college and university students as resident or nonresident students. Community college districts are required to charge a nonresident tuition fee to nonresident students. Generally, a student who has not resided in the state for more than one year preceding admission to a community college is classified as a nonresident and would be charged the nonresident tuition fee

This bill would exempt from the community college nonresident tuition fee requirement, a student who would have qualified as a resident but for the fact that he resided outside the state for a period of not more than four years due to a job transfer at the request of his or his parent's employer.

Ch. 200 (AB 919) McAlister. Attachment.

Chapter 550 of the Statutes of 1972 revised the attachment law, to remain operative until December 31, 1975.

This bill would extend the operative date until December 31, 1976

Chapter 1516 of the Statutes of 1974 further revised the attachment law to become operative on January 1, 1976

This bill would delay the date on which that chapter becomes operative until January 1, 1977.

Ch. 201 (AB 966) Gualco. Recording.

Existing law contains provisions relating to the filing with the county recorder of notices of the pendency of an action. It also contains provisions governing the filing with the county recorder of parcel maps reverting subdivision land to acreage land

This bill would change the term "file" to "record" and "record" to "file" in such provisions.

Ch. 202 (AB 968) Gualco Federal tax lien registration.

Existing law requires a fee of $2 for the issuance of a certificate showing whether there is on file any notice of a federal tax lien or certificate or notice affecting the lien, filed on or after January 1, 1968, naming a particular person

This bill would, instead, require that the fee for such a certificate be five dollars for each name searched

† Not operative until July 5, 1975

Ch. 203 (AB 1066) Perino Tare weights

Under existing law the State Department of Food and Agriculture is authorized to establish a tare or tares for each of the several types of containers and pallets used in making deliveries of edible agricultural commodities to shippers, processors, or other handlers.

This bill, in addition, permits the Director of the Department of Food and Agriculture by regulation to authorize the establishment and use of tare weights for trucks or tractors used in making bulk deliveries of tomatoes to shippers, processors, or other handlers, requires each person using such tare weight to pay a tare fee annually, and provides that tare fees collected pursuant hereto shall be credited to the Department of Food and Agriculture Fund to be expended for the administration and enforcement of the provisions hereof and of other specified provisions of law.

This bill would appropriate $123,500 from the Department of Food and Agriculture Fund to the Department of Food and Agriculture for the purposes of this act

This bill would take effect immediately as an urgency statute.

Ch. 204 (AB 1075) Vicencia Southern California Rapid Transit District: contracts

Under existing law, the Southern California Rapid Transit District is required to purchase by contract let to the lowest responsible bidder, all supplies, equipment, and material, and the construction of facilities and works, when the expenditure required exceeds an amount of $3,000.

This bill would increase that amount to $5,000 so that the district could make purchases for that amount or less without having to call for bids

Ch 205 (AB 1102) Beverly. Representation by counsel

Present law prescribes that an attorney of record may be changed before or after the conclusion of both civil and criminal proceedings by either the filed consent of both the attorney and client entered in the minutes of the court, or by order of the court upon noticed application of the attorney or client. Present law also provides for the appointment of an attorney by a juvenile court to represent a minor in certain specified situations Whenever an attorney is appointed to represent a minor alleged to be living in a home which is unfit because of neglect, cruelty, depravity, or physical abuse, the appointed attorney must represent the child at the detention hearing and all subsequent proceedings

The bill would require that an attorney of record at a preliminary hearing in a criminal matter must continue to represent the defendant, if the defendant has been held to answer, until the date set for arraignment in superior court unless relieved by the court for substitution of other counsel or for cause.

The bill would also require that any attorney appearing on behalf of a minor in juvenile court must continue to represent the minor unless the court grants an application for change of attorney or relieved by the court for cause.

Ch. 206 (AB 1188) Badham Water districts: officers.

Existing law provides that the elective officers filling the offices of assessor, tax collector or treasurer of districts formed pursuant to the California Water District Law or the Irrigation District Law need not be residents or electors of the district in which the duties of the offices are to be exercised whether elected or appointed and provides for the election of such officers.

This bill would provide that the assessor, tax collector, or treasurer, if appointed pursuant to the provisions of this bill, need not be a resident or elector of the district

The bill would also provide that the office of treasurer of such a water district would be appointed by the board of directors with the treasurer serving at the pleasure of such board

The bill would provide that the petition of formation of a water district may request the appointment of the assessor and tax collector, and in such event those officers would be appointed by the board of supervisors of the principal county

For water districts, the bill would provide that the board of directors would have the discretion, if exercised 90 days or more before a general district election, to make the offices of tax collector and assessor appointive, or, when previously appointed, to provide for filling the offices by election

The bill also provides that under specified circumstances, the board of directors may eliminate the offices of the tax collector and assessor for water districts The bill would further provide that if such offices of water districts are eliminated, the persons holding office would serve the remainder of their terms of office

For irrigation districts, the bill would provide that the board of directors would have the discretion, if exercised 90 days or more before a general district election, to fill the offices of assessor, tax collector or treasurer by appointment, or, when previously appointed, to provide for filling the offices by election

This bill would take effect immediately, as an urgency statute.

Ch. 207 (AB 1251) Hart Schools data processing

Under existing law, school districts may contract for data processing only in certain limited circumstances

This bill would authorize the office of the Santa Barbara County Superintendent of Schools to contract with school districts for providing such services, and in turn contract with a public or private firm or agency to do the work

This bill would require the county superintendent of schools to make annual reports to the Superintendent of Public Instruction and the Legislative Analyst regarding the effectiveness and efficiency of the arrangement.

This bill would also require the Legislative Analyst to prepare a study regarding the data processing services provided and to report thereon to the Legislature by December 31, 1978.

This bill would make certain findings and declarations relating to the need for special legislation.

This bill would take effect immediately as an urgency statute

Ch 208 (AB 1289) Maddy Relocation Assistance· public entity guidelines

Existing law requires, to the greatest extent practicable, that public entities follow certain specified guidelines in order to encourage and expedite the acquisition of real property

This bill would remove the requirement that such public entities appraise the real property prior to negotiations, and establish an amount which it believes to be just compensation and make an offer to acquire the property for such amount before initiation of negotiations, as it would apply to the acquisition of any easement, right-of-way, covenant, or other nonpossessory interest in real property to be acquired for the construction, reconstruction, alteration, enlargement, maintenance, renewal, repair, or replacement of subsurface sewers, waterlines or appurtenances, drains, septic tanks, or storm water drains

Ch. 209 (AB 1354) Maddy. Weighmasters

Under existing law, public weighmasters, as defined, and public weighmasters at large, as defined, must be licensed A public weighmaster is any person who weighs, measures, or counts any commodity and issues a statement or memorandum of the weight, measure, or count which is used as the basis of the purchase or sale or the commodity, or as the basis of a charge for service, or any person engaged in the business of public weighing for hire A public weighmaster at large is any person who, other than at an established and definite place of business, engages in the business of weighing, measuring, or counting for hire or weigh, measure, or count any commodity and issues therefor a statement or memorandum upon which the purchase or sale of the commodity or charge for service is based.

This bill excludes from the licensing requirements for a public weighmaster and for a public weighmaster at large any person who has an agricultural pest control license for the then current calendar year.

Ch 210 (AB 1359) Z'berg California Tahoe Regional Planning Agency

Existing law provides for a seventh member of the governing body of the California Tahoe Regional Planning Agency appointed by, and serving at the pleasure of, the six other members

This bill would direct that, in the event such membership becomes vacant and the vacancy is not filled by the other members within 30 days, the vacancy shall be filled by appointment of the Governor

Ch 211 (AB 1709) Maddy Milk dairy products unfair practices

The existing law prohibits various designated acts as unfair practices in the marketing of milk, cream, or dairy products Such law, among other things, prohibits a distributor from allowing or giving any payment of money, credit, compensation, gift, or loan of anything of value to a wholesale customer for advertising or display in connection with the sale of the distributor's milk, cream, or dairy product.

This bill would limit the application of such provision, relating to advertising allowance, to the sale of the distributor's milk, cream, or dairy product that is subject to the price filing requirements under designated provisions

Ch 212 (AB 1848) Vasconcellos Schools: certificated employees: notice of release

Under existing law, generally a certificated employee holding a position requiring an administrative or supervisory credential may be released only upon his being notified by registered mail prior to March 15 that he may be released from his position for the following school year

This bill would provide, in the alternative, that such an employee may be considered to have been notified if his signature is obtained by March 15 on a written notice that he is to be released

Ch 213 (AB 2117) Boatwright. Property taxation· payment

Under existing law, with respect to property taxes which may be paid in two installments, the second installment may be paid separately only if the first installment has been paid; and payment of the first installment may not be accepted after the second installment has become delinquent unless accompanied by payment of the second installment

This bill would, instead, permit the first installment to be paid separately when the first installment is due or anytime thereafter until property on the current roll is sold to the state, and the second installment to be paid separately only if the first installment has been paid

Ch. 214 (AB 2118) Boatwright Property taxation sales and deeds to the state

Existing law specifies procedures for situations where property is sold or deeded to the state by a county for taxes which were a lien on the property, but such sale is later found to be erroneous or improper for various reasons.

This bill would make revisions in such procedures to be used by a county when property is erroneously or improperly sold or deeded to the state for taxes which were a lien on the property.

Ch 215 (SB 264) Nejedly Veterans benefits

Present law permits the Department of Veterans Affairs to provide $100 per month for veterans who are in full-time attendance at any school or college accredited by the Western Association of Schools and Colleges or any school approved by the Department of Education for the purpose of student receipt of educational benefits afforded by the Veterans Administration

This bill would permit the department to provide the same educational benefits to full-time students pursuing a course of study leading to a recognized postgraduate or professional degree in educational institutions in other states or other countries when such course of study is otherwise unavailable to the student

Ch 216 (SB 353) Nejedly Schools maximum tax rate.

The law currently prescribes a comprehensive method of determining the maximum tax rate of school districts

This bill would increase the maximum tax rate of the Orinda Union Elementary School District by $0 27 per $100 of assessed valuation, for the 1975–76 fiscal year, in order to compensate for a clerical error which resulted in decreased revenue to the district

The bill would take effect immediately as an urgency statute

Ch 217 (SB 1014) Marks Radiologic technology training

Under existing law, the State Department of Health is authorized, until July 1, 1975, upon proper application of a licentiate of the healing arts, to approve the licentiate to give on-the-job training, subject to specified conditions, to a student of radiologic tech-

nology

This bill would extend this authority until July 1, 1977

This bill would provide that no appropriation is made nor any obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

This bill will take effect immediately as an urgency statute

Ch 218 (AB 154) Thurman Boating enforcement· state aid

Under existing law a county, or other entity or agency through the county, is entitled to receive state financial aid for boating safety and enforcement programs on waters under its jurisdiction, in an amount not to exceed the total cost of its boating safety and enforcement program needs, less the moneys derived from personal property taxes on boats and fees charged for boating activities, as determined in accordance with a formula prescribed by the Department of Navigation and Ocean Development

This bill would limit such boating activities fees, for the purpose of such deduction, to fees charged for inspection of vessels for equipment, capacity, seaworthiness, or pollution control

This bill would go into immediate effect as an urgency statute

Ch 219 (AB 172) Lockyer Sale of school property

The law currently requires, where school districts, other than community college districts, intend to sell real property which is no longer needed for school purposes, that the former owner from whom such property was acquired be accorded certain rights to purchase the same, subject to specified procedures and conditions.

Existing law also· requires governing boards of school districts, which elect to sell such property to the former owner pursuant to specified procedures, to contract with the State Allocation Board for purposes of reviewing and appraising the property; makes the acceptance of a bid under the ordinary bidding procedure, tentative, pending the outcome of these procedures, and requires, after such a tentative acceptance, the governing board to specify the sale terms and the sale price which is required to be either the appraised value or the tentatively accepted bid, whichever is the highest

This bill would revise the procedure for selling property to the former owner by, among other things, deleting the requirement that the property be appraised by the State Allocation Board The bill would also delete the requirement that the special sale price so specified to the former owner be the higher of the appraised value or the tentative accepted bid and, instead, would require such special sale price to be the amount of the tentatively accepted bid

The bill would also clarify the law by specifically making the sale of surplus school district realty subject to those provisions which require that local agencies be first given an opportunity to acquire such real property, if such real property is capable of being developed for park and recreational purposes, or being used for open-space purposes.

Ch 220 (AB 214) Keene. Medi-Cal.

There is no express provision of present law prohibiting payments for voluntary nonemergency sterilization under Medi-Cal to the attending physician unless the treatment authorization request or the billing therefor is accompanied by documents evidencing informed consent to sterilization.

This bill would require the Department of Health to promulgate regulations which make such provision and to adopt a standard consent form in English and Spanish It would also provide that a willful violation of such regulations by a provider of Medi-Cal services constitutes a ground for suspension as a provider of such services Among other things, it would also require the Department of Health to report to the Legislature at designated intervals as to compliance

It also would make willful failure to comply with such regulations grounds for suspension or revocation of a certificate as physician and surgeon or a license as a health facility

It would also go into effect immediately as an urgency statute

Ch. 221 (AB 263) Bannai. Personal income taxes home sale

Under existing Personal Income Tax Law, a taxpayer who is 65 years of age or older who sells property which has been his principal place of residence for at least 5 years prior to such sale, may elect to exclude the income from such sale from gross income

in computing personal income taxes. If the adjusted sales price of such residence exceeds $20,000, only the gain is apportioned according to a formula.

This bill would increase to $30,000 the amount of the factor used in applying such exclusion.

Under existing Personal Income Tax Law, gain from the sale of a taxpayer's old residence is only recognized to the extent that the adjusted sale price of the old residence exceeds the taxpayer's cost of purchasing the new residence for purposes of computing income taxes, if a new residence is purchased or constructed by the taxpayer within a year's period prior to, and a year's period following, the date of such sale.

This bill would extend such period to 18 months

Further, under existing law, the purchase cost of a taxpayer's new residence which is constructed by the taxpayer is limited to those costs incurred in such construction during a period commencing one year prior to such sale and ending 18 months following such sale

This bill would extend such period to commence 18 months prior to, and to end 2 years after, the date of such sale.

This bill would take effect immediately as a tax levy, but its operative effect will depend upon the time at which it becomes effective

Ch. 222 (AB 335) Knox. Environmental impact: local agency formation

The Environmental Quality Act of 1970 requires local agencies to prepare, or cause to be prepared by contract, and to certify the completion of, an environmental impact report on any project which they intend to carry out or approve which may have a significant effect on the environment.

This bill would specify that local agency formation commissions are local agencies for purposes of the Environmental Quality Act of 1970.

The bill would confirm, validate, and declare legally effective approvals by local agency formation commissions of projects without compliance with the Environmental Quality Act of 1970, with specified exceptions, provided the approval occurred prior to February 7, 1975.

The bill would authorize the continuance of governmental reorganization matters pending before a local agency formation commission for such time as may be necessary to comply with the provisions of the California Environmental Quality Act of 1970

This bill is an urgency statute that would take effect immediately.

Ch 223 (AB 613) Knox. Health facilities. release of minor under 16.

Under existing law, a health facility is prohibited from releasing a minor under 16 from the health facility to any person unless authorized by a parent or person having legal custody of the child. The health facility is required to report to the State Department of Health the name and address of the person to whom a minor under 16 is released, except where the person is a parent, a relative by blood or marriage, or a person having legal custody

This bill would make an exception to the health facility reporting requirement when a minor under 16 is transferred to another health facility for further care or when such minor comes within the jurisdiction of the juvenile court and is released to an agent of a public welfare, probation, or law enforcement agency.

Ch 224 (AB 775) Kapiloff Taxation

Existing law makes provisions for the reimbursement by the state to local agencies for tax revenues lost by reason of the partial exemption for business inventories and the reduced property tax assessments for commercial passenger fishing boats.

This bill makes an amendment in regard to audits conducted with respect to such reimbursement procedures

Existing law requires county boards of supervisors to make an annual report to the State Board of Equalization regarding agricultural and industrial pursuits and products of the county.

This bill would eliminate the requirement that the county boards of supervisors make such an annual report to the State Board of Equalization

Existing law provides that after the adoption by a legislative body of a redevelopment plan, a community must file a copy of the ordinance and maps and plats of the project

area with local taxing agencies and the State Board of Equalization as promptly as possible, but no later than the next January 1.

This bill would provide that such a report and the maps and plats must be so forwarded within thirty days after the adoption of the plan by the local legislative body.

Existing community service district tax law requires that on or before January 1 of the year in which assessments or taxes are to be levied by such a district, a statement of organization or change thereof and a map or plat of the district must be filed with the county assessor and the State Board of Equalization.

This bill would revise the date such reports are required to be filed by parks and recreation districts from February 1 to January 1

Existing law codifies in two sections constitutional provisions extending property tax exemptions to blind veterans

This bill would repeal one of those two sections

Existing law requires affidavits submitted seeking the property tax exemption extended to church property to include various statements regarding the use of such property.

This bill would make revisions in such statements required on affidavits for the church property tax exemption.

Existing law requires the State Board of Equalization to announce its findings of assessment ratios for cities and counties by August 23 of each year

This bill would authorize the State Board of Equalization to adjust such ratio findings to reflect raising or lowering of a local roll by the board.

Existing law does not make provision for county redemption officers, as this function has been assumed by county tax collectors.

This bill would eliminate an obsolete code reference to redemption officers.

This bill also makes various nonsubstantive revisions updating code references to various state constitutional provisions changed at the 1974 general election.

This bill also makes nonsubstantive amendments in regard to the calculating of vehicle values for the purposes of computing vehicle in-lieu taxes.

This bill also makes nonsubstantive revisions of provisions relating to enforceably restricted open-space lands

Ch. 225 (AB 940) Brown. Judgments effect upon nonparties.

Under existing statutory law a judgment is conclusive between the parties and their successors in interest in respect to matters directly adjudged

Under the Restatement of the Law of Judgments a person who is not a party but who controls an action is bound by the adjudications of litigated matters as if he were a party if he has a proprietary or financial interest in the judgment or in the determination of a question of fact or a question of law with reference to the same subject matter or transaction. The other party is not bound unless he has notice of the participation by the nonparty.

The restatement rule was held to apply in California in Stafford v. Russell (1953), 117 Cal. App. 2d 319.

This bill would make the restatement rule a part of the statutory law, and would provide a procedure for determining whether it applies in a given situation

Ch. 226 (AB 1063) Robinson. Child abuse.

Present law requires specified persons to report cases of suspected physical and mental abuse or sexual molestation of minors to designated local authorities. It also provides that no civil or criminal liability shall be incurred as a result of making such a report.

This bill would authorize, but not require, probation officers to make such a report. It would also specify that no civil or criminal liability shall be incurred as a result of making any report concerning child abuse authorized or required by law unless it can be proven that a false report was made with malice

Ch. 227 (AB 1231) Suitt. Local agencies.

(1) Existing law requires a tax collector to report to the county auditor, all moneys collected, at various specified intervals

This bill would specify that in counties using a mechanized management reporting system in reporting information for a uniform four-week period, the board of supervisors, by ordinance, may provide for the performance of such duties on a corresponding

uniform four-week period

(2) Existing law requires a county board of supervisors to execute all contracts for maintenance districts and street lighting districts, and to indicate the placement and installation of street lighting

This bill would authorize the board of supervisors to delegate the execution of street lighting contracts for such districts, and the placement and installation of street lighting, to a county officer

(3) Existing law provides that the accounts of each municipal court and justice court shall be audited at least once a year, and if not so audited shall be audited by the State Controller

This bill would revise such auditing requirements to require an audit at least biennially, and if not so audited, to be audited by the State Controller

(4) Existing law requires the auditor of the county to audit the books and accounts of the county probation officer annually. This bill would revise such requirement to allow such audit biennially if so ordered by the board of supervisors upon the recommendation of the county auditor

Ch 228 (AB 1528) Craven. Schools. certification documents

Existing law authorizes each county or city and county board of education pursuant to the Teacher Preparation and Licensing Law of 1970 to provide for the registration of any valid certification or other document authorizing the holder to serve in a position requiring certification qualifications as an employee of the county superintendent of schools or of a school district under the jurisdiction of such county superintendent of schools

Existing law also authorizes each county or city and county board of education to issue temporary certificates for the purpose of authorizing salary payments to certified employees under specified circumstances.

This bill would permit a school district which has the authority to issue warrants to provide for the registration of any such document authorizing the holder to serve in a position requiring certification qualifications as an employee of the district. The bill would limit the authority of a county or city and county board of education to provide such registration to where such service is not provided by a school district, and would limit the authority to issue temporary certificates to where such service is not provided by a school district authorized to register certification documents.

Ch 229 (AB 2264) Badham. Municipal water districts. improvement district revenue bonds

Existing law provides for issuance of bonds payable exclusively from revenues for financing any enterprise of a municipal water district There is no provision expressly providing for formation of an improvement district within a municipal water district for the purposes of issuance of revenue bonds

This bill would authorize the formation of a revenue improvement district within a municipal water district for the purpose of issuing revenue bonds for financing of any or all improvements, works or property within less than all of the municipal water district, and would provide for notice and hearing on formation, and for issuance and payment of revenue bonds resulting therefrom

This bill would take effect immediately as an urgency statute

Ch 230 (SB 96) Dunlap Vallejo sanitation trustees' compensation

Under existing law each trustee of the Vallejo Sanitation and Flood Control District receives $20 for each meeting of the board attended by him, not to exceed 3 meetings or $60 in any one month

This bill would permit the board of trustees by resolution to establish the amount of such compensation, not to exceed $50 per meeting for 3 meetings or $150 in any one month

Ch 231 (SB 621) Stiern County Employees Retirement Law

Existing law authorizes the board of supervisors to provide compensation for actual and necessary expenses for nonemployee members of county boards of retirement and investment

This bill would authorize the board of supervisors to also provide payment of such compensation to employee members of county boards of retirement and investment

Ch 232 (SB 675) Grunsky Garbage and refuse disposal districts' board member's compensation

Under existing law, the members of the governing board of a garbage and refuse disposal district may receive not more than $25 compensation for each day of actual attendance at board meetings, and no member, other than the chairman and secretary of the board who also receive monthly compensation established by the board, may receive more than $75 compensation in any calendar month

This bill would provide that board members may receive not more than $50 per diem for each day of actual attendance at board meetings, and no member may receive more than $100 per diem in any calendar month

Ch 233 (SB 749) Kennick Public Employees' Retirement System generally

Existing Public Employees' Retirement Law defines the term "benefit" to mean the retirement allowance, basic death benefit, special death benefit, or refund of accumulated contributions

This bill would revise the definition of the term "benefit" to also include limited death benefits, monthly allowance for survivors, and insurance benefits The bill would also delete various inoperative references and provisions of the Public Employees' Retirement Law

Ch 234 (SB 751) Kennick Public Employees' Retirement System generally.

Existing Public Employees' Retirement Law requires the Workmen's Compensation Appeals Board to determine if the death of certain members was industrial for purposes of receipt of the special death benefit. This bill would require the appeals board to make that decision only in disputed cases

This bill would also delete references in the Public Employees' Retirement Law to inoperative sections, delete inoperative provisions, and correct typographical errors

Ch 235 (SB 846) Rodda Community college certificated personnel

Existing law requires procedures established by a community college district for the evaluation of its contract and regular employees and standards established by a community college district which certificated employees are expected to meet in the performance of their duties to be uniform for all contract employees and to be uniform for all regular employees of the district

This bill would require such procedures and standards to be uniform for all contract employees with similar general duties and responsibilities and to be uniform for all regular employees with similar general duties and responsibilities.

Ch 236 (AB 589) Deddeh School districts providing employee housing

Existing statutes provide that a governing board of a school district may, when leasing a building for housing of school district employees, use such building for any period of time deemed necessary, but do not specifically and expressly authorize school districts to provide housing for their employees or to provide mobilehome sites on school property

This bill would authorize school districts to provide on school property a mobilehome site, including all necessary fixtures and the payment of utilities and related costs, for the purpose of enabling a responsible person or persons, who need not be an employee of the district, to install and occupy a mobilehome on such site in return for an agreement to maintain surveillance over the school grounds and to report illegal or suspicious activity

This bill would repeal the corresponding but ineffective 1974 statute

This bill would take effect immediately, as an urgency statute

Ch 237 (AB 628) Wornum Court reporters Marin County

Existing law provides specific salary levels for full-time official reporters for the municipal and superior courts and for official reporters pro tempore for the superior courts of Marin County It also permits official reporters of the superior courts who had previously elected to be paid on a per diem basis to continue being paid on that basis and permits new reporters in the municipal courts to be employed at the second or third step of the salary range upon the approval of the board of supervisors

This bill would require that official full-time reporters receive salaries recommended

by the municipal or superior court and approved by the board of supervisors, and upon such recommendation and approval, to be employed at or granted special step increases within the salary range based on experience or qualifications

The bill would also eliminate the election available to official reporters of the superior courts to be paid on a per diem basis and would require that official reporters pro tempore of the superior courts be paid the equivalent of the daily wage of the first step in the salary range for full-time official reporters

Until such time as the salaries are approved by the board of supervisors, the bill would require that such reporters receive the salaries provided by existing law.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

The bill would take effect immediately as an urgency statute

Ch 238 (AB 675) Miller. County and city charters

The Constitution presently provides that a county or city may adopt a charter by majority vote of its electors and that the charter shall take effect when filed with the Secretary of State The Constitution requires a charter amendment, revision, or repeal thereof to be published in the official state statutes

This bill conforms provisions of the Elections Code and Government Code with the above provisions of the Constitution which were adopted by the voters as Proposition 2 at the November 1974 general election

The bill is to take effect immediately as an urgency statute.

Ch 239 (AB 805) Brown. Parked and abandoned vehicles· removal.

The present law requires that an authorized person, as specified, who removes a parked or abandoned vehicle give specified notice to the owner at the time of removal

The bill would, in addition, require such person to determine the amount of mileage on the vehicle at the time of removal and require such mileage to be included in the notice of removal to either the registered owner or legal owner

The bill would make other related changes

Ch. 240 (AB 1076) Vicencia Vehicles· buses increased height limitations

Existing state law generally prohibits any vehicle from exceeding a height of 13 feet 6 inches, with specified exceptions

This bill would exempt a double-deck bus from the 13 feet 6 inches height limitation, but would prohibit such bus from exceeding a height of 14 feet and 3 inches The bill would also provide that such double-deck bus shall operate only on those highways where such operation is deemed to be safe by the entity operating the bus

Ch 241 (AB 1101) Fenton. Appropriations Board of Control

This act would appropriate $782,796 from various, specified state funds to the State Board of Control to pay claims against the state

This act would take effect immediately as an urgency statute

Ch 242 (AB 1268) Brown Environmental impact school districts.

The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve All public agencies are required, by ordinance, resolution, rule, or regulation, to adopt objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports pursuant to the act

This bill would authorize a school district, or any other district, whose boundaries are coterminous with a city, county, or city and county, to utilize such objectives, criteria, and procedures of the city, county, or city and county, as may be applicable, in which case, the school district or other district would not be required to adopt objectives, criteria, and procedures of its own

Ch 243 (AB 749) Campbell Schools attendance state institutions

Under current law, the attendance of inmates at various state institutions, including state penal institutions and state hospitals, is excluded from the computation of certain allowances and apportionments to school districts

This bill would limit the exclusion to state penal institutions, and so permit the inclusion of attendance at state hospitals in the computations re allowances and apportionments

This bill would validate apportionments from the State School Fund made to any school district for adult education classes offered by the district for resident patients of a state hospital during the 1972–73, 1973–74, 1974–75, and 1975–76 fiscal years

The bill would take effect immediately as an urgency statute

Ch 244 (AB 879) Gualco State highways Routes 65, 143, 244

Under existing law, the state highway system and the California freeway and expressway system both include State Highway Routes 65, 143, and 244

This bill would (a) delete from the state highway system that portion of Route 65 from Route 104 to the Sacramento-Placer county line and that portion of Route 244 from Fair Oaks Boulevard near San Juan Avenue to Route 50 near Fair Oaks and (b) delete from the California freeway and expressway system that same portion of Route 65, all of Route 143, and that portion of Route 244 from Auburn Boulevard to Route 50 near Fair Oaks

The bill would require the Department of Transportation and the State Transportation Board to cooperate with the county and the Sacramento Regional Area Planning Commission in the transportation corridor studies conducted by the County of Sacramento and the commission on the adopted routes for Routes 65, 143, and 244 Such cooperation by the state would be limited to furnishing existing available data

Under existing law, the department is authorized to dispose of real property acquired for state highways purposes, but no longer required for such purposes

This bill would prohibit the department from disposing, prior to July 1, 1976, or such later date as adopted by the California Highway Commission, real property acquired for the construction of Route 65 as a freeway from Route 50 to the Sacramento-Placer county line, Route 143 as a freeway from Route 50 to Route 244, and Route 244 as a freeway from Auburn Boulevard to Fair Oaks Boulevard, except for such real property which, as mutually agreed by the department and the county, is not required for any transportation purpose If such studies, at such a date, indicate that the other real property is required for any transportation purpose, the department would also be prohibited from disposing of the real property prior to January 1, 1977

Ch. 245 (AB 1401) Collier Schools· allowances

Under current law, a school district is prohibited from spending certain funds if it does not expend a specified percentage of its current expense of education for the salaries of classroom teachers

This bill would exempt the Monrovia Unified School District from such provisions of current law if the district undertakes to comply with such provisions This bill would also provide for a series of reports re such compliance

This bill would also make findings and declarations relating to the need for valid special legislation

This bill would take effect immediately, as an urgency statute

Ch 246 (AB 2071) Ralph State Capitol

(1) Existing law provides that restoration and rehabilitation of the west wing of the State Capitol may be undertaken only as provided by statute so as to insure its future use in a manner befitting the historical significance of the building

This bill would enact such a statute, providing for restoration or rehabilitation to be caused by the Joint Rules Committee, and administered and supervised by the Department of General Services, subject to review by the State Public Works Board

(2) The bill would also require the Department of General Services to cause the permanent relocating of the State Treasurer's office in State Office Building No 1 in Sacramento, and any necessary reconstruction and remodeling in connection therewith

(3) In addition, Item 332 5 of the Budget Act of 1973 (Ch 129, Stats 1973) appropriated $42,000,000 from the General Fund to the Capitol Improvement Fund, of which amount $21,000,000 was to be available for reconstruction or restoration of the State Capitol and $21,000,000 was to be available for construction of a new legislative building Also, Item 98 1 of the Budget Act of 1974 (Ch 375, Stats 1974) appropriated $250,000 to the Department of Finance to defray costs incurred in relocating the State Treasurer's

office in Sacramento

This bill would appropriate the entire $42,000,000 from the Capitol Improvement Fund to the Contingent Funds of the Assembly and Senate for the purpose of restoration and rehabilitation of the west wing of the State Capitol, and reappropriate the $250,000 of Item 98 1 and make an additional appropriation of $1,000,000 to the Department of General Services for the permanent relocating of the State Treasurer's office

(4) The bill would exempt work done in connection with such reconstruction or restoration and such relocating from provisions of the State Contract Act (Ch. 3 (commencing with Sec 14250), Pt 5, Div 3, Title 2, Gov C), but such work would be subject to competitive bidding except where determined to be impracticable or unfeasible by joint action of the State Architect, State Public Works Board, and the Joint Rules Committee Such work would also be exempted from provisions of the Environmental Quality Act of 1970 (Div 13 (commencing with Sec 21000), P.R C), but the architect and contractor would be required to be selected on the basis of their qualifications and experience in restoration and reconstruction of historic buildings

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

Ch 247 (SB 51) Robbins Land transfer: agricultural association

The Department of General Services retains a parcel of approximately 8 71 acres of real property which is a portion of the former 51st District Agricultural Association property in Los Angeles County

This bill would authorize the department to transfer such property to the new 51st District Agricultural Association, which was created by Chapter 1408 of the Statutes of 1974

This bill would also provide that if the district sells such property, it shall not permanently invest the proceeds from such a sale, except for the purpose of acquiring land for use as a permanent fairgrounds site for the San Fernando Valley Fair or on a short-term basis, as specified.

This bill would take effect immediately as an urgency statute

Ch 248 (SB 95) Moscone Marijuana penalties and offenses

(1) The present statute specifying the penalty for unlawful simple possession of marijuana does not differentiate between large and small amounts of marijuana and makes no distinction based on potency Under current law, unlawful simple possession of marijuana is punishable optionally as a misdemeanor or as a felony, but, if a person convicted thereof has been previously convicted of any of specified drug-related offenses, it is a felony and punishable by longer maximum and minimum terms in state prison

This bill would revise the penalty for unlawful simple possession of marijuana to make possession of not more than 1 avoirdupois ounce of marijuana, other than "concentrated cannabis," a misdemeanor punishable by a fine of not more than $100

However, the penalty for such offense with 3 or more previous convictions for possession of not more than 1 avoirdupois ounce of marijuana during the 2 years immediately preceding the offense would be diversion and referral to an appropriate community program for education, treatment, or rehabilitation, as specified

Possession of more than one ounce of marijuana, other than "concentrated cannabis," would be a misdemeanor punishable by imprisonment in the county jail for not more than 6 months, by a fine of not more than $500, or by both such fine or imprisonment Possession of "concentrated cannabis" would be punishable by imprisonment in the county jail for not more than one year or by a fine of not more than $500, or by both such fine and imprisonment, or would be punishable by imprisonment in the state prison for not more than 5 years "Concentrated cannabis," for purposes of the bill, would be defined to mean the separated resin, whether crude or purified, obtained from marijuana

(2) The present statute specifying the penalty for unlawfully furnishing or offering to furnish marijuana makes no distinctions based upon the amount furnished or offered, the potency of the marijuana furnished or offered, or whether any consideration is given or to be given in exchange for the marijuana Under current law, unlawfully selling, giving away, or furnishing marijuana or offering to do the same is punishable as a felony, with increased maximum and minimum terms prescribed for persons previously con-

victed of any of specified drug-related offenses

This bill would revise the penalty for giving away or offering to give away marijuana to make giving away or offering to give away not more than 1 avoirdupois ounce of marijuana, other than "concentrated cannabis," a misdemeanor punishable by a fine of not more than $100

Existing penalties would be retained with respect to giving away or offering to give away more than one ounce of marijuana or any quantity of "concentrated cannabis."

(3) The present statute specifying the penalty for unlawfully transporting, offering to transport, or attempting to transport marijuana does not differentiate between large and small amounts of marijuana and makes no distinction based on potency. Under current law unlawfully transporting, offering to transport, or attempting to transport marijuana is punishable as a felony, with increased maximum and minimum terms prescribed for persons previously convicted of any of specified drug-related offenses.

This bill would revise the penalty for such offenses to make unlawfully transporting, offering to transport, or attempting to transport, not more than 1 avoirdupois ounce of marijuana, other than "concentrated cannabis," a misdemeanor punishable by a fine of not more than $100. Existing penalties would be retained with respect to unlawfully transporting, offering to transport, or attempting to transport more than one ounce of marijuana or any quantity of "concentrated cannabis."

(4) Current statutes specify that it is unlawful to (a) possess any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking marijuana, or (b) visit or be in any room or place where any marijuana is being unlawfully smoked or used with knowledge that such activity is occurring.

This bill would delete such offenses.

(5) Existing law makes it a misdemeanor, with a mandatory 90-day minimum jail term, for any person to use or be under the influence of marijuana, except when administered by or under the direction of a person licensed by the state to dispense, prescribe, or administer controlled substances.

This bill would delete such offense.

(6) Nothing in present law requires the destruction of records pertaining to arrests and convictions for violation of penal statutes relating to marijuana.

This bill would require the destruction of records of any court or state or local public agency pertaining to an arrest or conviction for possessing marijuana, other than "concentrated cannabis," or for giving away or otherwise furnishing without consideration, offering to give away or otherwise furnish without consideration, transporting, offering to transport, or attempting to transport not more than one ounce of marijuana, other than "concentrated cannabis," where the conviction or the arrest, if there is no conviction, occurs after January 1, 1976. The bill would also require superior courts, as specified, to order the destruction of records of courts and public agencies of convictions for possession of marijuana, and arrests for possession of marijuana not followed by conviction, occurring prior to January 1, 1976, upon presentation of a petition by the person subject to such arrest or conviction and payment by such person of the costs of destruction, not exceeding $50, and would require destruction of such court order. The bill would prohibit public agencies from attaching any disability, as specified, on account of an arrest or conviction for which records are required to be destroyed under the bill, or on account of facts or circumstances leading to such an arrest or conviction.

(7) Present law authorizes the issuance of citations for misdemeanors in specified cases.

This bill would require the issuance of citations to persons possessing, giving away or otherwise furnishing without consideration, offering to give away or otherwise furnish without consideration, transporting, offering to transport, or attempting to transport not more than one ounce of marijuana, other than "concentrated cannabis."

(8) The bill would make changes in provisions relating to the registration of persons convicted of controlled-substance offenses in order to conform to certain penalty changes which would be made by the bill.

(9) Under present law penalties prescribed for certain violations of the California Uniform Controlled Substances Act are increased if the person convicted thereof has been previously convicted of prescribed offenses involving marijuana.

This bill would delete previous convictions of misdemeanors involving marijuana from those previous convictions which result in increased penalties in such cases.

(10) The bill would make no appropriation for the reimbursement of any local agency for costs incurred by it pursuant to the bill for a specified reason.

Ch. 249 (SB 188) Cusanovich Local planning

Existing law authorizes cities and counties generally to adopt and administer zoning laws, ordinances and regulations to regulate several specified uses of land, such as use of buildings and structures One prescribed procedure under existing law for the exercise of such local authority is that with regard to a required public hearing on a proposed zoning ordinance a city or county must give notice of the hearing by mail or delivery to all persons, including businesses, corporations or other public or private entities, owning real property within 300 feet of the property which is the subject of the proposed zoning change Existing law also requires specified notice of such a hearing in a newspaper of general circulation

This bill would modify these provisions of existing law to additionally provide, as an alternative to the present procedure, that if the number of owners to whom notice would be sent pursuant to the existing procedure is greater than 1000, a county or a city would be authorized to provide notice at least 10 days prior to the hearing by either of the following procedures: (1) placing a display advertisement of at least one-fourth page in the newspaper having the greatest circulation within the area affected by the proposed ordinance or amendment and in at least one additional newspaper having general circulation within such area, if such additional newspaper is available, or (2) placing an insert with any generalized mailing sent by the county or city to property owners in the area affected by the ~~pro/ordinance~~ [proposed ordinance] * or amendment, such as bills for county or city services Such advertisement or mailing insert under these alternative procedures would be required to contain specified information This bill would also specify that any display advertisement placed under these procedures satisfies the publication requirements of existing law

The bill [would] * also require notice by mail to all persons requesting such notice in writing Such a request could be submitted at any time during the calendar year, and would apply for the balance of the year The county or city would be authorized to charge a reasonable fee to persons requesting such notice, to recover the costs of mailing.

Also, this bill would provide that no appropriation is made, and that there shall be no reimbursement of local government for a specified reason.

This bill would take effect immediately as an urgency statute

Ch 250 (SB 382) Dunlap County central committee

Present law now provides that a Democratic nominee for the House of Representatives or an incumbent Democratic member of the House of Representatives shall be a member of the county central committee in only the county in which he resides

The bill would provide that the nominee Democrat for the office of Representative or the person elected at a special election to fill a vacancy in the House of Representatives shall be an ex officio member of each county central committee in each county included within his district.

Ch. 251 (SB 529) Rains County employees retirement contribution

Existing County Employees Retirement Law of 1937 requires accumulated contributions of member who has terminated service to be deposited in and become a part of the current pension reserve fund, and makes system no longer liable to member therefor if a member does not file proper application for the return of his accumulated contributions within 10 years after receipt of notice from the retirement board.

This bill would reduce the forfeiture period to 5 years after receipt of notice in the case of persons who first become members on and after January 1, 1976

Ch 252 (SB 680) Stiern. Documents recordation

The existing law authorizes the recorder to require that a person who is presenting a document for recordation that is not sufficiently legible to reproduce to substitute a legible original document or to direct the recorder to prepare a true copy to attach to the original It also specifies a fee of 25 cents per page for preparing a true copy of the document

This bill would, instead, authorize the recorder to require the person presenting such a document for recordation to substitute a legible original or prepare a legible copy, such copy being certified under penalty of perjury as being a true copy of the original

This bill would delete the provisions which authorize the recorder to require that the

person presenting such a document for recordation direct the recorder to prepare a true copy of the document and which specify a fee therefor

Ch. 253 (SB 55) Song Commission for Economic Development.

Present law provides for the termination of the Commission for Economic Development on January 1, 1976 This bill would extend this termination date to June 30, 1977

Ch 254 (SB 104) Behr Criminal trials escape, homicide reimbursement

Existing law provides that whenever a trial is had for escape from specified penal institutions, or a hearing is had on the return of a writ of habeas corpus, or a prisoner is tried for a crime committed in specified penal institutions, or a trial is had on the question of insanity of any such prisoner, a county or city incurring any costs in connection therewith must make out a statement of such costs and send it to the Department of Corrections for approval The department must then cause such costs to be paid out of money appropriated for the support of the department

Existing law also provides that whenever a trial is had for a crime in furtherance of or in connection with such an escape, or for conspiracy where the objective is an escape from custody of the Department of Corrections, a county shall prepare a statement of costs incurred which shall be submitted to the Director of Finance who shall cause the amount of such costs as he determines comply with such provisions to be paid to the county out of appropriate funds

Existing law also provides for the reimbursement to counties by the Director of Finance of costs incurred for homicide trials in excess of the amount of money derived by the county from a property tax of five cents on each $100

This bill would appropriate $343,137 98 from the General Fund to the Director of Finance for allocation and disbursement to Marin County pursuant to the above-described provisions of law which provide for payment or reimbursement of trial costs by the director

Ch 255 (SB 170) Zenovich Fresno Unified School District

(1) Existing law permits school districts to levy so-called "permissive override" taxes in excess of the prescribed maximum tax rate of the district for specified purposes

This bill would, in addition to such other special-purpose taxes, authorize the Fresno Unified School District to levy a tax for the 1975–76 school year at a rate not to exceed 10 cents per each $100 assessed valuation of property within the district, for the purpose of effecting compliance with specified building code requirements in the conversion of a surplus federal building to a school administrative building

(2) Existing law also provides for the reimbursement of local agencies for funds lost to them because of the homeowners' property tax exemption, the amount of such reimbursement being based upon the tax rate of the agency.

Any increased property tax rate arising from the enactment of this bill would effectuate statutory provisions appropriating funds for the required reimbursements

This bill would take effect immediately as an urgency statute.

Ch. 256 (AB 730) Alatorre School buildings· earthquake safety

Under existing law, school buildings constructed prior to 1933, generally are required to meet the so-called "Field Act" standards of earthquake safety Certain auxiliary structures are excluded from the definition of "school building" for these purposes, as well as buildings utilized by adult schools or community colleges for off-campus voluntary adult education courses

This bill would include in buildings so excluded those utilized for off-campus registered apprentice courses

This bill would also provide for the exclusion of school buildings owned or occupied by a school district or county superintendent of schools that had been used exclusively for adult education classes on and after January 1, 1975

This bill would take effect immediately as an urgency statute

Ch 257 (AB 1193) Sieroty Industrial loan companies

Existing law requires an industrial loan company to prepare an audited financial statement.

This bill requires every industrial loan company which has issued and which has

outstanding investment certificates to post in a conspicuous and prominent place in each business location a condensed statement of its financial condition. This bill also requires industrial loan companies to furnish a copy of its financial statement to potential investors prior to investment in a certificate.

Existing law provides for the guarantee of thrift obligations of industrial loan companies through a guarantee corporation maintaining a guarantee fund. Each new member to the fund presently pays $7,500 to become a new member If the total amount in the fund on March 15 is less than either one million dollars or one-half of 1% of the total outstanding thrift obligations of all members, members are assessed additional amounts.

This bill raises the amount to become a new member to $50,000 and changes the amount required to be maintained in the guarantee fund to not less than 1½% of the total outstanding thrift obligations of all members

Under existing law, when members are assessed additional amounts for the guarantee fund they are assessed an amount equal to the lesser of (1) fifteen-hundredths of 1% of its outstanding thrift obligations or (2) one-third of 1% of its outstanding thrift obligations less the amount of its account balance with the Guaranty Corporation

This bill deletes the latter alternative method of computing the assessment.

Existing law provides that when the property and business of a member of the Guaranty Corporation has been liquidated or is in the process of liquidation and the proceeds of liquidation distributed ratably are insufficient to pay up to ten thousand dollars ($10,000) of each thrift obligation, the commissioner shall direct the Guaranty Corporation to pay such amounts directed by the Commissioner of Corporations

This bill provides as an alternative that the Commissioner of Corporations may direct the Guaranty Corporation to pay any deficiency up to ten thousand dollars of each thrift obligation This bill also provides that when any deficiency is paid pursuant to its provisions, the Guaranty Corporation shall be assigned all rights, title and interest to each individual thrift obligation up to the amount paid by the Guaranty Corporation.

With respect to industrial loan companies formed after November 23, 1970, existing law provides that the capital stock shall not be less than $500,000

This bill would provide that the capital stock of industrial loan companies incorporated after the effective date of this act shall not be less than $750,000. This bill also would make changes relative to the amount of paid-in capital required before a company commences business

Existing law makes no provision for increase in the capital stock requirements of an industrial loan company upon a change of ownership of such company

This bill would provide that when the commissioner makes a finding that there has been a change of ownership of 50% or more of an industrial loan company's stock, other than a change of ownership to a related transferee the capital stock requirement of such a company may be raised in accordance with the provisions of this bill

Existing law provides that when an industrial loan company opens a branch office it must have and maintain additional capital of $25,000 for each branch office opened

This bill increases the amount of additional capital to $50,000 for each branch office opened on or after the effective date of this act and with respect to companies commencing business after the effective date of this act requires such company which opens an additional branch office to have capital stock of $750,000 plus additional capital stock of $50,000 for each branch office

Existing law provides that no industrial loan company shall have outstanding investment certificates in excess of 10 times the aggregate amount of its paid-up and unimpaired capital, including unimpaired capital declared by bylaw not to be available for cash dividends

This bill would provide additional limits on the amount of outstanding investment certificates based upon the length of time the company has been in business

Existing law does not require the consent of the commissioner to acquiring 10% or more of an industrial loan company's capital stock

This bill would provide that no person may acquire 10% or more of an industrial loan company's capital stock without the consent of the commissioner

Existing law gives the commissioner the power to take action whenever it appears that the capital of a company is impaired

This bill would give additional powers to the commissioner and to the Guaranty Corporation upon the impairment of capital by a company

This bill would take effect immediately as an urgency statute

Ch 258 (AB 1294) Kapiloff. School buildings

The law currently prohibits, after June 30, 1975, the use of school buildings which do not conform to the earthquake safety requirements of the Field Act, with limited exceptions

This bill would specifically prohibit such use of any school building which has never met such requirements

Existing law specifies various purposes for which proceeds of the State School Building Aid Bond Law of 1966 may be used, and establishes conditions of eligibility for school district applicants

This bill would permit proceeds of the State School Building Aid Bond Law of 1966 to be used for the reconstruction or replacement of an existing structure utilized by a school district as a school building which was originally designed as a mess facility for the U.S Army Air Corps, notwithstanding the district's prior receipt of conditional or provisional approvals for an apportionment of such bond proceeds

This bill is an urgency statute and would take effect immediately

Ch 259 (AB 223) Chappie Regional occupational programs—taxes

Under current law, county superintendents of schools may have a tax levied and collected for the support of regional occupational programs being operated during the then current fiscal year There is no specific provision permitting the levy and collection of a tax to reimburse other entities for amounts advanced by them to operate the program in a prior fiscal year in which the tax was not levied because of oversight.

This bill would permit the levy and collection of a tax in Placer County for the support of regional occupational programs in the 1975–76 fiscal year, in order to provide funds to operate the program in the 1974–75 fiscal year The tax could not be levied at a rate greater than that currently prescribed by law

This bill would take effect immediately as an urgency statute

Ch 260 (AB 1022) Craven Cities annexations

Local agency formation commissions are created under existing law and have, among other functions, the power to review and approve or disapprove annexations in connection with proposals to reorganize various entities of local government

Existing law requires that where a reorganization involving annexation of local agencies is proposed, an election be held within the territory to be annexed. Existing law does not contain provisions to authorize elections in territory which is outside of the territory proposed to be annexed, in situations where a reorganization involves a city annexation

This bill would require a local agency formation commission to further require, in any order approving a proposal for a reorganization which includes annexation of inhabited territory to a city, that an election be called within the territory of a city to which the territory is proposed to be annexed in connection with such reorganization, if either of the following conditions is present. (1) when the assessed value of land within such territory proposed to be annexed equals one-half, or more, of that within the city, as shown by the last equalized assessment rolls, or (2) the number of registered voters of the territory equals one-half, or more of the number of registered voters within the city

The bill would further provide that no appropriation is made for the reimbursement of local agencies under its provisions, for a specified reason

This bill would take effect immediately as an urgency statute

Ch 261 (AB 564) Mobley School districts revenue limits

(1) Under current law, school districts are required to reimburse the state for the costs incurred by the state in educating residents of the district in the California School for the Deaf, the California School for the Blind, or one of the California Diagnostic Schools for Neurologically Handicapped Children This reimbursement varies from year to year, depending upon the number of district residents being educated

This bill would provide for annual adjustment of each district's revenue limit, using the 1972–73 fiscal year as a base year, so that the revenue limit of the district will increase or decrease to accommodate increases or decreases in the amount of reimbursement

(2) Two Sections 20905 6 were added to the Education Code during the 1973–74 Regular Session

This bill would renumber one of those sections in order to avoid confusion

The bill would take immediate effect as an urgency statute

Ch 262 (AB 893) Foran Bilingual education study program

Existing law authorizes until July 1, 1975, a study program under the supervision of the Superintendent of Public Instruction concerning the education of limited-English-speaking pupils in the San Francisco Unified School District and the San Diego City Unified School District

This bill would make legislative findings concerning the demonstration bilingual education program conducted in the San Francisco Unified School District and would authorize the continuation of such program in the San Francisco Unified School District until June 30, 1977 The bill would require the Superintendent of Public Instruction to submit a report to the Legislature on the effectiveness of the program

This bill would appropriate $186,900 for the purposes of the study program conducted in the San Francisco Unified School District for expenditure during the 1975–76 and 1976–77 fiscal years, as specified

This bill would take effect immediately as an urgency statute

Ch 263 (AB 1365) Garamendi South Tahoe Public Utility District

Present law permits the Tahoe City Public Utility District and the North Tahoe Public Utility District to fix and collect an annual standby charge for sewage service on all lands within the district not exceeding a specified amount.

This bill would permit, in addition, the South Tahoe Public Utility District to fix and collect such a standby charge and provides public hearing procedures to be followed.

The bill would take effect immediately as an urgency statute

Ch 264 (AB 1649) Mobley Irrigation districts assessments and other charges

Existing law provides that an irrigation district·

(1) Is authorized to levy assessments on land within such district and is authorized to charge for service rendered by such district, and is required to give to a person making a payment of an assessment, a receipt which specifies the amount of the assessment, the amount paid, and a description of the property assessed,

(2) That charges for water and other services which remain unpaid for a specified time, may be added to the annual assessment on the land to which the water or other services was rendered, thereby the charge for such service becomes a lien on such land;

(3) That assessments owed to the district are required to be paid in lawful money of the United States

This bill would provide that

(1) Such a district may levy an additional reasonable charge for processing an invalid check or instrument used to pay an assessment or other charge for service and that such processing charge, if it becomes delinquent, may be made by the district, as specified, a lien on the land on which such assessment or to which such service was rendered;

(2) The district is required to give in return for the payment of an assessment or service charge either a receipt, as presently specified, or the stub of, or copy of, a bill or statement indicating specified information contained on such receipt, and an instruction that a receipt will be given only upon request as the stub or copy together with the canceled check for payment of such assessment or service constitutes a receipt,

(3) Any charge owed to a district, in addition to an assessment, must also be paid in lawful money of the United States

Ch. 265 (AB 2153) McVittie Veterinary medicine

Present law requires that an application for a license to practice veterinary medicine in the state must be accompanied by satisfactory evidence of the good moral character of the applicant, plus a diploma from a veterinary college recognized by the Board of Examiners in Veterinary Medicine

The bill would delete that portion of existing law requiring evidence of good moral character, and would provide that if the applicant has not graduated from a veterinary college recognized by the board, the board may determine the qualifications of the applicant regarding the quality of education attained in the unrecognized school, and shall establish rules and regulations relating to such a determination

The bill also provides that if the board determines the applicant from the unrecognized school to be deficient in qualifications, the board may require remedial requirements of the applicant as provided by rules and regulations of the board

Ch 266 (SB 212) Mills Small claims court. appeal.

Under existing law applicable to the small claims court, as a precondition to an appeal by the defendant, he must furnish an undertaking in the amount of the judgment, together with interest due thereon, costs which may be awarded against him on appeal, and the sum of $15 as attorney's fees In lieu of furnishing the undertaking he may deposit with the court a sum equal to the amount of the judgment, plus costs, together with $25

These provisions were held unconstitutional by the California Supreme Court in Brooks v Small Claims Court (1973), 8 Cal 3d 661

This bill would repeal these provisions and provide for the automatic staying of the enforcement of a judgment, without the filing of a bond by the defendant, until the expiration of time for appeal and, if an appeal is taken, until the appeal is determined. It would also make related changes

Ch. 267 (SB 86) Moscone Healing arts acupuncture

Existing law prohibits any person from practicing any system or mode of treating the sick without a valid certificate issued pursuant to the Medical Practice Act or some other provision of law

This bill would authorize the practice of acupuncture, as defined, by any person who is certified by the Board of Medical Examiners

The bill provides for the certification by the board of persons meeting specified requirements to practice acupuncture

The bill would provide for the dismissal of any prosecution, which is pending against any person who would qualify to practice acupuncture pursuant to the act, for the unlawful practice of medicine involving the use of acupuncture The bill would provide that any conviction of such a person, which is pending on appeal, shall be remanded to the trial court, the verdict withdrawn, and a judgment of acquittal entered

The bill authorizes an Acupuncture Advisory Committee to be appointed by the Governor

The bill prescribes the duties and powers of the board as such duties and powers relate to the regulation of the practice of acupuncture. This bill would create the Acupuncturists Fund which would be continuously appropriated to carry out the provisions of the act The bill would make it a misdemeanor to practice acupuncture or hold oneself out as an acupuncturist unless the person possesses an acupuncturist's certificate. It would provide that acupuncture may not be performed by such a certified person without a prior diagnosis or referral of a physician and surgeon, a dentist, a licensed podiatrist, or a licensed chiropractor This bill would, furthermore, require, upon completion of treatment, that the acupuncturist report to the diagnosing and referring licensed person, upon forms prescribed by the board, the nature and effect of the treatment

The bill provides that neither an appropriation is made nor an obligation created for any local agency pursuant to this act.

The bill would take effect immediately as an urgency statute

Ch 268 (SB 1234) Marks Pension trusts generalty

Existing law authorizes local agencies to establish pension trust plans for the benefit of its officers and employees

This bill would authorize the legislative body of such local agencies to contribute to a plan established pursuant to the Federal Employee Retirement Income Security Act of 1974

The bill would take effect immediately as an urgency statute

Ch 269 (AB 483) McAlister San Jose Regional Vocational Center

Current law provides for the issuance of bonds for the construction and improvement of public schools

This bill would require not to exceed $2,000,000 in proceeds of bonds issued under the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1974 to be allocated by the State Allocation Board to the San Jose Regional Vocational Center for capital improvements

This bill would require all amounts allocated and disbursed to the center to be fully repaid with interest not later than June 30, 1977 The bill provides that the San Jose

Unified School District shall be principally liable for repayment of the amount allocated.
This bill would take effect immediately as an urgency statute

Ch 270 (AB 563) Chappie Irrigation districts
Under existing law only resident voters are entitled to vote in irrigation district elections and to serve on the board of directors
This bill which would be applicable only to the Cordua Irrigation District and would require voters in such district to be landowners in the district and would specify that voters need not be district residents Each voter would be entitled to cast one vote for each $100 of assessed valuation of land The bill would specify the voting rights of multiple owners and would authorize voters or specified legal residents to vote at district elections either in person or by proxy The bill would authorize any voter to serve on the board of directors or as an elective officer
The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this act for specified reasons
The bill would take effect immediately as an urgency statute

Ch 271 (AB 636) Foran Contracts: public works
The existing law makes no express provision prohibiting a subcontractor to a public works contract, listed as furnishing and installing carpeting, from voluntarily subletting any portion of the labor to be performed pursuant to a subcontract unless he specified the subcontractor in his bid to the prime contractor
This bill would prohibit a subcontractor to a public works contract, listed as furnishing and installing carpeting, from voluntarily subletting any portion of the labor to be performed pursuant to a subcontract unless he specified the subcontractor in his bid to the prime contractor

Ch 272 (AB 797) Davis Improvement Act of 1911 alternatives
The Improvement Act of 1911 presently provides several alternatives for providing for the construction of public improvements One alternative provides the authority to require the owners of property in the proximity of specified types of public improvements to construct the improvements or provide for such construction
The bill would add the construction of water mains, pipes, conduits, tunnels, hydrants, and other necessary works and appliances for providing water service to the list of such specified improvements

Ch 273 (AB 1402) Mobley Air pollution agricultural burning.
Under existing law, "agricultural burning" means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, forest management, or range improvement, or used in the improvement of land for wildlife and game habitat Such burning may take place (a) only on days when such burning is not prohibited by the State Air Resources Board, except when denial to burn on days prohibited by the board would threaten imminent and substantial economic losses, and (b) only if authorized by a permit issued by an agency designated by the board to issue such permits for the area where the burning is to take place
No such permit is required for burning for right-of-way clearing by a public entity or utility or for levee, reservoir, and ditch maintenance However, such burning may take place (a) only on days when agricultural burning is not prohibited by the board and (b) the material to be burned has been prepared for burning as specified by the air pollution control officer
This bill would expand the definition of "agricultural burning" to include open outdoor fires used in the operation or maintenance of a system for the delivery of water for the same purposes agricultural burning is presently authorized, so that burning for such operation or maintenance (a) would take place only under the issuance of a permit, (b) could take place on days when agricultural burning is prohibited if a denial to burn on such days would threaten imminent and substantial economic losses, and (c) would not be subject to the statutory requirement that the material to be burned be prepared for burning as specified by the air pollution control officer

Ch 274 (AB 555) Burke Schools· substitute and temporary certificated employees

(1) Under existing law any employee classified as a substitute or temporary employee, who performs the duties normally required of a certificated employee for at least 75 percent of the number of days in which regular schools of the district are maintained, is required to be reemployed as a probationary employee by the district for the following school year to fill any vacant positions in the school district, as defined, for which the employee is certified

This bill would provide that such employees, in addition, shall be "qualified to serve," as defined, in any such vacant position

(2) Existing law requires that offers for appointments to probationary status during the ensuing school year be made from special eligible lists established by examination, where applicable, provided, however, that permanent or probationary employees terminated during the preceding 39 months because of a reduction in average daily attendance of the district are to be given priority in employment over persons on such lists

This bill would provide that in situations where there has been a reduction in the number of permanent employees because of a reduction in average daily attendance in the district, permanent and probationary employees subject to the reduction shall, during the preferred right to reappointment, have prior rights to those of temporary and substitute personnel who have become probationary employees, as specified

This bill would take effect immediately as an urgency statute

Ch 275 (SB 865) Stiern Schools· Field Act exemption

Under existing law, a "school building," as defined, which has been examined and found not to comply with Field Act structural standards, may not, except under certain circumstances, continue to be used for school purposes after June 30, 1975.

This bill would specifically prohibit such use of any school building which has never met such requirements.

The bill would go into effect immediately as an urgency statute

Ch. 276 (SB 527) Rains Elections local regulation of campaigns

The law presently permits only cities and counties to limit campaign expenditures or contributions in municipal elections and elections to county offices

This bill would permit local districts and agencies, including the governing boards of school districts, to limit campaign expenditures or contributions in elections to district or agency offices

The bill would take effect immediately as an urgency statute

Ch 277 (SB 220) Rodda Schools foundation programs

(1) Under current law, the foundation program for units of average daily attendance in elementary and high schools must be increased annually on the basis of changes in the level of assessed valuation per unit of average daily attendance and changes in costs by prescribed amounts An adjustment is prescribed for the foundation program of high school districts for the attendance of defined adults

This bill would generally require in the 1975–76 fiscal year, that such foundation programs be increased by from $21 to $28 per unit of average daily attendance over what is currently specified, as determined by the Superintendent of Public Instruction

This bill would also provide a procedure for the adjustment of the foundation program for each unit of average daily attendance during the 1976–77 fiscal year, and fiscal years thereafter, for pupils enrolled in summer schools

This bill would also provide for the adjustment of revenue limits of school districts receiving equalization aid, so that the increase in state apportionments because of the foundation program increases prescribed by this bill would not result in a reduction of the maximum tax rate below a specified amount

(2) Under current law, an inflation adjustment of between 5 and 6% is a factor in computing the revenue limit of school districts

This bill would provide generally that such inflation adjustment shall be based instead upon the adjustment in the foundation program which would be prescribed by this bill

(3) Under current law, an adjustment is prescribed in the computation of the revenue limit of school districts having a loss in average daily attendance Separate computations

are prescribed for districts in which the loss is between 1 and 2% and those in which it is greater than 2%.

This bill would prescribe a single formula for losses greater than 1% The formula would permit an addition to the actual average daily attendance of the district equal to 75% of the loss

(4) Under current law, excusable absences for illnesses and attending certain funeral services are generally not counted as absences for purposes of crediting average daily attendance of full-time day schools

This bill would add provisions specifically excluding such kinds of absences from computation of attendance in cases of persons receiving individual instruction, or attending adult schools, summer schools, or regional occupational centers or programs, for purposes of crediting average daily attendance The bill provides that such provisions are declaratory of existing law and validates prior apportionments made in accordance with the provisions of this bill

(5) Under current law, a specified amount per unit of average daily attendance is annually transferred from the General Fund to the State School Fund

This bill would increase that amount to ~~$450 79~~ [$446 47]* † if this act is chaptered after the Budget Act of 1975.

(6) Existing law also provides for the reimbursement of local agencies for funds lost to them because of the homeowner's property tax exemption, the amount of such reimbursement being based upon the tax rate of the agency Any increased property tax rate arising from the enactment of this bill would effectuate statutory provisions appropriating funds for such reimbursement

This bill would take effect immediately as an urgency statute and would become operative on July 1, 1975 ‡

Ch 278 (SB 37) Grunsky Punishment. assault intent to murder

Existing law requires additional punishment, in the event a person uses a firearm in the commission or attempted commission of certain crimes

This bill would add the crime of assault with intent to commit murder to the list of such crimes for which such additional punishment is prescribed

Ch 279 (SB 71) Grunsky County boards of education

Current law authorizes a county board of supervisors ; ~~or the county board of education in a county having a fiscally independent county office of education,~~ to allow each member of the county board of education [as]compensation [$10 a day] for his or her services and certain mileage allowances when privately owned automobiles are used on official duties ~~The allowable compensation is prescribed by statute in varying amounts depending upon the number of pupils attending schools under the jurisdiction of the county board of education.~~*

This bill would permit a county board of supervisors, or the county board of education in any county which has a fiscally independent county office of education, to allow each member of the county board of education as compensation for his or her services an amount not less than $10 nor more than $40 for each meeting of the board attended by such member, with a maximum of three meetings per calendar month being compensable

Ch 280 (SB 184) Petris Discrimination housing

The Fair Employment Practice Commission is required to investigate verified complaints alleging unlawful practices, as defined, in housing accommodations If the commission finds that a respondent has engaged in any unlawful practice, it is required to serve an order requiring the respondent to cease and desist such practice and, if other prescribed affirmative action remedies are not available, it may order a payment of damages to the aggrieved person in an amount not to exceed $500

This bill would delete the present $500 damage remedy and would authorize the commission, if other prescribed affirmative action remedies are not available, to order a payment of damages in an amount not to exceed $1,000 to the aggrieved person

† Appropriation reduced to $440 68 per pupil by action of the Governor

‡ Not operative until August 14, 1975

Ch 281 (SB 229) Nejedly Insurance: real property repairs

The existing law requires, with specified exceptions, all insurers issuing, amending, or renewing policies of insurance covering repairs or reconstruction work in commercial, industrial, or residential real property to pay the contractor who performs the covered work directly, if certain conditions are met

This bill would require that the direct payment be made to the contractor performing the work not later than 30 days after the insurer has actual knowledge that the specified conditions have been met, where the insurer has authorized the work and its liability is not in dispute

This bill would define the term "loss payee" to include any mortgagee of the insured real property.

Ch 282 (SB 470) Gregorio Community colleges: admission requirements

Current law permits any person 16 years of age or older and under 18 years of age, who is exempt from compulsory continuation attendance and who has been awarded a certificate of proficiency in basic subject matter skills by the State Board of Education, to enroll in a community college if he has the consent of the president of the community college, provided such enrollees do not exceed 1% of the total enrollment of the community college

This bill would repeal the provisions that afford this authority

Current law requires the governing board of a community college district to admit any high school graduate

This bill would require the admittance of any person possessing a high school diploma or the equivalent thereof.

Ch 283 (SB 478) Smith. Elections designation of candidates and city elections

Existing law authorizes a city council to fill a vacancy in an elective city office by appointment This bill would allow a city council to fill such a vacancy either by appointment or by calling a special election to fill the vacancy The special election must be held on the next regularly established election date not less than 74 days after being called

Existing law also authorizes a city council to enact an ordinance requiring that a special election be held to fill every city council vacancy or requiring a special election to fill a vacancy when petitions signed containing a specified number of signatures are filed The bill would require the ordinance to provide that the election shall be held on the next regularly established election date not less than 74 days from the call of the election

Existing law authorizes a city council to enact an ordinance providing that an appointee to fill a vacancy on the city council holds office only until the next regularly scheduled election for city council members, whereupon a special election is held to fill the remainder of the term This bill would require the ordinance to provide that such a special election may be held on the next regularly established election date not less than 74 days from being called unless the regularly scheduled election date falls more than 270 days from the date the special election is called, in which case the special election must be held on the next regularly established election date not later than 74 days from the call. The bill revises such authorization to refer to the next regularly scheduled election to be held throughout the city occurring not less than 74 days thereafter

Ch 284 (SB 601) Berryhill Wine containers

Under existing law, which will become operative January 1, 1976, containers of wine sold in this state will be required to conform to standards, including standards of fill, established by the Secretary of the Treasury pursuant to the Federal Alcohol Administration Act

This bill would delay the operative date of such provision until January 1, 1979

Ch 285 (SB 607) Song Local public entities: judgments

The existing law imposes a duty upon local public entities to pay tort judgments and specifies the manner in which such payment may be made Pursuant to these provisions, a public entity can, depending upon its assessment of its financial condition, comply with the duty to pay a tort judgment by (1) paying the judgment in the fiscal year in which

it becomes final, (2) paying the judgment in the next fiscal year, (3) paying the judgment in not more than 10 annual installments; or (4) paying the judgment with the proceeds of a bond issue as authorized pursuant to the prescribed provisions These provisions of existing law make no specific provision for the payment by local public entities of judgments based on inverse condemnation liabilities

This bill revises existing law to make the provisions applicable to judgments based on inverse condemnation as well as tort judgments

In addition, this bill revises provisions relating to the payment of judgments in installments by local public entities to provide that such method of payment is available only when the court which enters the judgment orders such method of payment It would require that such order be entered only if the governing body of the local public entity has adopted an ordinance or resolution finding that an unreasonable hardship will result unless the judgment is paid in installments and the court, after hearing, has found that payment of the judgment in installments is necessary to avoid unreasonable hardships Also, the provisions of this bill expressly provide that a local public entity must pay interest on the amount of the judgment regardless of the method of payment adopted

This bill expressly states that for the purposes of specified provisions in the Revenue and Taxation Code that taxes levied pursuant to the provisions relating to the payment of judgments based on tort or inverse condemnation by a local public entity, are taxes levied to pay costs mandated by the courts.

Ch 286 (SB 611) Song Court reporters

Existing law makes an official reporter incompetent to act as an official reporter in any court until he has fully completed and filed all transcriptions of his notes in any criminal cases on appeal that he is required by law to transcribe

This bill would instead make an official reporter incompetent to act as an official reporter in any court until he has fully completed and filed all transcriptions of his notes in any case on appeal that he is required by law to transcribe.

Ch 287 (SB 760) Mills Public transportation local transportation funds

Under the Mills-Alquist-Deddeh Act, a county with a population of under 300,000, or a city therein, may file, until January 1, 1979, a claim with the transportation planning agency for payments to a common carrier of passengers subject to regulation by the Public Utilities Commission that is providing public transportation service under contract with such a county or city

This bill would authorize a county which is not located, in whole or in part, within a transit district and which has a population of under 100,000, or a city therein, to also file a claim, until January 1, 1979, with the transportation planning agency for payments to a common carrier of passengers subject to regulation by the Public Utilities Commission, a nonprofit corporation, or an operator, under contract with such a county or city to provide transportation services for the elderly, the handicapped, and any other group, as determined by the agency, requiring special transportation assistance

Ch 288 (SB 989) Nejedly Regional park district vehicular recreational facilities

Existing statutory law permits regional park districts to develop, improve, and maintain various specified facilities for public recreation, and requires districts to make such facilities available to all district inhabitants and to regulate the use of vehicles in such facilities While existing law refers, among other things, to public parks and to trails, it does not specifically refer to vehicular recreational areas and trails

This bill would specifically permit the East Bay Regional Park District to develop, improve, and maintain vehicular recreational areas and trails, in addition to other facilities presently authorized, and would make conforming changes

Ch 289 (SB 598) Presley Officers and employees counties

Existing law prohibits a sheriff, clerk, or constable, or any of their deputies, from practicing law, acting as a collector or for any collection agency in the county where he resides and holds office, or have as a partner a lawyer or collector or anyone who acts as a lawyer or collector for a collection agency, except that a deputy sheriff otherwise authorized to practice law may advise his employer on legal matters when directed to do so within the scope of his employment

This bill would prohibit a sheriff, clerk, or constable, or any of their deputies, from practicing law, acting as a collector, or for any collection agency, or having as a partner a lawyer or collector or anyone who acts as a lawyer or collector for a collection agency in the county where he resides and holds office It would, however, exempt from such prohibition a reserve or auxiliary deputy sheriff who is admitted to practice law in this state, except that a reserve or auxiliary deputy sheriff would be prohibited from representing any person in any matter concerning an event or transaction if the reserve or auxiliary deputy sheriff has performed or knows he will perform any act relating to the event or transaction in performance of his duties as a reserve or auxiliary deputy sheriff

Ch 290 (AB 347) Perino Validation Stockton City Charter amendments

This bill, based upon a finding and declaration that requirements of public notice were substantially met despite an inadvertent procedural error, would validate an amendment made to the Stockton City Charter on November 5, 1974

This bill would take effect immediately as an urgency statute

Ch 291 (AB 1198) Lancaster Pomona Valley Municipal Water District improvement districts and alternative methods for payment of debt and costs

(1) Existing statutory law authorizes the issuance and sale of bonds and provides for alternative methods for payment of debt service by the Pomona Valley Municipal Water District It establishes improvement districts for the purpose of issuing bonds and authorizes the board of directors of the district to advance general funds of the district to accomplish the purposes of an improvement district and to repay the district for such advances from the proceeds of the sale of bonds or from taxes levied on property in the improvement district Existing law also provides that the amount of debt service and operation and maintenance cost to be paid by each improvement district shall be paid from water revenues from purveyors, utility taxes, standby charges and sales of water and, to the extent not paid by such revenues, from ad valorem taxes

This bill would authorize the board to repay the district for advances from the general fund from the revenues from purveyors, utility taxes, standby charges and sales of water, in addition to the presently authorized repayment from the proceeds of the sale of bonds and from ad valorem taxes

(2) Existing law describes the improvement district boundaries within the Pomona Valley Municipal Water District

This bill would make technical, nonsubstantive, boundary description changes as to certain improvement districts

The bill would also rearrange and renumber the sections of this chapter and would make technical, nonsubstantive changes

(3) Existing law authorizes the board to levy ad valorem property taxes in each improvement district sufficient to pay debt service, repay advances from the general fund and to pay maintenance and operation costs of improvements constructed

This bill would provide that authorization of the bonds by the voters would constitute authorization of the ad valorem tax without further election of the voters for such purposes

(4) Existing law authorizes the board to levy a utility tax on every person using water within any of the improvement districts so long as the rules and regulations for administration of the utility tax do not alter the terms and conditions of service of a service supplier serving the general public

This bill would authorize the board, in addition to existing law, to levy a utility tax on every person using water within the service area of any retail water purveyor within any such improvement district under the same limitation as utility taxes on the entire improvement district

(5) Existing law requires the board to prepare an annual report on debt service payable by the district, the debt service and maintenance and operation cost allocation to the improvement districts, and the projected water sales and revenues within each improvement district

This bill would require the estimated operation and maintenance costs of the district's improvements be included in the board's annual report

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

This bill would go into immediate effect, as an urgency statute

Ch 292 (AB 2121) Maddy Cattle damages for taking or killing

Existing law does not provide specifically for the measure of damages for the taking or killing of cattle

This bill would establish that the measure of damages in any action for the wrongful taking, possessing, harboring, or transporting of cattle, for the driving of cattle off their usual range, or for the killing or slaughter of cattle, without the consent of the owner or the person lawfully in possession of the cattle, is four times the value of the cattle at the time of any such act, with interest from that time, plus compensation for the time and money properly expended by the plaintiff pursuing the cattle Provisions for an award of exemplary damages would also be made The bill would also specify that any criminal prosecution for cattle theft shall not preclude or prevent the commencement of any civil action for damages, as specified in this bill

Ch 293 (SB 18) Stull High school physical education exemption.

(1) Under the provisions of Sections 8708 and 11056 of the Education Code, as added by Chapter 675 of the Statutes of 1974, a graduating high school pupil in his last semester or quarter will be permitted, after January 1, 1975, to be exempted from attending the otherwise required course of physical education if such pupil would complete all of the required courses for graduation, except courses of physical education, by attending high school for less than 240 minutes per schoolday.

This bill would prohibit such a pupil from being exempted if after such exemption he would attend school for 240 minutes or more per day and would, in addition, authorize such exemption for any such pupil who is permitted to attend school less than 180 minutes per schoolday per specified provision

This bill would authorize, upon prescribed request, attendance for less than 180 minutes per schoolday by a graduating high school student in his last semester or quarter, who is enrolled in a work experience education program and who would complete all graduation requirements by attending high school, except for physical education courses, for less than 180 minutes each schoolday Such attendance would be deemed to be attendance for a minimum day of 180 minutes, for state apportionment purposes.

(2) Under existing law, restrictions are placed on the amount of hours which an employer may employ a minor who is required by law to attend school.

This bill would revise the provision which prohibits the employment of minors for more than four hours in any one day, with specified exceptions, who are required by law to attend school, to specify that such restriction shall only apply if the minor is required to attend for 240 minutes or more each schoolday

This bill would make a related technical change

This bill would also incorporate additional changes in Section 12774, Education Code, proposed by Assembly Bill 436, to be operative only if Assembly Bill 436 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered last

This bill would take effect immediately as an urgency statute

Ch 294 (SB 101) Mills Transit development boards

(1) Under existing law, there is no public entity designated as a transit development board

This bill would create a transit development board in San Diego County to plan, construct, and operate (or let a contract to operate) exclusive public mass transit guideways in that county and to perform various other transportation functions pursuant to federal laws The board would also be authorized to assume the operation of the San Diego Transit Corporation at any time after the first segment of an areawide guideway system enters revenue service

(2) Under the Mills-Alquist-Deddeh Act, funds are allocated for, among other things, administrative and planning functions

The bill would, after deductions for specified administrative and planning allocations, require 1% of the funds available under that act to be allocated to the council of governments which includes the area under the jurisdiction of the board and authorize up to 10% of the remaining funds to be allocated to the board Not less than 75% of the unallocated funds, as of June 30, 1975, under that act for the area under the jurisdiction of the board would be made available to the board for such guideway purposes

(3) Under existing law, the regional transportation plan for the area under the jurisdiction of the board is required to be prepared by the Comprehensive Planning Organization

The bill would make the Comprehensive Planning Organization responsible for long-term transportation system planning, and the board responsible for near-term operational planning, in the area under the jurisdiction of the board

(4) Under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974, for an urban area with a population of 200,000 or more, the designated recipient is the statewide or regional agency that is responsible under state law for the financing, construction, and operation of public transportation services in that area

The bill would designate the board as such a recipient and would authorize the Governor, if authorized by federal law and rules and regulations, to act as a designated recipient with the board

(5) Under the same federal act specified in (4), the Secretary of Transportation may make grants to states and local public bodies for mass transportation capital expenditures in urban areas

The bill would prohibit any public entity in an area under the jurisdiction of the board, except the board, from applying for such grants

(6) Under existing law, entities responsible for the construction of exclusive public mass transit guideway projects in an area may submit such projects, if the voters of the area approved a proposition to authorize the use of state-imposed motor vehicle tax revenues for such guideways, for inclusion in the resources allocation recommendations of the Department of Transportation to the California Highway Commission for funding (subject to specified maximum allowable amounts) from the State Highway Account in the State Transportation Fund

The bill would require, if the voters of San Diego County approved a similar proposition, that the maximum allowable amount of funds be allocated by the California Highway Commission to the board in that county for such guideway purposes

(7) The bill would provide that no appropriation is made nor any obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 295 (SB 81) Berryhill Salaries, wages, etc —state employees

The Berryhill Total Compensation Act provides for industrial disability leave in lieu of temporary worker's compensation disability benefits and sick leave with pay for state officers and employees who are members of the Public Employees' Retirement System This bill would also cover state officers and employees who are members of the State Teachers' Retirement System

Existing law provides that the industrial leave benefits are based upon the amount of the officer's or employee's full pay which his retirement contribution is applied at the commencement of the industrial disability leave This bill would make such amount subject to adjustment by State Personnel Board rule and revise the definition of "full pay"

Existing law provides that industrial leave payments will be adjusted to offset disability benefits received from other programs, that discretionary deductions of the employee shall continue to be deducted, and that state retirement contributions shall be made on the basis of full pay This bill would provide that the industrial leave payments be adjusted to offset only other employer-subsidized programs and that employee and employer deductions for health benefit plans continue The bill would provide that a state officer or employee who is receiving industrial leave benefits shall continue to receive all employee benefits which he would have received had he not incurred disability The bill would provide that the Trustees of the California State Universities and Colleges shall regulate the industrial leave benefits of their employees

Existing law provides for the continuance of a portion of the members allowance to survivors in the case of state miscellaneous members not covered by the Federal Social Security Act This bill would provide that the allowance not be continued in the case of a deceased member who had selected optional settlement one and would also include certain members with less than two months of service covered by such act

The Berryhill Total Compensation Act provides for monthly appropriation from the

General Fund of the state's contributions for health benefit plans for state officer's and employees whose compensation is paid from the General Fund. This bill would provide for monthly appropriation from each other fund in the State Treasury of the state's contributions for health benefit plans for state officers and employees whose compensation is paid from those funds

The bill would take effect immediately as an urgency statute

Ch 296 (SB 84) Way Motor vehicle insurance. physical examinations.

The existing law has no provisions concerning who shall pay the costs of physical examinations required for renewal of a motor vehicle insurance policy

This bill would require any insurer who requires periodic physical examinations of an insured as a condition of renewal of a policy to pay the cost of such physical examinations, unless the insurer elects to accept the certified written results of an insured's physical examination voluntarily conducted within 12 months preceding the policy expiration or renewal date

Ch 297 (SB 139) Deukmejian Medicine

Present law requires each applicant for a physician's and surgeon's certificate to, among other things, show by evidence satisfactory to the Board of Medical Examiners that he has successfully completed a medical curriculum, as specified, in a school or schools located in the United States or Canada and approved by such board.

This bill would authorize such an applicant to, in the alternative, show evidence of completion of such medical curriculum without regard to the location of the school so long as accomplished in a school that is under the charter of a university located in the United States and that is or was, at the time an applicant seeking a certificate to practice medicine entered the school, an institutional member of the American Association of Medical Colleges

Ch 298 (SB 167) Nejedly Grand juries

The law presently prohibits any grand jury from disclosing any information or evidence acquired by the grand jury during its investigations, except in the form of reports based on certain investigations of county, city, and district government or when required by a court

This bill permits a grand jury or, if the grand jury is no longer empaneled, the presiding or sole judge of the superior court, to disclose to the succeeding grand jury any such information or evidence, except any information or evidence which relates to a criminal investigation or which could form a basis for issuance of an indictment. The bill also makes available to the succeeding grand jury transcripts of any testimony reported during sessions of the grand jury

The bill also recites facts stating the necessity for why the act shall take effect immediately as an urgency statute

Ch 299 (SB 179) Ayala Fontana Occupational and Vocational Center

The law presently contains several acts appropriating proceeds from state school building aid bonds to specified local educational agencies, for the acquisition, construction, and equipping of vocational training facilities

This bill would authorize the expenditure of not more than $4,178,000 of the proceeds of bonds issued under the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1974 for allocation by the State Allocation Board to the Fontana Unified School District for the acquisition of a site and the construction of facilities for an occupational and vocational center in San Bernardino County.

The bill would require repayment of moneys allocated for such purposes by the district, in 20 equal annual payments, and would provide for a district tax levy sufficient to make annual payments The bill would require, as a condition precedent to any allocation of funds to the district, that ⅔ of the electors of the district voting at an election therefor, approve a proposal to accept, expend and repay such allocation

The bill provides that for purposes of Section 2231 of the Revenue and Taxation Code, no appropriation is made nor any obligation created for the reimbursement of any local agency for costs incurred by it pursuant to the bill

Ch 300 (SB 293) Stevens Municipal courts

Existing law, as of March 1, 1975, will not include the newly created Malibu Municipal Court District among the Los Angeles County Municipal Court Districts

This measure would reinstate the Malibu Municipal Court District on the list of the Los Angeles County Municipal Court Districts

Ch 301 (SB 294) Stevens. Out-of-court views

The existing law permits a jury upon order of the court to view the property which is the subject of litigation, or the place in which any material fact occurred In such event, existing law requires the jury be placed under the charge of "an officer" and be shown the premises by "some person" appointed by the court The person appointed is the only person at the view permitted to speak to the jurors on any subject connected with the trial Existing law is silent concerning whether the judge is required to accompany the jury at the view

This bill permits the trier of fact where the court finds upon its own motion or that of a party that a view would be proper and beneficial to the trier of fact in its determination of the case, to view the property which is the subject of litigation, the place where any relevant event occurred, or any object, demonstration or experiment which is relevant and admissible and which cannot with reasonable convenience be viewed in the courtroom

This bill requires the entire court to proceed to the view and requires court to be in session during the view

This bill permits testimony by witnesses, in the discretion of the court

This bill requires proceedings at the view to be recorded to the same extent as proceedings in the courtroom

This bill requires, if court findings of fact are required, that the court state in its findings any finding that is supported primarily by evidence obtained at a court view and its observations at the view supporting such finding

Ch. 302 (SB 314) Petris Landlord and tenant

Under existing law any waiver by the tenant of a dwelling of his right to a tenantable dwelling and his right not to be evicted where the lessor has as his dominant purpose retaliation because of the exercise by the tenant of specified rights is void as contrary to public policy

This bill would also make void as contrary to public policy any waiver contained in a lease or rental agreement executed on or after January 1, 1976, by the tenant of his rights or remedies with respect to advance payments or deposits to secure the performance of a rental agreement, his right to assert a cause of action against the lessor which may arise in the future, his right to a notice and hearing where required by law, his procedural rights in litigation in any action involving his rights and obligations as a tenant, his right to have the landlord exercise a duty of care to prevent personal injury or personal property damage where such a duty is imposed by law, and his rights which would be established by this bill relating to the conditions under which the lessor may peaceably enter the dwelling

With respect to the waiver in any lease or rental agreement executed on or after January 1, 1976, of any remaining statutory rights of the tenant, the bill provides that they are void as contrary to public policy unless the lease or agreement containing the waiver is presented to him before he takes possession

Existing statutory law does not define the rights of the landlords and tenants relating to entry by the landlord

This bill would specify the situations in and the conditions under which a landlord may enter a leased dwelling unit

Ch 303 (SB 340) Smith Clinical laboratory · prohibiting arrangements

Existing law prohibits a person licensed under the healing arts provisions of the Business and Professions Code from referring a person to a laboratory in which such licensee has a proprietary interest or coownership only if there is no valid medical need for such referral

This bill would prohibit a person licensed under the Dental Practice Act or a person licensed under the Medical Practice Act or a person licensed pursuant to the Osteopath-

ic Act from referring patients, clients, or customers to any licensed clinical laboratory in which the licensee has any membership, proprietary interest, as defined, or coownership in any form, or has any profit-sharing arrangement, unless such interest is disclosed in writing

The bill would exempt from such provision persons who are members of a medical group which contracts to provide medical care to members of a group practice prepayment plan, as specified, and referrals to a clinical laboratory which is owned and operated by a licensed health facility as specified

The bill would provide that referrals of one clinical laboratory to another, as specified, are not prohibited by such provision

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 304 (SB 380) Petris Judgments by confession

Under existing law a judgment may be entered by confession without action irrespective of the nature of the claim

This bill would permit entry of judgments by confession without action except when the debt or liability arises out of a transaction involving consumer goods or services, or when a claim involves a note which is based upon such a transaction, in which event, such judgment shall be entered only if an attorney independently representing the defendant signs a certificate that he has examined the proposed judgment and has advised the defendant with respect to the waiver of rights and defenses under the confession of judgment procedure and has advised the defendant to utilize such procedure

The bill would require the certificate to be filed together with the statement presently required to be filed in order to authorize entry of a judgment by confession

The bill includes a provision eliminating a conflict with AB 1992

Ch 305 (SB 392) Dunlap Vallejo Sanitation and Flood Control District

The Vallejo Sanitation and Flood Control District Act makes the county treasurer of the County of Solano the treasurer of the district and authorizes the board of trustees of the district to create and abolish revolving or other funds and to make transfers, with certain exceptions, of the funds of the district to any other fund

This bill would provide, as an alternative procedure to depositing the funds of the district in the county treasury, that the board of trustees, by resolution, may designate a bank or banks as a depository of any or all of the district funds and appoint a finance officer in accordance with prescribed requirements

Ch 306 (SB 439) Cusanovich Counties contracts

Existing law, with certain prescribed exceptions, authorizes the board of supervisors of a county to delegate to the county administrative officer or county executive officer the power to enter into and execute on behalf of the county any contracts of up to $2,500 in amount for purposes previously approved by the board of supervisors, and subject to their ratification

This bill raises such dollar limit to $5,000

Ch 307 (SB 509) Cusanovich Mobilehome parks rentals permits

Under existing law, a mobilehome park is any area or tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation A valid permit issued by the Department of Housing and Community Development or any city, county, or city and county which has assumed responsibility for the enforcement of the mobilehome parks law is required under the mobilehome parks law before any person is able to operate, occupy, rent, lease, sublease, let out, or hire out for occupancy any lot in a mobilehome park

This bill would exempt the owner of a mobilehome who is not a mobilehome park operator and who rents or leases the land upon which the mobilehome is located, subject to lawful covenants and conditions of the lease or rental agreement for such land, from any mobilehome parks law permit or license requirements, when such owner rents, leases, subleases, lets out, or hires out for occupancy the mobilehome and land upon which the mobilehome is located

Ch 308 (SB 520) Petris Small business procurement and contracts

Under existing law, for the purposes of the Small Business Procurement and Contract Act, the term "small business" is defined to mean a business which is independently owned and operated, and which is not dominant in its field of operation This bill would define the term to include only such businesses in which the principal office is located in California, and the officers are domiciled in California

Ch 309 (SB 536) Moscone Jails· time credit.

Existing law authorizes the deduction of 5 days' time as credit for work and another 5 days for good behavior for each month of confinement in a county or city jail, industrial farm or road camp

This bill would include all days of custody from the date of arrest in the time against which credit may be given, and would require the granting of one day's credit as a deduction for each full one-fifth of a month of confinement

This bill would take effect immediately as an urgency statute

Ch 310 (SB 359) Smith Ryan Act fifth year of study

The Ryan Act minimum requirements for a teaching credential, except for designated subjects, include a fifth year of study, to be completed within 5 years of the first employment of the certificated employee The Ryan Act defines, for purposes of teacher preparation and licensing, "fifth year" as a full academic year, or its equivalent, at the postgraduate level taken at an approved college or university and authorizes issuance of preliminary credentials pending completion of any examination requirement by its applicant within a specified time period

This bill would change the starting point for the required fifth year of study from the first employment of the certificated employee to the date of issuance of the preliminary credential This bill would delete from the definition of "fifth year" the requirement that such study be at the postgraduate level and, instead, would require that such study be after completion of a baccalaureate program

Ch 311 (SB 625) Collier Judges election

Existing law specifies various procedures for the election of the first judge or judges of a newly established justice or municipal court Such procedures require that judges of a superseded existing municipal or justice court shall, if eligible, become the judges of the new municipal or justice court for a specified period until the election or appointment and qualification of their successors In such a subsequent election, only eligible judges of courts to be superseded may appear on the ballot and be elected.

This bill would require that, notwithstanding these provisions, in such an election to create by consolidation, annexation, or other action a judicial district having in excess of 40,000 residents in Shasta County, where the end of the superseded justice court judgeship term runs concurrently, with the election, any otherwise qualified person may be a candidate for the new municipal court judgeship.

Ch 312 (SB 734) Moscone Wages. penalties for nonpayment

The existing law requires an employer, in case of a dispute over wages, to pay, without condition, all wages conceded by him to be due, leaving the employee his other remedies as to any balance claimed

This bill would, in addition, require any employer having the ability to pay who willfully fails to pay wages within 10 days after notice that such wages have been determined by the Labor Commissioner to be wages that are due, to pay treble the amount of any damages owing to the employee as a result of such failure to pay, in addition to any other penalties

Ch 313 (SB 810) Dills State lands mineral collecting

Existing law does not specifically authorize the State Lands Commission to prescribe rules and regulations for the noncommercial hobby collection of minerals from state lands

This bill would specifically authorize the commission to prescribe such rules and regulations as are in the best interests of the state The bill would provide that such provisions shall not prevent other state agencies from setting more definitive limits on such collecting on lands over which they have a proprietary interest

Ch 314 (SB 1055) Moscone State of California. settlement of claim with Nicholas B Stillbach

The existing law makes no express provision appropriating money for the purpose of settling the claim of Nicholas B Stillbach against the State of California.

This bill would appropriate $500,000 from the General Fund to the Department of Justice for the purpose of settling the claim of Nicholas B. Stillbach against the State of California

[This bill would take effect immediately as an urgency statute.] *

Ch. 315 (SB 1225) Moscone Appropriations: Department of Justice

This bill appropriates $337,500 from the General Fund to the Department of Justice to pay the claim of Chester LeVern Ivory against the State of California

This bill would take effect immediately as an urgency statute

Ch 316 (SB 811) Dills State lands reservation of minerals

(1) Under existing law, any state agency that sells lands acquired in certain ways, other than tax-deeded lands, may reserve specified mineral deposits

This bill would permit the disposal of such mineral deposits only with the approval of the State Lands Commission and would specify that such deposits include, in addition to those presently specified, nonhydrocarbon and geothermal gases, alumina, silica, fossils of all geological ages, metals and their compounds, alkali, alkali earth, sand, clay, gravel, salts and mineral waters, uranium, trona, and geothermal resources

(2) Existing law specifies those mineral deposits in state lands which are reserved to the state

This bill would specify that such deposits include, in addition to those presently specified, nonhydrocarbon and geothermal gases, uranium, trona, and geothermal resources

Ch 317 (SB 1158) Marks Dentistry

Existing law provides that foreign-trained dental graduates meeting specified requirements are eligible for examination by the Board of Dental Examiners. The law specifies that such examination of foreign-trained dental graduates is to include (1) an examination in writing, (2) a demonstration of the applicant's judgment in diagnosis-treatment planning, and (3) a demonstration of the applicant's skill in prosthetic dentistry and in restoration technique and operative dentistry The law requires the board to waive the written examination for any person who has passed the National Board of Dental Examiners' examination and provides for an exemption, for a period of two years, from reexamination in those subjects in which an applicant has achieved a passing grade

This bill would revise the examination of such foreign-trained applicants to provide that (1) the written examination may be the National Board of Dental Examiners' examination and an applicant who passes such examination or the California written examination is to be permanently exempt from retaking such examination, (2) an applicant must demonstrate his skill in restorative technique and achieve a specified grade before being deemed to have passed such examination, and passage of the entire restorative technique examination permanently exempts an applicant from retaking such examination, (3) an applicant is to be eligible to take and shall pass the examination in diagnosis-treatment planning, prosthetic dentistry, and operative dentistry in the manner in which other applicants are examined after achieving a passing grade in the written and the restorative technique examination, and (4) all exemptions previously obtained by foreign-trained applicants are to remain in effect for two years after the effective date of the act

The bill provides that it is to take immediate effect as an urgency statute

Ch 318 (AB 73) McAlister Physician-patient privilege.

Under existing law, the physician-patient privilege gives a patient, whether or not a party to the proceeding, a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the patient and physician relating to his medical condition An exception to the physician-patient privilege now exists in any proceeding to recover damages on account of conduct of the patient which constitutes a crime

This bill would provide instead a general exception to the privilege to permit the disclosure of physician-patient communications relevant to an issue concerning the condition of the patient in a proceeding to recover damages on account of the conduct of the patient if good cause is shown for the disclosure.

Ch. 319 (AB 463) Burke Transportation of passengers shared expenses

Presently, it is a misdemeanor, with certain exceptions, for any person to provide transportation of persons on an individual fare basis over public highways without authorization of the Public Utilities Commission or the Interstate Commerce Commission Among the exceptions is an exception for the transportation by a person of passengers other than members of the person's family to or from their place of employment Under present law, the term "passenger stage corporation," is defined for purposes of regulation by the Public Utilities Commission, to include a person or corporation engaged as a common carrier of passengers for compensation over the public highways between fixed termini or over a regular route except for operations within a single city or city and county, and except for certain transportation of pupils

This bill would specify that the exception permitting a person to transport passengers to or from their place of employment applies only when such transportation is furnished on a shared expense basis in the person's own vehicle It would specifically exclude from the definition of the term "passenger stage corporation" for the purposes of such regulation a person furnishing transportation of passengers other than members of the person's family to or from their place of employment on a shared expense basis in the person's own vehicle

Ch 320 (AB 880) Mobley Districts. board of directors: compensation

(1) Existing law permits the board of directors of a community service district to authorize each director to receive compensation not exceeding $25 for each board meeting attended not exceeding 2 meetings per calendar month, and not exceeding $25 for each day but not exceeding 5 days in any calendar month, plus actual traveling and other expenses, in performing duties for the district other than attending board meetings.

This bill would instead permit the board of directors of such a district to authorize each director to receive compensation not exceeding $50 for each meeting attended by him or for each day's service rendered as a director by request of the board, not exceeding 6 days in any calendar month, together with any expenses in the performance of his duties required or authorized by the board

(2) Various existing laws (the Irrigation District Law, the County Water District Law, the California Water District Law, the California Water Storage District Law, the Municipal Water District Law of 1911, the Water Conservation District Law of 1931, the Water Replenishment District Act, the Storm Water District Act of 1909, the Water Conservation Act of 1927, the Desert Water Agency Law and the laws governing the Mojave Water Agency and Crestline-Lake Arrowhead Water Agency) provide for compensation for a director not exceeding $50 for each meeting attended by him or for each day's service rendered as a director by request of the board, not exceeding 6 days in any calendar month, together with any expenses incidental thereto

This bill would revise the provisions as to reimbursement for expenses to provide for reimbursement for any expenses incurred in the performance of his duties required or authorized by the board, eliminating the implication that such reimbursement is subject to the 6-day limitation as to compensation.

Ch. 321 (AB 909) Z'berg Wages bonds

The existing law provides that if a bonding company issuing a bond to secure the payment of wages for labor, or the surety on such a bond, willfully fails to pay any verified claim for wages, the claim for wages shall continue as a penalty against the bonding company or surety for up to 30 days, provided that the bonds are labor or material bonds filed pursuant to the State Contract Act under a contract awarded by, and entered into with, the state

This bill would delete the provision requiring that the bonds be filed pursuant to the State Contract Act under a contract with the state, and apply this law only to payment bonds filed by an original contractor to whom a contract is awarded by a public agency involving an expenditure in excess of $10,000 for any public work

Ch 322 (AB 951) Papan Transit districts. railroad subsidies

(1) The Mills-Alquist-Deddeh Act authorizes transit districts and other operators to file claims with the transportation planning agencies for funds for the support of public transportation system

This bill would authorize transit districts to file claims with the transportation planning agencies for payments to be made to a railroad corporation engaged in the transportation of persons for operating losses incurred in such transportation of persons between points within the districts

(2) The Mills-Alquist-Deddeh Act requires that at least 15% of the funds received by an operator under that act (75% if the operator is a city and county with a population of 700,000 or more on January 1, 1975) for public transportation purposes be used for capital expenditures

The bill would make the above capital expenditure restriction inapplicable to the funds received by a transit district under that act for payment to a railroad corporation as would be authorized in (1)

(3) The San Mateo County Transit District Act does not authorize the San Mateo County Transit District to make payments to a railroad corporation for losses it incurred in providing such transportation.

The bill would authorize this transit district to make such payments from funds received as would be authorized in (1).

Ch 323 (AB 2188) Knox Tax preparers expiration of registration

Existing law provides that every registration under the Tax Preparers Act shall cease to be valid on June 30, unless the tax preparer has paid a renewal fee.

This bill would change such expiration date from June 30 to October 31st.

Ch 324 (AB 232) Leroy F Greene Tips and gratuities

The existing law prohibits an employer from receiving or deducting from employee wages any part of a gratuity given to or left for an employee by a patron, except to the extent permitted by regulations of the Industrial Welfare Commission, provided that a notice is conspicuously placed in the place of business stating the extent to which the employee is required to credit gratuities against wages

This bill would eliminate the authority of the Industrial Welfare Commission to permit an employer to receive or deduct from employee wages any part of a gratuity given to or left for an employee by a patron.

Ch 325 (SB 542) Carpenter Drivers' licenses and identification cards. anatomical donor designation

Existing state law does not require drivers' licenses or identification cards issued by the Department of Motor Vehicles to contain a space in which the holder thereof may indicate his willingness and intent to make an anatomical gift

This bill would require that with every driver's license and identification card issued on and after July 1, 1976, the department provide a sticker which may be affixed to the back of the license or card by which the holder thereof may indicate his willingness and intent to make an anatomical gift pursuant to specified provisions of the Health and Safety Code. The bill would also require that the sticker provided contain a statement sufficient in its terms to meet the requirements of the Uniform Anatomical Gift Act, and specify the method for making the statement of intent to make the gift effective

The bill would specify that the gift shall become effective upon death.

The bill would provide that no public entity or employee shall be liable for any loss, detriment, or injury resulting from false or inaccurate information contained in the provided sticker

The bill would also specify that funds necessary for the costs of administering the provisions of the bill related to anatomical gift stickers shall be appropriated from the General Fund to the Department of Motor Vehicles

Ch 326 (AB 624) Keysor Teachers organizational dues

Under current law, the governing board of a school district may, with or without charge, make a deduction for organizational dues from the salary of a certificated employee of the district if it has been requested to do so in a revocable written authoriza-

tion by the employee

This bill would require, rather than permit, such deductions and would require that any revocation of a written authorization to make such deductions be in writing and be effective commencing with the next pay period.

Ch. 327 (AB 222) Lewis Healing arts

The law presently authorizes the Board of Medical Examiners to issue a physician's and surgeon's certificate, which permits the use of designation "M D," to any person who, among other things, completes a course of instruction in a medical school and successfully passes a written and practical examination

This bill would require the board to issue such a physician's and surgeon's certificate without a written examination, to a person who, among other specified requirements, has completed a course of training in an osteopathic school, is the holder of a medical degree, and is licensed in California as an osteopathic physician and surgeon. The bill would require such person to pass an oral examination given by the board as specified

The bill would be operative until January 15, 1976

Ch. 328 (AB 258) Badham. State marine mammal: whale

The existing law provides for certain state emblems, including the California Grizzly Bear as the state animal

This bill would, in addition, specify that the California gray whale (Eschrichtius robustus) is the State Marine Mammal

Ch. 329 (SB 296) Cusanovich. Contractor's licenses.

Under existing law there is no requirement that the registrar of contractors take action to cancel a voluntarily surrendered contractor's license

This bill requires the registrar of contractors to order canceled a voluntarily surrendered contractor's license, provides that no refund of any fee will be made upon such surrender, and requires that all fees be paid and all qualifications and requirements for obtaining an original license be met prior to reinstatement of a canceled license

Existing law, among other things, specifies that knowingly combining or conspiring with an unlicensed person with intent to evade the Contractor's License Law constitutes a cause for disciplinary action

This bill deletes the requirement that action constituting a combination or conspiracy with intent to evade such law knowingly be taken and makes any action whereby a licensee is a participant in such combination or conspiracy a cause for disciplinary action

Under existing law the registrar of contractors may issue retroactively the license of a contractor who failed to renew such license upon a certain showing made by petition.

This bill revises such provision to authorize the registrar to renew such license retroactively to the first day of the renewal period within which the contractor files an application for renewal, but only for a period not to exceed six months from the due date of such renewal, upon such certain showing made by petition.

Existing law specifies that knowingly entering into a contract with an unlicensed contractor is a cause for disciplinary action

This bill deletes the requirement that such contract be knowingly entered into and makes entering into such contract in any manner a cause for disciplinary action

Ch. 330 (SB 906) Berryhill Court reporters' compensation.

Existing law prescribes a fee of $55 per day for contested cases to be received by court reporters in counties where compensation received by court reporters is not otherwise specifically set by statute.

This bill would authorize the San Joaquin County Board of Supervisors, by ordinance, to prescribe a higher rate of compensation for superior court reporters

Ch. 331 (AB 105) Arnett. Special education: allowances

Existing law requires school districts to make specified payments towards the tuition of certain exceptional pupils (i.e., physically handicapped, mentally or severely mentally retarded, or multiply handicapped), and authorizes such payments towards the tuition of educationally handicapped pupils, who are enrolled in a public or private nonsectarian school, institution, or agency that offers the special education facilities and services that are made necessary by the pupils' disabilities when appropriate special educational

facilities and service are not available or cannot be reasonably provided

This bill would make a technical change in provisions dealing with computations and would increase the authorized state allowances for educationally handicapped pupils who are diagnosed as being autistic by providing funding for the special education of such educationally handicapped pupils conducted for days in excess of the number of days the regular day schools of the district are convened

Ch 332 (AB 181) Berman Credit married and unmarried persons

Existing law prohibits the denial of credit to a married woman in her own name if her uncommingled earnings or separate property are such that a man possessing the same amount of property or earnings would receive credit

This bill would extend the prohibition to a denial of credit to any person regardless of his or her marital status and would prohibit an offer of credit to a person regardless of his or her marital status on terms less favorable than those offered to a person of the opposite sex seeking the same type of credit and managing and controlling the same amount of earnings and other property

Existing law prohibits the denial of credit to an unmarried woman if her property or earnings are such that a man possessing the same amount of property or earnings would receive credit

This bill would extend the prohibition of the denial of credit to an unmarried person if his or her property or earnings are such that a married person managing and controlling the same amount of earnings and other property would receive credit

This bill would also provide that the term "earnings" shall include, but not be limited to, spousal and child support payments, pensions, social security, disability or survivorship benefits, and any other source of moneys received

Existing law requires a credit reporting agency, upon the written request of a married person, to identify within the report delivered by the agency both the credit history of each spouse and of their joint accounts, if such information is on file with the agency

This bill would, instead, require a credit reporting agency to identify separately within its records of the reports it delivers, the credit histories of the person applying for credit, and his or her joint accounts, if applicable, to the extent such information is on file with the credit reporting agency

Existing law permits the utilization of any relevant factors or methods, other than sex, in determining whether to extend credit to a woman

This bill would extend this authorization to the determination of whether to extend credit to any person provided such factors or methods are applicable to persons regardless of sex or marital status This bill would authorize inquiring into and utilizing an evaluation of the obligations for which community property is liable for the sole purpose of determining the creditor's rights and remedies with respect to the particular extension of credit, provided that such evaluation is made for all applicants regardless of their sex This bill would require that credit applications for the obtainment of money, goods, labor, or services clearly specify that the applicant for credit, if married, may apply for a separate or joint account

Existing law entitles a woman suffering any damage as a result of a willful violation of the provisions regulating the denial of credit to women to bring an action for actual damages and $500 in addition thereto for each willful violation and to petition the court to order any person violating specified provisions regarding the extension of credit to women to extend credit upon such terms, conditions, and standards as the person normally utilizes in granting credit to males

This bill would, instead, entitle any person denied credit or offered credit in violation of the provisions of the bill regarding the lesser of extension of credit, to bring an action, individually or as a representative of a class, within two years to recover for actual damages and to petition the court for the award of costs and reasonable attorney's fees, which the court is required to award if the action is successful This bill would also provide for the award of exemplary damages not to exceed $10,000, in the case of an individual action, and not to exceed the lesser of $100,000 or 1% of the creditor's net worth, in the case of a class action This bill would specify certain factors to be considered by the court in awarding exemplary damages in a class action

This bill also would permit enjoining any entity violating or proposing to violate the provisions regarding credit extension It would permit prosecution of the injunction by

specified public legal officers in the name of the people of the state and would permit them to petition the court for the award of costs and reasonable attorney's fees, which the court is required to award if the action is successful Finally, this bill would make any person who intentionally violates any such injunction liable for a civil penalty of $2,500 for each day that such person violates the injunction and would provide for the manner of apportioning the civil penalty between the state, county, and city depending on which public legal officer brings the action

Ch. 333 (AB 261) Bannai. Public Employees' Retirement System· war relocation leave.

The Public Employees' Retirement Law authorizes receipt of service credit by state employees for time during which they were absent from service on a "war relocation leave" if both employer and employee contributions and interest are paid by the member.

This bill would delete the requirement for payment of the employer portion of contributions by the state employee. The bill would permit any member who paid such contributions prior to January 1, 1976, to receive a refund by applying prior to April 1, 1976.

Ch. 334 (AB 428) Ingalls Wrongful death actions.

The law now provides that a wrongful death action for the death of an adult may be maintained by the decedent's heirs, dependent parents, who are not heirs, or personal representatives on their behalf. The law also provides that a wrongful death action for the death of a minor may be maintained by the same persons if the minor decedent is survived by a spouse, a child or children, or a parent

This bill would eliminate the requirement of specified survivors as a precondition to maintaining a wrongful death action for a minor's death and would thereby treat qualified survivors of minor and adult decedents alike for purposes of maintaining wrongful death actions The bill would also define "heirs" to include the dependent stepchildren, dependent putative spouse of the decedent, and the children of the putative spouse dependent on the decedent and to retain dependent parents among those persons who may maintain, or have maintained by the decedent's personal representatives on their behalf, a wrongful death action for any decedent It also makes a statement of legislative intent regarding the above changes and a further statement of legislative intent that the change regarding a dependent stepchild is to alter the rule of law enunciated in the decision of the California Supreme Court in Steed v Imperial Air Lines, 12 Cal 3d 115, to the effect that existing law does not permit a dependent stepchild to maintain a wrongful death action

Ch. 335 (AB 457) Leroy F. Greene School finance: building aid, year-around school operations

(1) Under existing law, school districts which maintain year-around school operations are permitted to receive increased building cost allowances under prescribed conditions

This bill would delete provision which requires the State Controller to add 1/20th of the unpaid amount of increased apportionments, if any, to the annual repayment amount if in any year a school district fails to conduct such year-around school operations

This bill would require the Director of General Services, whenever a school district has received increased building cost allowances for purposes of maintaining year-around school operations and fails to conduct such operations in any fiscal year subsequent to the completion of facilities, to deduct an amount from the eligible bonded service of the district equal to 1/20th of the amount of such increased cost allowance plus interest thereon; however, not more than 7/20ths of such amount may be deducted in subsequent fiscal years

(2) Senate Bill No 220, as enacted, makes various changes in the amount of state support and the manner of computation of revenue limits of school districts providing instruction in kindergarten and grades 1 to 12, inclusive, commencing with the 1975–76 fiscal year.

This bill would provide that the changes made by such bill shall be deemed operative for the entire 1975–76 fiscal year and would not impair or otherwise affect the validity of any school district budget proceedings

This bill would take effect immediately, as an urgency statute

Ch 336 (AB 616) Badham Municipal advisory councils

Existing law permits the board of supervisors of any county to establish by resolution a municipal advisory council for any unincorporated area in the county

This bill would require such resolution by the board of supervisors to provide for whether the establishment of the council should be submitted to the voters and for the method of such submission

Ch. 337 (AB 617) Badham Counties revolving funds for county officers

Existing law permits the board of supervisors to establish a revolving fund for the use of any "officer of the county", defined to include any person in charge of any office, department, service, or institution of the county, except a deputy or assistant of a county officer

This bill would eliminate the exception regarding deputies or assistants and expand the definition of a county officer to include any person in charge of a division or branch of any office, department, service, or institution of the county.

Ch 338 (AB 640) Hayden. Variable interest rate loans

Existing law provides that no increase in interest provided for in any provision for a variable interest rate contained in a security document shall be valid unless the document contains a provision that the change in the interest rate shall not exceed one-fourth of 1 percent in any semiannual period

This bill adds a further limitation to the foregoing, that the change in interest rate shall not result in a rate more than 2 5 percentage points greater than the rate for the first loan payment due after the closing of the loan

Under existing law amortized loans made by commercial banks and savings and loan associations secured by improved real property may be made for a term of not more than 30 years

This bill provides that where there is an increase in interest rates under the provisions of a variable interest rate loan, such loan term may be extended at the option of the borrower for such additional term as may be required to pay the amortized loan in full without increasing the existing monthly payments, not to exceed a maximum term of 40 years

Ch 339 (AB 790) MacDonald Health· rules and regulations· approval

Under existing law, the State Department of Health is generally authorized to adopt and enforce rules and regulations for the execution of its duties and also specifically authorized or required to adopt rules and regulations on various subject matters

The adoption of rules and regulations by the state department with regards to state aid for local health administration requires consultation with and approval by the California Conference of Local Health Officers

This bill would require the state department to submit all of its rules and regulations on matters related to statutory responsibilities delegated to or enforced by local health departments, except emergency rules and regulations, to the California Conference on Local Health Officers for review and comment prior to adoption The state department, if it implements proposed rules and regulations contrary to the recommendations to the conference, would be required to make a public finding summarizing the reasons for acting contrary to such recommendations

Ch 340 (AB 1091) Keene Mendocino Headlands acquisition, development

The Collier-Keene State Hostel Facilities Act authorizes the Department of Parks and Recreation to provide hostel facilities in state park system units and to acquire land for, develop, and maintain recreational trails to and between units of the state park system The Budget Act of 1974 appropriated $75,000 for Mendocino Headlands land acquisition and $600,000 for Sonoma Coast State Beach land acquisition pursuant to the Collier-Keene State Hostel Facilities Act

This bill would provide that, of such $600,000 appropriation for Sonoma Coast State Beach land acquisition, $200,000 shall not be available for expenditure for such purpose and would reappropriate that sum to the department for Mendocino Headlands acquisition, in augmentation of the Budget Act appropriation, and for Mendocino Headlands development, provided, that such funds shall not be expended on the purchase price of

any real property until the State Public Works Board has determined that the procedures and criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services, and all material relating to implied dedication shall be retained in the files of the Department of General Services and shall be available for postaudit on a selective basis by the Attorney General

The bill would require such acquisition to be subject to the provisions of the Property Acquisition Law

The bill would take effect immediately as an urgency statute

Ch 341 (AB 1118) Burke Counties gifts, bequests, or devises to acceptance

Existing law permits a county board of supervisors to delegate to a county official or employee the power to accept any gift, bequest, or devise made to or in favor of the county, if the value does not exceed $100

This bill would raise the value limitation for such purposes to $2,500

Ch 342 (AB 1141) Duffy Health manpower pilot projects.

Under existing law, the State Department of Health is authorized to approve experimental health manpower pilot projects sponsored by nonprofit educational institutions or nonprofit community hospitals or clinics for development of new kinds and combinations of health care delivery systems Among other procedures, the department is required to seek the advice of professional societies prior to designating approved projects

This bill would require that the department also seek the advice of appropriate healing arts licensing boards prior to designating approved projects

Existing law provides that trainees may be utilized in such projects and provides a system for their supervision.

This bill would provide that the department shall not approve a project lasting more than 2 training cycles plus a preceptorship of more than 24 months unless the department determines that the project is likely to contribute substantially to the availability of high-quality health services in the state or a region thereof

Ch 343 (AB 1270) Fenton Solicitations

Under existing law, it is unlawful for a person to solicit a sale at the residence of a prospective buyer either in person or by means of telephone without making certain specified disclosures, including the person's identity, trade name, and the kind of goods or services being offered for sale Such requirements apply only where the buyer enters into an agreement to purchase goods or services.

This bill deletes the provision which limits the application of such requirements to instances where a buyer enters into an agreement to purchase goods or services

Ch. 344 (AB 1278) Knox State-mandated local costs reimbursement

Chapter 1392 of the Statutes of 1974 established new procedures for the creation of new counties and contained a disclaimer provision that stated that there are no state-mandated local costs in the act that require reimbursement because there are no duties, obligations, or responsibilities imposed on local entities in 1974–75 and costs in subsequent years that require reimbursement can be handled in the regular budget process

This bill would amend such disclaimer provision to state that there may be costs in the act in 1975–76 and subsequent years for which the method of payment is not otherwise prescribed by the provisions of such act which may be state-mandated costs and require reimbursement

Ch 345 (AB 1279) Knox State-mandated local costs reimbursement.

Chapter 1393 of the Statutes of 1974 established procedures for the alteration of boundary lines between counties and contained a disclaimer provision that stated that there are no state-mandated local costs in the act that require reimbursement because there are no duties, obligations, or responsibilities imposed on local entities in the 1974–75 fiscal year and costs in subsequent years that require reimbursement can be handled in the regular budget process.

This bill would amend such disclaimer provision to state that there may be costs in the act in 1975–76 and subsequent years for which the method of payment is not otherwise prescribed by the provisions of such act which may be state-mandated costs and require reimbursement

Ch 346 (AB 1280) Knox. State-mandated local costs· reimbursement

Chapter 1391 of the Statutes of 1974 established the procedures for the consolidation of two or more counties and contained a disclaimer provision that stated that there are no state-mandated local costs in the act that require reimbursement because there are no duties, obligations, or responsibilities imposed on local entities in 1974–75 and costs in subsequent years that require reimbursement can be handled in the regular budget process

This bill would amend such disclaimer provision to state that there may be costs in the act in 1975–76 and subsequent years for which the method of payment is not otherwise prescribed by the provisions of such act which may be state-mandated costs and require reimbursement

Ch 347 (AB 1337) Rosenthal Public social services

Under the current in-home supportive services for severely impaired individuals provisions of the state supplementary program, the county welfare department is required to review the provisions of such services on a quarterly basis

This bill requires such review at least every 6 months.

Ch 348 (AB 1362) Vasconcellos CSUC advisory boards

Existing law exempts the advisory board established for each campus of the California State University and Colleges to consult and advise with the president of the campus from statutory provisions requiring the meetings of most state agencies to be public, with certain limited exceptions

This bill would remove such exemption

Ch 349 (AB 1363) Craven Distribution of fines and forfeitures

Present law prescribes the distribution of funds derived from fines and forfeitures collected as a result of a conviction or forfeiture of bail within the county The scheme of distribution includes, among others, only certain specified school districts within each county

This bill would provide that once a month, out of the funds derived from fines or forfeitures acquired as a result of parking violations on any school district leased or owned property, and cited by school security patrols, 50 percent of such funds must be transferred to the general fund of the specific school district wherein the violation occurred, and the remaining 50 percent to be transferred to the general fund of the county

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 350 (AB 1396) Craven County jail. work payment.

Under existing law the board of supervisors may provide that each prisoner confined in or committed to a county jail shall be credited with a sum not to exceed $0 50 for each 8 hours of work done by him in such county jail

This bill would raise such amount to $2.00 for each 8 hours.

Ch. 351 (SB 988) Schrade Alcoholic beverages schedules of resale prices

Existing law requires each person outside the state who owns or controls a brand of wine resold to retailers or consumers in this state to designate one importer to make and file a fair trade contract and schedule of resale prices for the brand.

This bill would authorize each importer in this state to file his own selling prices to retailers for the same brand of wine when there are two or more persons without the state selling the same brand of wine to such importers

Ch 352 (AB 1408) Perino Lodi and Ventura unified school districts: territory transfers validations

Existing law prescribes procedures for the transfer of territory between school districts

This bill would validate a particular transfer of territory from the Lodi Unified School District of San Joaquin County to the Holt Union Elementary School District of San Joaquin County and, by operation of law, to the Tracy Joint Union High School District and a particular transfer of territory from the Ventura Unified School District of Ventura

County to the Ojai Unified School District of Ventura County
This bill would take effect immediately, as an urgency statute

Ch 353 (AB 1466) Bannai Youth Authority
Under existing law the Director of the Youth Authority may deposit or invest funds of specified wards committed to the authority in his possession in trust if he obtains the consent of designated persons thereto
This bill would provide that such funds may be released for any purpose when authorized by the ward It would also provide that if the sum held in trust for a ward is over $500, the amount over $500 may be expended by the director pursuant to court order, without authorization of the ward thereto

Ch 354 (AB 1512) Hayden Motor vehicles driver's license suspensions
Existing law requires the Department of Motor Vehicles to suspend the privilege of any person to operate a motor vehicle and the registration cards and license plates for all motor vehicles registered in his name, who has failed for 30 days to satisfy a judgment against him for more than $250 for property damage or any amount for bodily injury or death to any person arising from the operation of a motor vehicle upon a highway
This bill would delete such requirement with respect to the suspension of registration cards and license plates and would make a conforming change
This bill would take effect immediately as an urgency statute

Ch. 355 (AB 1635) Foran Explosives black powder
Under existing law, a licensed pyrotechnic operator is given an exemption from permit requirements of provisions relating to explosives which allows the pyrotechnic operator to possess or use 1 pound or less of black powder in the pursuit of his lawful business if no gift, delivery, or other disposition is made to anyone except another licensed pyrotechnic operator
This bill would increase the pyrotechnic operator's exemption from 1 to 5 pounds

Ch 356 (AB 1662) Knox City records. conditions for destruction
The existing law prohibits a city from destruction of records that are less than five years old and other enumerated types of records
This bill would, instead, authorize the destruction of city records that are at least two years old if certain conditions under the existing law are satisfied and they are not within the other enumerated types of records which may not be destroyed

Ch 357 (AB 1708) Maddy Bail
Existing law provides for special proceedings in narcotics and drug abuse cases which divert defendants from the regular court proceedings into drug education, treatment, and rehabilitation
This bill provides that, at the time a defendant's case is diverted, any bail or deposit thereof on file or in behalf of the defendant shall be exonerated on order of the court

Ch 358 (AB 1800) Ingalls Leased vehicles information re lessees
Existing law permits, but does not require, in the case of leased vehicles, the names of the lessor and lessee to be shown on the registration card.
This bill would require the lessor of a vehicle to furnish the name and address of the lessee of a vehicle, if the name does not show on the registration card, to the California Highway Patrol and specified law enforcement personnel who are conducting an investigation of a public offense.

Ch 359 (AB 1884) Calvo Bay Area Air Pollution Control District permit fee schedule
The Board of Directors of the Bay Area Air Pollution Control District is not presently authorized by statute to adopt a schedule of fees for the issuance of permits for the construction, alteration, or use of facilities which cause or affect the emission of air contaminants
This bill would permit the board of that district to adopt a schedule of fees for the issuance of any permits by the district for the construction, alteration, or use of any article, machine, equipment, or other contrivance, the use of which may cause or affect

the emission of air contaminants The bill would further require that such fees not exceed the cost of issuing permits and conducting pertinent inspections and that every person applying for a permit pay the appropriate fee prescribed by the schedule

Ch 360 (AB 2035) Lancaster Bonds rate of interest Los Angeles County Flood Control District

Under existing provisions of state law, specifically, the Government Code, local agencies, including local flood control districts, may sell bonds which yield up to 8% interest per year

This bill would revise provisions of the Los Angeles County Flood Control Act to reflect such existing provisions by specifically providing that the Los Angeles Flood Control District may sell bonds which yield up to 8% interest per year

Ch 361 (AB 2045) Boatwright Property taxation technical errors validation

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

This bill would validate such actions occurring after the effective date of such legislation enacted at the 1974 Regular Session

This bill would take effect immediately as an urgency statute

Ch 362 (AB 2127) Knox Commodities

Present law provides that the definition of commodity exchange includes coin and bullion dealers. A coin and bullion dealer is a commodity exchange whose business is limited to the sale or purchase of coins or bullion or commodity contracts relating to such purchase or sale

This bill would remove coin and bullion dealers from within the definition of a commodity exchange and would include such dealers within the definition of commodity broker

Present law provides that included within the definition of commodity exchange is any person other than a commodity broker providing or performing a function of clearing transactions in commodities for future delivery or effecting settlements of contracts for future delivery

This bill would provide that included within the definition of commodity exchange is any person other than a commodity broker providing or performing a function of clearing transactions in commodity contracts or effecting settlement of commodity contracts for and between members of the exchange

Present law defines commodity broker as any person engaged in soliciting, accepting or executing orders for the purchase or sale of commodities or commodity contracts on a commodity exchange or issued by a commodity option issuer

This bill would revise the definition of commodity broker to mean any person engaged in soliciting, accepting, or executing orders for the purchase or sale of commodities or commodity contracts whether for the broker's own account or for the account of others.

Present law authorizes the Commissioner of Corporations to issue a desist and refrain order against any person engaged in activity in which the commissioner determines should have a certificate or permit obtained pursuant to the code Such order is automatically rescinded after 15 days unless a hearing is held or the person consents to a longer period before the hearing

This bill would provide that the order issued by the commissioner would automatically rescind after 15 business days

Ch. 363 (SB 252) Smith Adoption

Under present law children may be relinquished for the purpose of placement for adoption to either public or licensed private adoption agencies Present law also provides that a public adoption agency may bring an action to free a child from parental custody and control

This bill would provide for the reimbursement of licensed private adoption agencies for the costs of placing a child for adoption that (a) is a hard-to-place child, (b) has been relinquished or freed from parental custody and control to a public adoption agency; and (c) has been placed with adoptive parents who are not eligible for fee reduction or other

subsidies under an aid for adoption program The reimbursement for each placement would be equal to the actual cost to the private adoption agency of the placement, less the amount of the private adoption agency's fee applicable to the adoptive parents The amount of such reimbursement is limited to $1,000 for any placement

This bill would also prohibit a private adoption agency from being reimbursed for the costs of placing a hard-to-place child under both its provisions and under another specified provision

The bill would also appropriate $64,000 from the General Fund for the purpose of the act

Ch 364 (SB 317) Nejedly Suisun Marsh boundary descriptions

The Nejedly-Bagley-Z'berg Suisun Marsh Preservation Act of 1974 specifies the boundaries of a buffer zone and a special study zone of the Suisun Marsh within which development is restricted and describes certain lands which may not be acquired by eminent domain

This bill would revise the boundaries of these zones and the description of such lands.

This bill would take effect immediately, as an urgency statute

Ch 365 (SB 355) Smith Subdivision Map Act sewers and drainage facilities

Existing law authorizes the imposition by local ordinance of a requirement for the payment of fees for purposes of defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas and of constructing planned sanitary sewer facilities for local sanitary sewer areas, subject to specified conditions One such condition is that the costs of the sanitary sewer or drainage facilities are based upon findings of the legislative body that construction will be required and that costs are fairly apportioned on the basis of benefits derived Such fees are required to be paid into a "planned local drainage facilities for local drainage facilities fund" and a "planned local sanitary sewer fund," respectively

A local [agency] * imposing fees pursuant to these provisions is authorized advance money from its general fund to pay the costs of constructing such facilities within a local drainage or sanitary sewer area and reimburse the general fund for such advances from the planned local drainage or sanitary sewer facilities fund for the local drainage or sanitary sewer area in which the drainage or sanitary sewer facilities were constructed

A local agency imposing such fees under existing law is also authorized to incur an indebtedness for the construction of drainage or sanitary sewer facilities within a local drainage or sanitary sewer area if the sole security for repayment of such indebtedness is moneys in the planned local drainage or sanitary sewer facilities fund

This bill would specify that the findings regarding construction and apportionment of cost of facilities be made by the legislative body which has adopted the local plan The bill would also specifically require that the fees imposed be paid to the local agencies which provide drainage or sanitary sewer facilities, and that such fees be deposited by such agencies into the "planned local drainage facilities fund " An agency requesting the imposition of fees, including an agency providing facilities, would be specifically included within the provisions regarding advance of funds Finally, any local agency receiving, rather than imposing, fees, would be expressly included within the provisions of existing law regarding incurring of indebtedness

Existing law does not specifically provide for the disposition of surplus funds remaining after completion of local drainage or sewer facilities in connection with the construction of new subdivisions

This bill would require that such surplus be utilized by the legislative body of a city or county for one or more of the following transfer to the general fund of the county or city, provided that the amount of such transfer does not exceed 5% of the total amount expended from the particular fund, the construction of additional or modified facilities within the particular drainage or sanitary sewer area, or as a refund to local property owners pursuant to procedures specified in the bill

This bill would provide that no appropriation is made, nor obligation created for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required by this bill for the reasons specified

Ch 366 (SB 459) Rodda CSUC nonacademic employees

Existing law provides that any nonacademic employee of the state university and colleges who is promoted before completing the probationary period in a lower class shall earn permanent status in the lower class at the end of one year from the original appointment date in the lower class or shall earn credit toward permanent status in the lower class for the period of time he performed satisfactorily in the lower class, provided the duties in the higher class are similar to the duties in the lower class.

This bill would (1) clarify that an employee who is returned to such lower class without having become permanent in the new position shall receive credit toward permanent status in the lower class for the period of time he had previously performed satisfactorily in the lower class, (2) require that the duties of the two classes are substantially similar, and (3) require that the employee's performance in both classes has been satisfactory

Ch 367 (SB 732) Nejedly Districts competitive bid contracts

The existing law requires competitive bidding on all construction contracts in excess of $3,000 for community service districts, $3,500 for sanitary districts, and $4,500 for county sanitation districts, respectively

This bill would require competitive bidding on all contracts in excess of $5,000 for community service, sanitary, and county sanitation districts

Ch 368 (SB 953) Dills Fees sheriffs

Existing law specifies fees for service of various documents, and related matters by sheriffs

This bill would generally increase the existing fees for service of various documents and related matters, but would eliminate the fee for mileage, and decrease the fees for copies for various documents

Ch 369 (AB 1062) MacDonald Veterinarians duty to report

Existing law does not require veterinarians to report to appropriate law enforcement authorities injuries or deaths sustained by dogs when a veterinarian has reasonable cause to believe that such injury or death was caused by certain acts

This bill would require, whenever a veterinarian has reasonable cause to believe that a dog has been injured or killed through participation in a staged dogfight, as prescribed in a certain provision of the Penal Code involving staged animal fights, to promptly report the same to appropriate law enforcement authorities

This bill also would provide that no veterinarian shall incur any civil liability as a result of any such report

This bill provides that neither an appropriation is made nor an obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this act for special reasons

Ch 370 (AB 1771) Mori Imprisonment

Under existing law persons under the control of the Youth Authority may be transferred to and confined to any of the designated institutions under the jurisdiction of the Department of Corrections under specified conditions

This bill would continue to permit any person under the control of the Youth Authority to be transferred to and confined in the California Rehabilitation Center; only such persons convicted of a public offense may be transferred to and confined in the other institutions designated under present law

Ch 371 (SB 1243) Gregorio Compulsory education exemption· revenue limits

Under existing law, persons 16 and 17 years of age who have not graduated from high school and do not attend school full time are required to attend special continuation education classes unless otherwise exempted

Existing law provides for the exemption of persons who demonstrate proficiency in basic subject matter skills and have such proficiency verified by school districts under criteria established by the Department of Education Provision is made for such law to become operative September 1, 1975, or at such earlier time as may be fixed by the Department of Education

Existing law requires the Department of Education to develop standards for verifying

competency in basic skills and make such standards available to school districts no later than January 1, 1975

This bill would delete the January 1, 1975 deadline for development of standards, and would delete the September 1, 1975 operative date of provisions providing for verification of competency

This bill would permit the collection of a fee, not to exceed $10, for each examination application for a certificate of proficiency, and would make provision for such fees to be used to reimburse the Department of Education for administrative costs of such examinations Proceeds of such fees in excess of the actual costs of administration would be transferred to the General Fund

This bill would appropriate $243,000, or so much thereof as may be necessary, from the General Fund to the Department of Education as a loan, with interest, to be allocated by the Department of Finance for the purposes of this bill

Under current law, the voters of a school district may vote to increase the revenue limit of the school district

This bill would specifically provide that when the revenue limit is thus increased, the increase shall be added to the revenue limit otherwise prescribed by state law

This bill would take effect immediately as an urgency statute

Ch 372 (SB 208) Nejedly. Forest practices on timberland

The Z'berg-Nejedly Forest Practice Act of 1973 governs the conduct of forest practices on timberland Such act does not require the State Board of Forestry or district technical advisory committees to consult with, and consider the recommendations of, the State Forester The act prohibits any person engaging in timber operations until he has obtained a permit from the board

The bill would do all of the following:

(a) Revise the definition of "timberland" for purposes of the Z'berg-Nejedly Forest Practice Act of 1973 to exclude land designated by the board as experimental forest land

(b) Authorize the board to exempt from the provisions of such act any person engaged in forest management whose activities are limited to the cutting or removal of trees for the purpose of constructing or maintaining a right-of-way for utility lines or the planting, growing, nurturing, shaping, shearing, removal, or harvest of minor forest products, including fuelwood.

(c) Require the board, with respect to the development of forest practice rules and regulations, and each committee, with respect to advising the board, to consult with, and consider the recommendation of, the State Forester

(d) Prohibit any person engaging in timber operations until he has obtained a license, rather than a permit, from the board, and make conforming changes.

(e) Delete obsolete provisions and make clarifying and technical changes in such act.

Ch. 373 (SB 318) Garcia Credit unions

Existing law provides that the Commissioner of Corporations shall issue to an applicant a certificate authorizing it to do business as a credit union if satisfied that the field of membership of the applicant is not contrary to the principles of organizing credit unions based on common bonds of employment, membership or residence

This bill provides that nothing in the credit union law shall prohibit formation of a credit union where members include an association of employers located in one reasonably compact geographical area

Ch 374 (SB 333) Alquist Public Utilities Commission audits

Under present law, the Public Utilities Commission may require the production of the books and records of any public utility for inspection at any time

This bill would require the Public Utilities Commission to inspect and audit for regulatory and property tax purposes at least every three years the books and records of every electrical, gas, heat, telegraph, telephone, and water corporation serving over 1,000 customers and the rail passenger commuter operations of every railroad, and at least every five years of every such corporation serving 1,000 or fewer customers It would specify that an audit conducted in a rate proceeding shall be deemed to meet the requirements of this section

It would also require the commission to furnish reports of such inspections and audits and other pertinent information to the State Board of Equalization for use in assessment of public utilities

Ch 375 (SB 464) Berryhill Cattle protection, brand inspection

The existing law provides for brand inspection of cattle The provisions of Chapter 939 of the Statutes of 1973, which are to be in effect only until January 1, 1976, revised the membership of the Livestock Identification Advisory Board, changed the inspection requirements and procedures for cattle, and provided for modified point of origin inspection areas and for registration of feedlots

This bill would extend the expiration date of such modified provisions from January 1, 1976, to January 1, 1978, and would do all of the following

(1) Provide for brand inspection of cattle on request by any person who is not otherwise required to have cattle inspected pursuant to designated provision, and require such person to pay to the Director of Food and Agriculture a time and mileage charge, as prescribed, for such inspection

(2) Authorize the director, until January 1, 1978, to provide, by regulation, that any person who ships any cattle from a modified point-of-origin inspection area, for inspection at destination, is required to notify the local brand inspector prior to shipment of such cattle, if he makes designated findings

(3) Provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 376 (SB 465) Berryhill Brand inspection, fees

The existing law provides for various fees for cattle inspection The provisions of Chapter 939 of the Statutes of 1973, which are to be in effect only until January 1, 1976, raised such fees.

This bill would extend the expiration date of such provisions from January 1, 1976, to January 1, 1978, and would raise such inspection fees in the provisions in effect before January 1, 1976, and in those provisions that shall become operative on such a date

This bill, also, would authorize the Director of Food and Agriculture to lower such fees whenever he determines that the cost of administering and enforcing designated cattle protection provisions may be maintained with the lower fees

This bill would also, until January 1, 1978, provide that cattle shipped directly from a registered feedlot in this state for immediate slaughter outside this state shall be brand inspected, and a brand certificate shall be issued, but a brand inspection fee shall not be charged or collected, if the prescribed conditions are met, and provide that the designated fees under the California Beef Council Law on such cattle shall be due and payable prior to their shipment from this state

Ch. 377 (SB 740) Rodda. Public schools—administrative services credentials examination

Existing law makes the passage of a specified examination or a specified waiver thereof one of the prerequisites for obtaining a services credential with a specialization in administrative services

This bill would delete the prerequisite of passage of the specified examination or a specified waiver thereof

Ch 378 (SB 943) Dills State boards, commission and committees Controller's deputy

Existing law authorizes any constitutional officer who, by law, is made a member of a state board, commission, committee or governing body of a state agency, to appoint certain deputies to such bodies to act in his place and stead

This bill would authorize the State Controller to designate any deputy to act in his place and stead on such bodies, with respect to the exercise of statutory powers and duties of any such bodies, when such bodies are created by statute

This bill would take effect immediately as an urgency statute

Ch 379 (SB 948) Ayala Advertising unassembled furniture

Existing law permits a seller of unassembled furniture to advertise that furniture without indicating that the furniture is unassembled Existing law does not require an advertiser of unassembled furniture to advertise the assembled price of such furniture if the same furniture is available from him assembled.

This bill would add to the Consumer Legal Remedies Act a provision that makes it

unlawful to advertise unassembled furniture without clearly indicating that the furniture is unassembled This bill also makes it unlawful to advertise the price of unassembled furniture without clearly indicating the assembled price of such furniture if the same furniture is available assembled to the seller

Thus, these violations of the Consumer Legal Remedies Act would be subject to the remedies provided by that act These remedies provide that a consumer who suffers any damage as a result of such unlawful practices may bring an action to recover actual damages, punitive damages, or to enjoin such unlawful practices If other consumers, similarly situated, are also damaged by such practices, a consumer may bring a class action to recover actual damages, but in no case shall the award be less than three hundred dollars ($300), punitive damages, or to enjoin such practices

Ch 380 (SB 1191) Behr Blood tests venereal disease

Existing law authorizes a person employed by a public health department as a venereal disease case investigator to perform venipuncture or skin puncture for the purpose of withdrawing blood for tests, even though the person is not otherwise licensed to draw blood, if the person meets specified requirements This law will be repealed by present law on the 61st day after the final adjournment of the 1975 Regular Session of the Legislature

This bill would delete the repeal date and, thus, such existing law on venereal disease case investigators employed by public health departments would remain in effect

The bill would take effect immediately as an urgency statute

Ch 381 (SB 1236) Moscone Vexatious litigants motions

Existing law permits a defendant in any litigation to move the court at any time within 30 days after service of summons or other and equivalent process upon him for an order requiring the plaintiff to furnish the security based upon the ground that the plaintiff is a vexatious litigant and there is not a reasonable probability the plaintiff will prevail in the litigation

This bill would permit the defendant to make such a motion at any time until final judgment is entered

Existing law provides for the stay of the litigation following the filing of the above motion and a corresponding stay of the moving defendant's need to plead until 10 days following either the denial of the motion or the plaintiff's furnishing of the required security

This bill would make the above provisions applicable where the motion is filed prior to trial and would provide that where such a motion is filed at any time thereafter, the litigation shall be stayed for such period following the denial of the motion or the furnishing of security as the court shall determine

The bill provides that the act shall apply retroactively as well as prospectively

Ch 382 (AB 419) Brown Inmate welfare fund

Under existing law the Inmate Welfare Fund is required to be used for the benefit, education and welfare of inmates of prisons and institutions under the jurisdiction of the Department of Corrections, including but not limited to the establishment, maintenance, employment of personnel for, and purchase of items for sale to inmates at, canteens maintained at the state institutions and for the establishment, maintenance, employment of personnel and necessary expenses in connection with the operation of the hobby shops at institutions under the jurisdiction of the Department of Corrections.

This bill prohibits the fund from being used to pay any or all charges for (a) overtime for the staff coverage of special events, (b) television repair and recordings, (c) athletic and recreation supplies, (d) athletic uniforms; and (e) original complement of television sets and replacement of television equipment and specifies that the department shall pay such charges out of any money appropriated for such purposes

This bill also appropriates $160,000 dollars in augmentation of Item 292 of the Budget Act of 1975 for the purpose of relieving the fund for such charges for the 1975–76 fiscal year

Ch 383 (AB 441) Lockyer Municipal utility districts election of directors

Under present law, a candidate for director of a municipal utility district is required to pay a $25 filing fee

This bill would provide, as an alternative, that a candidate may submit to the secretary of the district, a petition of not less than 100 nor more than 200 signatures of registered voters within the district It would specify the secretary's duties with respect to determining the validity of the signatures and other duties, and would declare that the name and address of each candidate, the office for which he is a candidate, and the date of issuance of the nomination papers are public records

It would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation being made by this bill for a specified reason

Ch 384 (AB 442) Lockyer Insurance group disability coverage

Existing law states that except as provided in a specified provision regarding the contents of certain insurance policies and making statements by insured's representations and not warranties, false statements made in applications for policies of group disability insurance shall not bar the right to recovery under the policy unless the false statement was made with intent to deceive or materially affect the acceptance of the risk or the hazard assumed by the insurer

This bill would delete the exception regarding the contents of policies and statements by insureds

Ch 385 (AB 532) Hart Offenses determination of prior convictions

Under existing statutory law, any conviction for driving under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug is deemed a second conviction if the person has previously been convicted of causing either death or bodily injury to another while driving under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug

This bill would also deem any conviction for driving under the influence of any drug or while addicted, or for driving under the influence of any drug and causing bodily injury to another person, as a prior conviction, for the purposes of a subsequent prosecution for driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the act for a specified reason

Ch 386 (AB 1190) Beverly Restraint of trade

Under existing law, any violation of the provisions relating to combinations in restraint of trade is deemed a conspiracy against trade and is punishable by a fine of not less than $500 nor more than $50,000 or by imprisonment for not more than one year, or by both fine and imprisonment

This bill revises such fines and imprisonment by providing that any such violation is punishable by a fine of not more than $1,000,000 if a corporation, or $100,000 if an individual, or by imprisonment in a state prison for not more than three years, or by imprisonment for not more than one year in a county jail, or by both fine and imprisonment

This bill also incorporates additional changes in Sec 16755, Business and Professions Code, proposed by AB 1624, to be effective only if AB 1624 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 387 (AB 1356) Maddy Practice of law

Existing law requires an attorney who ceases to practice law for specified reasons to give notice of such cessation in the form and manner as prescribed by rules of the Supreme Court or by the State Bar and that such notice shall contain information as specified by any specified order or such rules

This bill deletes the requirement that such notice be in the form and manner prescribed by such rules and provides that such notice shall contain, among other things, information as required by any rule of the Supreme Court, Judicial Council, or the State

Bar

Existing law authorizes a client of an attorney who ceases such practice of law to file an application to a superior court for assumption by the court of jurisdiction over the law practice of such attorney and requires such application to state, among other things, that there is probable cause to believe that the interests of one or more interested persons will be prejudiced if specified proceedings are not maintained by the court and authorizes the court to make an order assuming jurisdiction over such practice if it finds that, among other things, such interests will be prejudiced

This bill would add that such application shall contain a statement that the interests of one or more clients of the attorney will be prejudiced if the court does not assume jurisdiction over the practice of such attorney and that the court may make an order assuming such jurisdiction if it finds the interests of such clients would be prejudiced if it did not assume such jurisdiction

Existing law does not provide for assumption by a court of jurisdiction over a law practice where an attorney becomes incapable of devoting the time and attention to, and providing the quality of service for, such practice of law as is necessary to protect the interest of a client if there is an unfinished client matter for which no other attorney has agreed to assume responsibility, with the consent of such client, except where an attorney dies, resigns, becomes an inactive member of the bar, is disbarred, or is suspended from the practice of law

This bill establishes procedures for assumption by the superior court of jurisdiction over the law practice of an attorney who has been found incapable of properly protecting the interests of his clients for any reason, including excessive use of alcohol or drugs, physical or mental illness, or other infirmity or cause

Ch 388 (AB 1406) Siegler Community colleges capital outlay

The Budget Act of 1970 appropriated $18,399,881 from the State Construction Program Fund for specified community college capital outlay projects

Chapter 937, Statutes of 1971, enacted the Community College Construction Program Bond Act of 1972, subsequently approved by the electorate, and provided for proceeds of bonds issued pursuant thereto to be deposited in the State Construction Program Fund, for appropriation by the Legislature, to be expended in accordance with the Community College Construction Act of 1967

This bill would appropriate from the State Construction Program Fund the sum of $49,211 to the Board of Governors of the California Community Colleges, for expenditure during fiscal years 1975–76, 1976–77, and 1977–78, in accordance with the Community College Construction Act of 1967, for the purpose of augmenting the appropriation made by the Budget Act of 1970

This bill would also extend until June 30, 1976, specific related appropriations in the Budget Act of 1970 for the Los Angeles Community College District of $14,103, for North Orange County Community College District of $16,484, and for San Diego Community College District of $4,471 and $14,153

The bill would go into immediate effect as an urgency statute

Ch 389 (AB 1461) Deddeh Vehicles and vessels registration and identification

Applications for original registration and identification of vehicles and vessels made to the Department of Motor Vehicles are presently required to include the applicant's true full name

This bill would require such applications to include only the applicant's true name

Existing law also requires any person renting a motor vehicle to another to keep a record of certain information that includes the date and place, when and where such other person's driver's license was issued

This bill would delete such requirement and instead require that a record of the jurisdiction that issued the license and its date of expiration be kept

Existing provisions of the Code of Civil Procedure permit the substitution of a certificate in writing, executed in this state, for an affidavit, with the same force and effect of an affidavit, whenever any matter is permitted by law to be supported by an affidavit Existing provisions of the Vehicle Code authorize the filing of an affidavit (a) to establish the theft or embezzlement of a vehicle for purposes of delinquent registration without liability for a penalty and (b) to establish timely mailing of any payment for any fee

imposed under the Vehicle Code

This bill would in each instance specify, instead, that a certificate in writing may be filed

Existing law provides for the refund of fees paid for the registration of a vehicle which is not operated upon the highways during the registration year for which fees were paid.

This bill would specifically exclude from such provisions such fees paid for a trailer coach

The bill would also make technical changes.

Ch 390 (AB 1463) Gualco Cities general powers

Existing law does not authorize cities to make contributions to nonprofit educational radio and television stations

This bill would authorize the legislative body of a city to provide for contributions to such nonprofit educational radio and television stations under certain conditions

Ch 391 (AB 1501) Garamendi Vehicles authorization for flashing warning lights livestock herding

Existing state law permits the display of flashing amber warning lights on any motor vehicle engaged in, or aiding in, the herding of sheep along or across a public roadway while the vehicle is stopped in the roadway near the sheep or proceeding with the sheep along the roadway

This bill would make such provisions applicable to the herding of all livestock, rather than just sheep

Ch 392 (AB 1825) Vasconcellos Programs for migrant children

Existing statutes express legislative findings and declarations re migrant children, define "migrant child", require the State Board of Education to adopt a master plan, and rules and regulations providing for and implementing, among other things, child development activities, and require that such services be provided to all migrant children by the 1976–77 school year Existing statutes also authorize the Superintendent of Public Instruction to contract with county superintendents of schools and local educational agencies to supply services and to enter into agreements and cooperate with other states or state and federal agencies in coordinating such services

This bill would extend such programs to children of migratory fishermen and make corresponding changes in, and expand, the definition of "migrant child", revise the statement of legislative findings and declarations, authorize a child identified as a migrant child, with parental concurrence, to be deemed to continue to be such a migrant child for not to exceed 5 years; provide for priorities in programs; and specify that the child development activities element of the state master plan and the authorized child development activities include specified services to migrant infants and pre-kindergarten-aged children too young to participate in normal public school instruction This bill also would expand the superintendent's power to enter into agreements and cooperate with state and federal agencies to include providing, as well as coordinating, services and would make related and technical changes

Ch 393 (AB 1965) Chimbole Vehicle registration renewal applications

Under existing law, there is presently in force no provision establishing a time period for making application for renewal of a vehicle registration expiring on December 31, 1975

This bill would require that the application for those renewals be made not later than midnight February 6, 1976 These provisions would remain in effect only until March 8, 1976, and would be repealed as of that date The bill would also make a technical change

Ch 394 (AB 2008) Craven Municipal Improvement Act of 1913 assessments

(1) Existing law will require, commencing January 1, 1976, that in providing notice of recordation of assessments levied pursuant to the Municipal Improvement Act of 1913, the collection officer shall provide published notice that, among other things, all assessments (if bonds are not to be issued) will become delinquent if not paid within 30 days of recordation of assessments and that upon delinquency 5% of the assessment's amount will be added to the assessment

This bill would delete the requirement that notice of the 5% delinquency charge be

given and instead require that the notice state the effect of the failure to pay the assessment within the 30-day period

(2) Existing law does not provide for interest charges on delinquent assessments under $50, or for the manner of collection of such delinquent assessments, if bonds have been issued pursuant to the Improvement Act of 1911 in proceedings initiated pursuant to the Municipal Improvement Act of 1913

This bill would specify that all such delinquent assessments which are not paid within 30 days after recordation are delinquent and shall bear interest at a monthly rate of 1 percent, computed from the date of the bonds The bill would authorize the collection of such delinquent assessments pursuant to the provisions of the Improvement Act of 1911 governing the collection of delinquent assessments either by action or on the tax roll

(3) The bill would also make technical and nonsubstantive changes

Ch 395 (AB 2184) Chappie Jurors

Present law specifies a procedure for the selection of jurors in a justice court district including designation of the manner of selecting jury lists

This bill would provide that when authorized by superior court rule, a countywide justice court district may use the same jury list as that selected for use by the superior court

Ch 396 (AB 2247) Deddeh. Vehicles safety regulations, inspections

Existing state and federal law provides for the issuance of permits to motor vehicles subject to the regulation of the Public Utilities Commission or the Interstate Commerce Commission

This bill would require a vehicle subject to provisions of law authorizing the Commissioner of the California Highway Patrol to adopt regulations regarding the safe operation of specified vehicles, to have displayed on the door of such vehicle the identifying symbol or number assigned to the carrier by either or both the Public Utilities Commission and the Interstate Commerce Commission

Ch 397 (AB 2322) Antonovich Vehicles· power brake requirements

Existing law exempts certain types of vehicle combinations from the requirement that the towing vehicle have one control which, when applied, will operate all the service brakes on the power unit and combination of vehicles

This bill would include in this exemption single-axle trailers that are equipped with inertially controlled brakes which are designed to be applied automatically upon breakaway from the towing vehicle and which are capable of stopping and holding such vehicle stationary for not less than 15 minutes

Ch 398 (SB 269) Roberti State forms management

Existing law does not provide for the centralized management of forms used by state agencies

This bill would provide for the establishment of the "forms management center" within the Department of General Services The Director of General Services, through the forms management center, would be required to develop and implement a forms management program designed in part to assist existing and new state agencies in establishing internal forms management centers The bill would also require the Director of General Services to periodically evaluate the forms management program and maintain records that show the net dollar savings it engenders The director would be required to delegate implementing authority to state agencies where such delegation will result in the most timely and economical method of accomplishing these responsibilities The bill would not apply to educational institutions or any state form specially authorized and established by statute

Ch 399 (SB 449) Rains Elections

Existing law provides that city councilmen of general law cities serve four-year terms, as decided by the voters

This bill would provide that if the elected mayor of a city serves a two-year term and the election of the remaining members of the city council for four-year terms is not evenly staggered, resulting in the election of two members of the city council at one

general municipal election and four members of the city council at the next general municipal election, the city council may, on a one-time basis only and prior to the first day for circulating nomination papers for such election, designate one of the three city council offices appearing on the general municipal ballot, other than the office of the mayor, to serve a two-year term At all subsequent general municipal elections, each member of the city council elected at such election, other than the mayor, would be elected to serve a four-year term

This bill would take effect immediately as an urgency statute

Ch 400 (SB 581) Mills Alcoholic beverages

Existing law does not authorize the Department of Alcoholic Beverage Control to issue a license to any person for the purpose of selling alcoholic beverages at a public auction with the exception that a special temporary retail package off-sale beer and wine license may be issued to a public television station which is a nonprofit charitable corporation, as specified

This bill would authorize the department, upon payment of $100 fee, to issue a special temporary off-sale general license to any nonprofit corporation, which is exempt from payment of income taxes under specified provisions of law

The bill provides that such license shall entitle the holder to sell at auction alcoholic beverages which are donated to it

The bill further provides that such license shall be issued for a 30-day period and only one such license shall be issued to any such corporation in any 12-month period

Ch 401 (SB 639) Rodda Insurance benefit and relief associations.

Existing law permits benefit and relief associations, with certain exceptions, to provide payment of a death benefit not to exceed $500

This bill would increase the death benefit limit for such associations to $1,000

Ch 402 (SB 669) Carpenter Resale price maintenance

Under existing federal law the fixing of minimum prices by contract or agreement for the resale of trademarked, trade-named or branded commodities in interstate commerce and which are in free and open competition with commodities of the same general class are excepted from the prohibitions of the federal antitrust laws only if such contracts or agreements are lawful under state law

California law expressly provides that it is not unlawful for a contract, relative to such commodities, to provide, among other things, that the buyer will not resell such commodity except at the price stipulated by the vendor, or that the vendee or producer require the person to whom he may resell such commodity to agree that he will not, in turn, resell except at the price stipulated by such vendor or by such vendee

Under California law, it is also unfair competition to willfully and knowingly advertise, offer for sale, or sell any commodity at less than the price stipulated in any fair trade contract, irrespective of whether the person advertising, offering for sale, or selling is or is not a party to such contract Further, such act is actionable at the suit of any person damaged thereby

This bill repeals such statutory provisions, contained in the Fair Trade Act

Ch 403 (SB 706) Behr Child protective services

Under the current child protective services program, if care of the child outside the home is required, institutional care, foster care, and day care is authorized

This bill provides that in lieu of such alternate care the superior court of the county may authorize a representative of the child care service program to remain in the child's home with the child until a parent, legal guardian or relative either enters or returns home and is willing and apparently able to resume or assume the care of the child

Ch 404 (SB 723) Stull Schools temporary financial assistance

Existing federal law provides for federal financial assistance to local educational agencies upon which the United States has placed financial burdens by reason of the impact of certain federal activities

This bill would permit the county board of supervisors during any fiscal year upon the recommendation of the county auditor to authorize the county treasurer to make a temporary transfer from the funds in his custody to any school district in the county, not to exceed 50% of the amount of such federal assistance to the district for the preceding fiscal year The bill would specify the terms of repayment to the county

Ch 405 (SB 759) Mills Alcoholic beverages

Existing law permits the Department of Alcoholic Beverage Control to issue a special temporary retail package off-sale beer and wine license to a television station that is supported wholly or in part by public membership subscription and is a charitable corporation under the Internal Revenue Code of the United States. The license permits the television station to auction beer or wine donated to it

This bill would allow the department to also issue such a license to a nonprofit charitable corporation, exempt from taxes under the Internal Revenue Code, when that corporation receives and administers donations for a noncommercial, educational television station or public broadcasting station supported wholly or in part by public membership subscription

Ch 406 (SB 776) Way Fire protection· loans for automatic sprinklers and detectors

Under existing law, the State Department of Health is required to establish and administer a program which makes 5% loans available to private nonprofit children's institutions for the installation of approved automatic sprinkler systems or detectors that respond to invisible products of combustion other than heat

In 1974, $2,200,000 was transferred from the unexpended balance of specified funds appropriated for mental health services by the Budget Act of 1973 to the State Department of Health for expenditure, without regard to fiscal years, for such loans to private nonprofit children's institutions

This bill would extend eligibility for such 5% loans for the installation of such approved automatic sprinkler systems or detectors to private nonprofit homes for the aging which are residential facilities for adults under the California Community Care Facilities Act. This bill would permit loans to such private nonprofit homes for the aging to be made from the described funds that were transferred to the State Department of Health in 1974

This bill would take effect immediately as an urgency statute

Ch 407 (SB 784) Berryhill Alcoholic beverages

Existing law limits the number of off-sale general licenses which may be issued to 1 for each 2,500 inhabitants of the county in which the premises are situated With respect to counties with less than 2,500 inhabitants and none or only 1 off-sale general license, existing law permits the Department of Alcoholic Beverage Control to issue 1 additional original off-sale general license

This bill permits the department to issue 3 additional original off-sale general licenses in any county of the 58th class

Ch 408 (SB 841) Gregorio Schools average daily attendance

Existing law requires, in computing the average daily attendance of a school district, that there be included only the attendance of pupils while engaged in educational activities required of such pupils and under the immediate supervision and control of a district employee who possessed a valid certification document authorizing him to render such service

This bill would include, in computing the average daily attendance of a school district, the attendance and participation of students in an independent study program under the coordination, evaluation, and general, but not immediate, supervision of such district employees, and who are enrolled in a high school program which provides for a minimum schoolday of 240 minutes The bill would specify that the nature, manner, and place of conducting any independent study program shall be determined by the school district pursuant to rules of the State Board of Education, and would require the district to ensure that the components of each independent study program for each individual pupil be set out in writing

Ch 409 (SB 911) Greene Private educational institutions state approval

Existing law authorizes state agencies, including school districts, to enter into contracts with private business, trade and technical schools to provide training and retraining programs when such private school has facilities available to provide such training

This bill would preclude the receipt of State School Fund apportionments on account

of students attending a private school pursuant to such a contract unless the contract conformed to existing statutory requirements re contracts between public educational agencies and private postsecondary schools to provide vocational skill training to students of the public educational agency

Ch 410 (SB 920) Richardson Los Angeles County Flood Control District recreational features

Existing law authorizes the district to provide for recreational use of district lands, facilities and works which do not interfere or are not inconsistent with the primary use of such lands, facilities or works by agreement with other public agencies, private persons or otherwise, and acquire, preserve, and enhance such lands for scenic beauty and natural environment

This bill would permit the district to add recreational features to its properties and lands contiguous thereto, provide for use of such features, and to collect admission or use fees for such recreational features

Ch 411 (SB 951) Ayala Accountant's examination fees

Existing law establishes various fees relating to certification as a certified public accountant

This bill would increase those fees The maximum application fee would be increased from $35 to $60, the maximum reexamination fee from $7 50 to $12 per subject, the maximum registration fee from $10 to $20 and the delinquency fee changed from $5 to 50% of the accrued renewal fee The present preliminary examination fee would be discontinued

This bill would take effect immediately as an urgency statute

Ch 412 (SB 1004) Berryhill Public utilities issuance of stocks and bonds

Present law provides for the payment by a public utility of various fees to the Public Utilities Commission for a certificate authorizing an issue of stocks or bonds or other evidences of indebtedness, and exempts certain of these fees when an applicant's security issues are subject to the jurisdiction of the Federal Power Commission

This bill would extend such exemption from such fees to an electrical or gas corporation whose security issues are subject to the jurisdiction of a public utilities regulatory agency of another state

Ch 413 (SB 1169) Presley Boards of supervisors powers and duties awards

The existing law specifically authorizes the board of supervisors of any county to prepare, procure, and present commemorative medals of nominal value for specified reasons

This bill would, in addition, specifically authorize the board of supervisors to prepare, procure, and present resolutions, plaques, or other memorials of nominal value for such reasons

Ch 414 (AB 66) Cullen Initiatives

Existing law requires the Attorney General in preparing the title to a proposed initiative measure, prior to it being circulated for signature, to include in such title, if appropriate, an estimate of the additional financing required by such measure, if adopted, from state sources Such estimate of costs is required to be prepared jointly by the Department of Finance and the Joint Budget Committee

This bill would revise such required financial statement It would require the Attorney General to include in the title of a proposed initiative measure, under specified conditions, the amount of any increase or decrease in both revenues or costs to the state as well as local government if the proposed initiative is adopted

This bill would continue the requirement that the Department of Finance and Joint Budget Committee jointly prepare such estimates It would provide, however, that if such entities cannot prepare a reasonable estimate of the net impact of the proposed initiative within 25 days of receipt of the final version of the proposed initiative by the Attorney General that such entities would, instead of preparing such estimates, give their opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative is adopted

Ch. 415 (AB 83) Badham. Ecological reserves· state land in Orange County.

Under existing law certain tidelands and submerged lands have been granted by the State of California to Orange County upon certain trusts and conditions for their use and subsequently portions of these granted lands were declared to be no longer in fact tidelands or submerged lands and Orange County was permitted under certain conditions to convey such portions of land

This bill would repeal the provisions of law which declared such lands to be no longer tidelands or submerged lands and which granted Orange County the authority, as specified, to convey such lands and would provide that such lands may also be used for purposes of public recreation and preservation in a natural state and as an ecological reserve. The bill would permit the county to grant portions of the lands to the State Department of Fish and Game for ecological reserve purposes and to the City of Newport Beach for public beach purposes The bi'l would further provide that if the department or the city fails to use the lands for the specified purposes the lands shall revert to the county.

The bill would subject the tidelands to specified terms and conditions, particularly concerning the use of revenues therefrom

Ch 416 (AB 152) Knox Teachers' retirement system state

Existing law permits members of the State Teachers' Retirement System who have qualified for retirement to elect prior to their retirement to receive actuarially reduced retirement allowances, as of the date of retirement and prohibits revocation of the designation of beneficiary after such election

This bill would permit such members to designate different beneficiaries prior to the effective date of their retirement and would prescribe a related reduction in allowance

Ch 417 (AB 199) Maddy Aging

Under existing law the senior citizens transportation pilot project is established by the Office on Aging and funded pursuant to Title VII of the Older American Act of 1965, as amended, which authorizes certain programs for the elderly

This bill would eliminate such pilot project

The bill also declares the urgency thereof to take effect immediately

Ch 418 (AB 425) Berman. Employers hospital service and inspection

The existing law provides generally for the filing of written financial disclosure reports by every employer who provides hospital service of any sort for his employees for which any charge is received or collected by the employer.

The existing law provides generally for the inspection of hospitals and hospital facilities supplied by employers in order to determine their adequacy, and requires such hospitals to make annual reports of receipts, disbursements, and services rendered to or for employees.

This bill would repeal the above provisions on hospital service provided by employers, and inspection of hospital facilities supplied by employers

Ch 419 (AB 458) Lancaster Schools—experimental kindergarten programs

Under current law, a certain experimental kindergarten program is exempted from the application of provisions relating to the employment of instructional aides in classrooms and prescribing the maximum class size of kindergarten classes The Superintendent of Public Instruction is required to submit a report evaluating the program to the Legislature The provision prescribing the exemption will cease to be operative on January 1, 1976

This bill would require such report to the Legislature to include an assessment of the effectiveness of the program and the relative progress of the pupils in the program, as specified

This bill would also require the district operating such program to provide in its report to the superintendent a comprehensive evaluation, including specified matters, of the program's impact on student academic achievement

In addition, this bill would extend the termination date of the provision to August 31, 1980, and would repeal the provision as of that date

Ch 420 (AB 480) Ingalls Arrest records vehicle offenses: disclosure

No specific provision is made in law regarding the disclosure of arrest records of automobile insurance applicants pertaining to traffic offenses

This bill would prohibit issuers of certain types of automobile insurance from asking an applicant to disclose the fact of an arrest which did not result in conviction of certain vehicle offenses or from conditioning the issuance of insurance on such disclosure.

Ch. 421 (AB 496) Duffy Public Utilities Commission: functions

Present law makes the President of the Public Utilities Commission the executive and administrative head of the commission, and specifies his duties to organize, coordinate, supervise, and direct the operations and affairs of the commission so as to prevent delay and expedite matters within the commission's jurisdiction.

This bill would delete these functions of the president and provide instead that the executive director of the commission shall be the executive and administrative head of, and shall organize, coordinate, supervise, and direct, the commission's employees so as to prevent delay and promote the expeditious and efficient disposition of the commission's business

This bill would permit the commission to authorize the executive director to dismiss complaints or applications when all parties are in agreement thereto, in accordance with such rules as it may prescribe

Ch 422 (AB 576) Foran San Francisco lands railroad facilities.

Under the Burton Act, the City and County of San Francisco holds certain harbor lands in trust for purposes of commerce, navigation, and fisheries by virtue of a grant from the state The city and county, through the Harbor Commission of the city and county, is specifically authorized to establish, improve, and conduct railroad facilities on such lands

This bill would specify that such railroad facilities are not subject to Public Utilities Commission regulation

Ch 423 (AB 654) Lockyer. State civil service· pregnancy leave

The existing law requires, with respect to leaves of absence for state employees for pregnancy that a state employer grant to state officers and employees a leave of absence for a period of up to 60 days, and authorizes an appointing power to grant a leave of absence without pay for a period not exceeding one year, for pregnancy, miscarriage, childbirth, and recovery therefrom

This bill would require an appointing power to grant to any permanent female employee under the jurisdiction of the appointing power a leave of absence without pay for purposes of pregnancy, childbirth, or the recovery therefrom for a period determined by such employee, not to exceed one year. In addition, this bill would prohibit any change in the length of the leave from being effective, once it was determined, unless approved by the appointing power

Ch 424 (AB 671) McAlister Public schools instructional television and materials.

Under existing law, only the members of the State Instructional Television Advisory Committee who are not employed by public agencies are reimbursed for their actual and necessary travel expenses This bill would require all members to be reimbursed for their actual and necessary travel expenses

Although the existing statutes (enacted in 1972) define "instructional materials set" in terms of "a collection of related supplementary instructional materials" with specified characteristics, related statutes (enacted in 1973) authorize the State Board of Education to designate instructional material sets as either basic or supplementary. This bill would remove such statutory inconsistency by deleting "supplementary" from such definition, thereby defining "instructional materials set" in terms of "a collection of related instructional materials "

Existing statutes require every publisher or manufacturer of instructional materials offered for adoption or sale in California to, among other things, maintain an office and depository in California or arrange with an independently owned and operated depository in California to receive and fill orders Existing statutes require all purchases by the State Board of Education of instructional materials included in any list adopted by it, to

be purchased directly from, and all district orders for elementary school instructional materials not adopted by the state and all district orders for high school instructional materials to be placed directly with, the publisher or manufacturer at any of such offices or depositories This bill would make the requirement of office or depository maintenance in California applicable only to the publishers or manufacturers of textbooks or instructional materials systems or instructional materials sets which include textbooks, and whose total orders for textbooks from all California governing boards are or will be, for a particular school year, 1,000 or more copies of a single title or 10,000 or more copies of multiple titles This bill would authorize the direct purchase from the publisher or manufacturer by the State Board of Education of instructional materials, other than textbooks, and other than instructional materials systems and instructional materials sets which include textbooks This bill would authorize the direct placement with the publisher or manufacturer of all district orders for non-state-adopted elementary school instructional materials, other than textbooks or instructional materials systems or instructional materials sets which include textbooks. This bill would authorize the purchase, without reference to specified statutes relating to high school intructional materials, of all high school instructional materials not classified as textbooks, or instructional materials sets or instructional materials systems which do not include textbooks This bill would make the foregoing requirements of placing elementary school and high school instructional materials orders directly at such California offices or depositories applicable only to orders for textbooks and instructional materials systems and instructional materials sets, which include textbooks and, then, only to such orders which are placed with publishers or manufacturers whose total orders for textbooks from all California governing boards are or will be, for a particular school year, 1,000 or more copies of a single title or 10,000 or more copies of multiple titles

Existing statutes make it unlawful for a governing board, once it has issued to any publisher or manufacturer who violates specified statutes a specified order to cease offers, to purchase or order instructional materials from such publisher or manufacturer This bill would recast such provision to make it unlawful, once such an order is issued, for the publisher or manufacturer to sell instructional materials to that governing board until the publisher or manufacturer has demonstrated to such governing board that it is no longer violating the specified provision of law

Ch 425 (AB 745) Dixon Summary criminal history information city attorneys

Existing law requires the Attorney General to furnish summary criminal history information to peace officers, district attorneys, probation officers and others

This bill would include prosecuting city attorneys within the listing of persons to be furnished such information

Ch 426 (AB 807) Carpenter County highways road commissioner

The law requires the board of supervisors of each county to appoint a road commissioner who is required, with specified exceptions, to be a registered civil engineer

The road commissioner is given specific duties which include carrying out the policy of the board of supervisors as to county road matters

The bill would permit, due to special circumstances, the Board of Supervisors of Orange County to abolish the post of road commissioner if the duties of such commissioner are transferred to an environmental management agency

The bill would relieve the director of such agency from any requirement of having any special permit, registration or license

The bill would also require that any civil engineering function carried out formerly by the road commissioner be performed by a registered civil engineer under the authority of the director of such agency

Ch 427 (AB 844) Papan Credit unions

Existing law prohibits a credit union from making loans to any director, officer member of the credit committee, or member of the supervisory committee which results in his owing an amount greater than the amount invested by him in the credit union unless, among other things, the loan (excluding any portion fully secured by shares) does not exceed 1 percent of the unimpaired capital and surplus of the credit union, or five thousand dollars ($5,000), whichever is less

This bill changes the limits on such loans to 1 percent of the unimpaired capital and surplus, or ten thousand dollars ($10,000), whichever is less, except with respect to credit unions with assets of one million dollars ($1,000,000) or more, in which case the maximum amount of such loans is determined on a graduated scale. It also requires the making, approval, and repayment of such loans to be reported, as specified, to the Commissioner of the Department of Corporations

Existing law permits a credit union to invest in the shares of a corporation organized solely for the purpose of providing services to credit unions, providing such corporation is formed by an organization composed of credit unions.

This bill would provide that every credit union may invest in the securities of any corporation which provides services to credit unions provided such investment is approved by the Commissioner of Corporations

Ch 428 (AB 1037) Z'berg Containers: detachable opening parts

Under existing law the sale of beverage containers is not regulated according to the method of opening

This bill would prohibit on and after January 1, 1979, the sale or offer for sale, with specified exceptions, in this state by any person of any metal beverage container, as defined, which is so designed and constructed that a part of the container is severable in opening the container

This bill would make any person who violates the prohibition guilty of an infraction.

This bill would permit the Secretary of the Resources Agency to grant extensions of permission to a manufacturer, upon request by July 1, 1978, to sell flip-top containers, as defined, for a total of not more than one year after January 1, 1979, if the secretary determines that the manufacturer has made good faith efforts to comply with the act, and that the manufacturer will suffer severe economic hardship as a direct result of the required conversion The bill would require the secretary to make public disclosure of specified reports filed by the manufacturer in connection with a request for an extension If an extension is granted, the secretary may require progress reports from the manufacturer regarding conversion

This bill would provide that the subsequent resale of flip-top containers sold by a manufacturer granted an extension to sell such containers shall not be a violation of the act

This bill would require the secretary, prior to making a decision, to conduct hearings upon requests for extension at which members of the public and manufacturers may be heard and would require the secretary to receive evidence and make findings of fact, and to cause public notification of the time and place of such hearings at least 30 days prior to each hearing

This bill would permit a manufacturer to seek judicial review of the decision of the secretary upon any request for an extension The bill would provide that, notwithstanding any other remedies available at law, any member of the public has standing to bring an action to inquire into the validity of a decision of the secretary on the grounds of the abuse of discretion where the findings are unsupported by the evidence

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason

Ch 429 (AB 1109) McAlister. Resale price maintenance

Under existing federal law the fixing of minimum prices by contract or agreement for the resale of trademarked, tradenamed or branded commodities in interstate commerce and which are in free and open competition with commodities of the same general class are excepted from the prohibitions of the federal antitrust laws only if such contracts or agreements are lawful under state law

California law expressly provides that it is not unlawful for a contract, relative to such commodities, to provide, among other things, that the buyer will not resell such commodity except at the price stipulated by the vendor, or that the vendee or producer require the person to whom he may resell such commodity to agree that he will not, in turn, resell except at the price stipulated by such vendor or by such vendee

Under California law, it is also unfair competition to willfully and knowingly advertise, offer for sale, or sell any commodity at less than the price stipulated in any fair trade

contract, irrespective of whether the person advertising, offering for sale, or selling is or is not a party to such contract. Further, such act is actionable at the suit of any person damaged thereby

This bill would repeal such statutory provisions, contained in the Fair Trade Act

Ch 430 (AB 1182) Gualco State civil service appointments

Present law sets forth procedures for appointing persons to fill vacant positions within the state civil service system

This bill would require that a person appointed to a trade-rate apprentice class in the Office of State Printing be appointed to the appropriate journeyman trade-rate class upon completion of the apprenticeship and would provide that a person appointed as an apprentice on or after January 1, 1976, shall, while in that class, accrue seniority points at one-half of the rate of a journeyman

The bill would also permit the employee, upon completion of the trade-rate apprenticeship, if there are no vacancies in the appropriate journeyman trade-rate class, to elect (a) appointment to a permanent position if the employee's seniority rating, at the time of appointment to the journeyman trade-rate class is higher than that of any journeyman holding a permanent position, (b) placement, according to seniority, on the reemployment list if such a list exists for the appropriate journeyman trade-rate class, or (c) demotion to any class with substantially the same or a lower maximum salary in which the employee had formerly served or to a class in the same line of work, but of lesser responsibility, if so designated by the personnel board

Ch 431 (AB 1194) Siegler Labor discrimination in employment

The existing law provides that it is against public policy, and an unlawful employment practice, for an employer, labor organization, or any person, to discriminate in employment because of the race, religious creed, color, national origin, ancestry, physical handicap or sex of any person

This bill would, in addition, provide that it is against public policy, and an unlawful employment practice, for any employer, labor organization, or any person to discriminate in employment because of the medical condition of any person "Medical condition" would be defined to mean any health impairment related to or associated with a diagnosis of cancer for which a person has been rehabilitated or cured, based on competent medical evidence.

Ch 432 (AB 1244) Lanterman Cemeteries

Existing law requires all cemetery brokers who do not possess a certificate of authority to operate a cemetery to file a bond with the Cemetery Board in the sum of $5,000

This bill would increase the amount of such bond to $10,000

Existing law prescribes the maximum fees which the Cemetery Board may set for licenses issued pursuant to the Cemetery Act

This bill would increase the maximum fees which shall be fixed by the board for such licenses

The bill provides that the act is an urgency statute and shall go into immediate effect

Ch 433 (AB 1272) Sieroty Parks preservation operating, acquiring entities

The Public Park Preservation Act of 1971 generally prohibits the acquisition by any city, city and county, county, state agency, public district, or public utility of real property used as a public park for use for any nonpark purpose unless compensation or land, or both, determined as specified, is paid by the acquiring entity to the operating entity to enable acquisition and development of substitute park land and facilities or, if less than 10%, but not more than 1 acre, of existing park land and facilities are acquired, to improve such unacquired portion and use funds or land and funds received for this purpose

This bill would specify that, where the operating entity and the acquiring entity are 1 and the same, the entity is subject to the provisions of such act pertaining to both operating and acquiring entities, and that the entity is, as acquiring entity, required to make funds or land, or both, available, and, as operating entity, to acquire or improve park lands and facilities, pursuant to provisions of the act

Ch 434 (AB 1307) Vicencia County highways· bidding results
Under existing law, the results of opening bids for county highway work are required to be reported to the board of supervisors at its next regular meeting
This bill would require that the results be reported to the board at a subsequent regular board meeting

Ch 435 (AB 1387) Bannai Shrimp trawl nets· sharks
Under the existing law, trawl nets may be used under a revocable permit issued by the Department of Fish and Game to take shrimp or prawns; however, the possession of more than 500 pounds of any fish, other than shrimp or prawns or specified salmon, caught incidentally is prohibited
The bill would, in addition, allow the possession of 500 pounds of shark, caught incidentally with shrimp or prawns

Ch 436 (AB 1541) Ingalls Vehicles. height limit
Existing law specifies a maximum lawful height for vehicles of 13 feet and 6 inches, and a maximum lawful height for a load upon a vehicle or for the boom or mast of a forklift truck of 14 feet
This bill would specify a maximum lawful height for a trailer coach required to be moved under permit of 14 feet

Ch 437 (AB 1577) Bannai Youth Authority.
Present law authorizes the Director of the Youth Authority to deposit and invest funds of wards in his possession in trust when authorized by the ward if over the age of 21, or by a parent or guardian of the ward or by the Department of ~~General Services~~ [Finance] * if the ward is a minor
This bill would instead authorize the deposit and investment by the director of the funds of any ward in his possession in trust and permit the director to pay over such funds together with interest thereon upon request of the ward
It would take effect immediately as an urgency statute

Ch 438 (AB 1668) Vincent Thomas Commercial fishing lobster
Under existing law, until July 1, 1976, lobsters may only be taken for commercial purpose under a revocable permit issued by the Department of Fish and Game for a fee set by statute at $100, and the department is required to report to the Legislature each year, at a specified time, of the use made of the revenue derived from such license fee
The bill would eliminate the time limitation on the duration of the $100 amount for such fee and the duty of the department to make such report.

Ch 439 (AB 1824) Calvo Real estate.
Existing law authorizes a person who has received a judgment against a real estate licensee on the grounds of fraud, misrepresentation, deceit, or conversion of trust funds to file an application with the court in which the judgment was entered for an order directing payment of such judgment out of the Real Estate Education, Research and Recovery Fund The law does not authorize a small claims court to issue such an order.
This bill would authorize a person who receives a judgment in a small claims court to file an application with the justice or municipal court which entered the judgment to make a determination as to whether such small claims court judgment was based on facts which allow recovery from such fund and authorizes such court to make an order directing payment out of such fund
Existing law requires a person who files an application for an order directing payment out of the Real Estate Education, Research and Recovery Fund to show at a hearing that he has, among other things, obtained an order authorizing examination of the judgment debtor and examined such person concerning his property and requires such person to file a bond to guarantee court costs
This bill would delete the requirement of obtaining an order for examination of the judgment debtor and the examining of such person and would delete the bond requirement The bill would delete related provisions concerning the bond requirement

Ch. 440 (AB 1865) Chappie Off-highway vehicles ownership transfer fees

(1) Existing law requires licensed dealers of off-highway vehicles to give the Department of Motor Vehicles written notice of certain transfers by sale, lease, or otherwise of off-highway vehicles subject to identification not later than the third business day thereafter.

This bill would change such period to not later than the fifth calendar day after the transfer, not counting the day of the transfer

(2) Existing law requires payment of a penalty fee of an amount equal to the $5 service fee for the issuance or renewal of identification of an off-highway vehicle or the $6 special fee for issuance or renewal of an identification plate or device if either or both fees have not been paid within 10 days after becoming delinquent

This bill would instead provide that if the $3 fee for transfer of ownership of an off-highway vehicle is not paid by the owner, or by the owner and legal owner jointly, within 10 days after becoming delinquent, a $3 penalty would be paid in addition to the transfer fee. The service fee and special fee would be subject to the penalty presently provided for with respect to such fees paid for renewal of identification, and such penalty would become payable on or after the day following the expiration date for the period of identification

Ch 441 (AB 2007) Craven. County ambulance service. San Diego County

Under existing law, the board of supervisors in each county or city and county having a population of one million or more is authorized to purchase ambulances, establish and maintain an ambulance service, and prescribe rules for the government and management of such a service The cost of such ambulance service provided to an indigent is a proper charge against the county; a nonindigent is required to reimburse the county for at least the actual cost of such service

This bill would authorize the Board of Supervisors of San Diego County to provide county ambulance service at less than actual cost if it is of an emergency nature which provides transportation to a hospital licensed to provide emergency care The Legislature finds and declares that private ambulance service is not generally available to portions of San Diego County and, therefore, that a general statute cannot be made applicable.

Ch. 442 (AB 2163) Alatorre Discrimination

Under the current public social service program and food stamp program the law specifies that there shall be no discrimination on account of various things, such as race, color, religious creed, national origin, or political belief

This bill adds nondiscrimination on account of sex to such list

Ch 443 (AB 2178) Maddy. Airports validation of state grants

This act would validate a certain allocation by the state to the County of Mariposa for airport purposes

Ch 444 (SB 274) Alquist. California State University and Colleges retired taxpayers university program

Existing law does not particularly address itself to the education of persons of advanced age or specifically provide for any special undertakings in that regard

This bill would (1) permit the Trustees of the California State University and Colleges to authorize the establishment at two campuses of a two-year pilot project which allows persons 60 years of age or older to enroll in regular courses without requiring the payment of fees; (2) require that such project be maintained in accordance with specified standards, (3) require the Trustees of the California State University and Colleges to adopt regulations for the administration of this bill, and (4) require the trustees to make specified reports to the Governor, the Legislature, and the California Postsecondary Education Commission on the operation of the project

In addition, this bill would provide that such authority to provide for the project shall remain in effect only until July 1, 1978

Ch 445 (SB 155) Way Payment of wages

Existing law requires that certain employers in special occupations post a surety bond or make other guarantees for payment of employee wages

This bill would require, under specified circumstances, any employer convicted of a violation involving nonpayment of wages to deposit a bond together with two or more sureties, at the discretion of the Labor Commissioner, to assure wage payments for a definite future period not exceeding six months If such bond is not posted, employer could be enjoined from doing business until the requirement is met

Ch 446 (SB 165) Nejedly Unemployment insurance· extended benefits.

Existing law provides that the 120-percent trigger required for state "on" or "off" indicators, for the purposes of obtaining the federal share of benefits under the Federal-State Extended Unemployment Compensation Act of 1970, is removed until April 30, 1975 The federal act was recently amended to provide for the extension until December 31, 1976, of the period during which such "on" or "off" trigger is removed

This bill would effectuate the federal act in this state by extending until December 31, 1976, the period that such 120 percent "on" or "off" trigger is removed for such purposes

The bill would also effectuate the 1974 amendments to the federal act by specifying that the "on" or "off" indicator shall trigger at 4 percent rather than 4 5 percent.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any cost incurred by it for specified reasons

The bill would take effect immediately as an urgency statute

Ch 447 (SB 334) Alquist Political advertising and literature

Existing law makes no provision regulating political advertising or literature in public utility bills sent to customers

This bill would prohibit any public utility from including with customer's bill for services prescribed political advertising or literature

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

Ch 448 (SB 445) Dunlap. School districts· alternative schools

Existing statutes authorize school districts to initiate and carry on any educational program as defined, which is not in conflict with law or the purposes for which school districts are established Existing statutes, however, do not specifically address themselves to alternative schools

This bill would define alternative schools, declare the purposes thereof, and authorize the governing board of any school district to establish and maintain such schools.

This bill would specify that no more than 10 percent of the average daily attendance of each school district may be enrolled in alternative schools, except as otherwise authorized by the Superintendent of Public Instruction as specified, and would require any alternative school to be maintained and funded by the school district at the same level of support as other educational programs for children of the same age level operated by the district

This bill would require a specified notice regarding the alternative schools to be given to the parents and guardians

This bill would require that teachers and pupils be selected from volunteers, and would prohibit racial, sex, or ethnic discrimination in the operation of alternative schools

This bill would permit the Superintendent of Public Instruction to waive provisions of Education Code, other than those relating to earthquake safety, in the operation of alternative schools and would require the superintendent to make specified reports to the Legislature re alternative schools

This bill would require an annual evaluation by each district operating an alternative school

This bill would authorize school districts to provide for the transportation of pupils to alternative schools or to reimburse parents or guardians for the actual costs of transportation provided or paid for by them, but would disallow any increased state apportionment on account of such transportation

This bill would require the Superintendent of Public Instruction to submit an annual report to the Legislature re the operation of alternative schools

This bill would become operative on July 1, 1976, and would cease to be operative on July 1, 1980.

This bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

Ch. 449 (SB 618) Dunlap Public schools personnel commission—selection

Existing statutes require the appointment of one member of the classified employee personnel commission for a merit system school district, each, by the governing board, the classified employees (as defined) upon the agreement thereto by the governing board, and the Executive Officer of the State Personnel Board upon recommendation by the governing board.

This bill would delete the power of the governing board to refuse to appoint the person recommended by the classified employees and, instead, would require the governing board to appoint the person nominated by the classified employees unless they voluntarily withdraw the name of their recommendation and submit another, and, in such case, to appoint the new nominee, and would provide for the filling of vacancies in each position

This bill would delete the requirement that the third member be appointed by the Executive Officer of the State Personnel Board and, instead, would require the appointment of the third member by the other two members or if they fail to do so within 30 days, by the Executive Officer of the State Personnel Board and would make corresponding changes in the provisions providing for filling of vacancies in such positions

Ch 450 (SB 647) Collier Vehicles· laned roadways restrictions

Existing law prohibits, with certain exceptions, any housecar or motor vehicle upon which a camper is mounted, which, if operated during darkness, would be subject to specified provisions of law re lighting equipment that are applicable to vehicles 80 inches or more in width, from being driven in the extreme left lane of a freeway which has three or more marked lanes in one direction

This bill would delete such prohibition

Ch 451 (SB 696) Alquist Electrical cooperatives

Presently, every corporation or person furnishing electricity to or for the public for compensation within this state is subject to regulation as a public utility under the Public Utilities Act by the Public Utilities Commission

This bill would provide that every electrical cooperative, as defined, shall not be subject to regulation under the Public Utilities Act by the commission as to rates, the borrowing of money, the issuance of evidences of indebtedness, or the disposition or encumbrance of property, but shall be subject thereto except as otherwise specified in this bill

The bill would become effective immediately as an urgency statute

Ch 452 (SB 714) Moscone School building inspection

The law currently requires that after January 1, 1976, any person employed to inspect the construction, reconstruction, or alteration of any school building shall be a person who is registered as a construction inspector by the State Board of Registered Construction Inspectors

This bill would permit such inspection to also be performed by any person who is regularly employed for building code enforcement by the local agency responsible for such inspection, if the person is qualified to perform such inspection under the civil service laws or regulations of the local agency

Ch 453 (SB 905) Way County agricultural commissioners fees

Existing law provides (1) that there are general standards, including, but not limited to, standards of quality and maturity, and standards less stringent than the general standards, which are applicable, depending on the circumstances, to fruits, nuts, and vegetables in order for such commodities to be salable, (2) authority for the Director of Food and Agriculture to, under specified conditions, adopt regulations to modify or

rescind quality and maturity standards for such commodities, (3) that upon the request of an interested party, such as the owner or shipper of such commodities, a county agricultural commissioner may inspect such commodities to certify that, among other things, such commodities meet the applicable standards, and (4) that the county board of supervisors may establish a schedule of fees for such certification based on the approximate cost of such inspection

This bill would clarify existing law by specifically providing that the board of supervisors may establish such a fee schedule for the inspection and certification of such commodities which are required to meet the less stringent standard, as well as establishing such fee schedules for inspection and certification of such commodities required to meet general standards when shipped out of the state for commercial processing, preserving, or manufacturing, under permit of a county commissioner

The bill would also specifically provide that the county board of supervisors may establish reasonable fees, as specified, for the inspection by county agricultural commissioners for the purpose of enforcing the director's regulations which modify or rescind quality or maturity standards for chopped lettuce.

Ch 454 (SB 950) Ayala Sales of meat

Existing law provides that any person who sells meat directly to the consumer on the basis of primal cuts or carcass weight shall supply the buyer with an accurate statement of weight at the time of sale of the carcass or primal cut purchased, and shall supply a complete and accurate statement which shall contain the weight of the meat delivered to the buyer and the number and type of cuts

This bill would require retailers to furnish an itemization of the total net weight of each retail cut and the total net weight of the entire meat purchase, whenever retail cuts of meat are sold in a variety pack, as defined, and an itemization for frozen food products other than meat indicating price and weight of each product

The bill would require, whenever freezer meat, as defined, is sold to a consumer, that such consumer be supplied with the weight of the carcass or any specified portion of a carcass or primal cuts before cutting and a complete and accurate inventory containing the net weight of meat delivered, complete cutting instructions for each cut of meat processed and an exact inventory of each such cut, and the total weight of ground meat from carcass or primal cuts

The bill also would require that a half of beef must consist of a forequarter and hindquarter from the same animal, and that when beef is sold as a half of beef, the consumer must be furnished an invoice listing the weight of each such quarter

Ch 455 (SB 1073) Holmdahl School districts governing board member elections.

Existing law specifies that when governing board elections are conducted in conjunction with the municipal election of a chartered city on other than the first Tuesday after the first Monday in March, newly elected members shall take office 30 days after the official verification of the results of such election In addition, provision is made that terms of outgoing members expire on the day before such newly elected members take office

This bill would provide instead that such members shall take office 37 days after the day of election, unless the charter provides otherwise However, if the charter of a city provides for a municipal nominating or primary election and a general municipal election, this bill would provide that the newly elected members shall take office 37 days after the date fixed by the charter for the general municipal election

Also, this bill would provide that the organizational meeting shall be held within the period commencing with the 31st day after the official verification and ending on the 45th day following such verification

Ch 456 (SB 1247) Smith Schools pupil records

Under existing law, no public or private school employee providing instruction in any of grades kindergarten through 12 shall permit access to any written records concerning any particular pupil unless the person is one of certain specified individuals

This bill would authorize such employees to release the names and addresses of pupils to parent-teacher associations of the schools which the pupils attend.

This bill would make additional changes in Section 10751, Education Code, proposed

by SB 524, to be operative only if this bill and SB 524 are both chaptered and effective on or before January 1, 1976, and this bill is chaptered after SB 524.

This bill would take effect immediately as an urgency statute.

Ch. 457 (AB 162) Duffy Superior court judges

The law presently authorizes 1 superior court judge for Kings County

This bill would increase the number of such judges to 2

It would also appropriate $60,000 to the State Controller for allocation and disbursement to Kings County for costs incurred by the county pursuant to this bill

Ch 458 (AB 180) Goggin Oil, gas facilities: penalties

Under present law the California Coastal Zone Conservation Act of 1972 requires the California Coastal Zone Conservation Commission to prepare, adopt, and submit to the Legislature for implementation the California Coastal Zone Conservation Plan Such act provides for interim permit control of development within the permit area of the coastal zone which is generally defined as the area lying between the seaward limit of the state's jurisdiction and 1,000 yards landward from the mean high tide line

This bill would prohibit any person to construct, expand, place, or locate any oil or gas pipeline or associated facilities for the transportation of oil or gas from an offshore oil or gas extraction operation on or across tidelands or submerged lands within the permit area of the coastal zone, unless such project has been permitted or exempted by a regional coastal zone conservation commission and, if appealed, by the California Coastal Zone Conservation Commission previous to the enactment of the bill, until either implementation by the Legislature of the Coastal Zone Conservation Plan or December 31, 1977, whichever occurs first

The bill, however, would not be applicable to such construction, expansion, placement, or location of oil or gas pipelines or associated facilities if the lease or agreement pursuant to which such pipelines or facilities are to be constructed, expanded, placed, or located was approved by the State Lands Commission on or before January 1, 1975, including any lease or agreement in litigation with such commission on or before such date, or if such pipelines or associated facilities are for the purpose of replacing a specified existing pipeline and facility, and such pipelines or facilities have been or may be permitted or exempted by a regional coastal zone conservation commission and, if appealed, by the California Coastal Zone Conservation Commission or by the California Coastal Zone Conservation Act of 1972

The bill would impose a civil fine of not to exceed $100,000 for a violation of such provisions and would additionally impose a civil fine of not to exceed $5,000 for each day in which the violation persists The bill would authorize any person to maintain an action for declaratory and equitable relief to restrain a violation and to maintain an action for the recovery of civil penalties. The bill would provide that any person who prevails in any such action shall be awarded his costs, including reasonable attorneys fees.

The Legislature, by the bill, would make legislative findings and declarations

Ch. 459 (AB 215) Z'berg Superior court judges

Existing law provides for two judges for the superior court of Yolo County.

This bill increases the number of Yolo County superior court judges to three and appropriates $60,000 from the General Fund to the State Controller for payment to Yolo County for costs incurred by the county pursuant to this bill

Ch. 460 (AB 283) Brown. Schools· scholastic aptitude tests

Existing statutes require statewide testing by achievement tests in basic skills courses and content courses and by physical performance tests and authorize governing boards of school districts to administer other tests. Existing statutes also require the administration of tests for evaluating accelerated instructional programs in mathematics and, in grades 1, 2, and 3, of certain reading tests

Existing statutes also specify that tests measuring intellectual ability and aptitude may be a source of evidence for determining general intellectual ability for purposes of the special educational programs for mentally gifted minors

Existing statutes also prohibit giving any group intelligence quotient test, except intelligence tests administered on an individual basis for purposes of placement in

special education programs, to any public elementary or secondary pupil who has come to the United States for the first time from a foreign country in which English is not the primary language until such student has resided in the United States for two years

This bill adds provisions which would:

(1) Prohibit school districts from administering, in connection with the statewide testing program or otherwise, any standardized group tests which provides or attempts to provide a single measure of general scholastic aptitude of pupils; and

(2) Permit the administering of such tests by school districts for purpose of placement in special educational programs for mentally gifted minors or in postsecondary education and for determination of pupil eligibility for specified awards relating to postsecondary education; and

(3) Authorize school districts, with prior approval of Superintendent of Public Instruction, to administer group scholastic aptitude tests for research purposes if the district has a superintendent approved group testing plan which includes specified elements

Ch 461 (AB 439) McAlister. Civil actions: jury instructions

While existing law authorizes the court to allow the jury to take instructions into the jury room for deliberation in criminal cases, it is error to allow the jury to do so in civil cases

This bill would grant the court discretion to allow the jury to take copies of the instructions read to them into the jury room for deliberation in civil cases

Ch. 462 (AB 622) Vasconcellos Postsecondary education: study

Under current law the California Postsecondary Education Commission is the statewide postsecondary education planning and coordinating agency and adviser to the Legislature and Governor. The commission is required to submit annual reports to the Legislature and Governor

This bill would require the annual reports to be submitted on or before January 1st of each year.

This bill would require the commission to conduct a study of independent colleges and universities and to report its findings and recommendations to the Governor and the Legislature on or before January 1, 1976

This bill would also appropriate $20,000 † from the General Fund to the commission for the purposes of making the study

This bill would express the intent of the Legislature to offer students a choice in the matter of attendance at a public or independent college or university.

Ch 463 (AB 697) Garamendi Schools· elementary school continuation

Existing law limits the provisions prescribing procedures whereby parents and guardians of a district included in a unified school district may take action to continue in existence an elementary school otherwise proposed to be discontinued to districts with an average daily attendance of less than 15,000 or districts unified after July 1, 1963, or to schools which are five miles or more from another elementary school

This bill would (1) delete the exclusion of districts unified on or before July 1, 1963, from such provisions; (2) require that an elementary school which is continued in operation by the filing of a petition remain open for a period of three years, unless the petition specified a shorter period; (3) require the governing board to publish a notice in specified manner if it intends to discontinue the elementary school at the end of the period, and, (4) remove obsolete provision

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason

The bill would go into immediate effect as an urgency statute

Ch 464 (AB 727) Vincent Thomas. Theft

Existing law provides, in crime of wrongfully diverting money received for purpose of obtaining or paying for services, labor, materials or equipment, that diversion less than $5,000 is misdemeanor and diversion in excess of $5,000 is punishable either as felony with up to 5 years' imprisonment, or as misdemeanor

† Appropriation reduced to $10,000 by action of the Governor

This bill would provide that diversion less than $1,000 rather than $5,000 is misdemeanor and diversion in excess of $1,000 rather than $5,000 is punishable either as felony or misdemeanor, and would reduce the maximum felony punishment from 5 to 2 years

Ch. 465 (AB 798) Davis Schools' housing aid

Under current law, a school district which does not have sufficient matching funds to receive school housing aid for the replacement or rehabilitation of structurally inadequate school facilities may receive an additional apportionment if certain conditions are met. One of these conditions is that the district must have levied a tax at the rate of $0 20 per $100 of assessed valuation in the preceding fiscal year for corrective measures relating to earthquake safety

This bill would permit the additional funds to be made available if the district levied a tax at the rate of at least $0 10 per $100 of assessed valuation for that purpose in the 1973–74 fiscal year and a tax at the rate of least $0 09 per $100 of assessed valuation for that purpose in the 1974–75 fiscal year; sold the facilities to be replaced prior to June 1972, but continued to use them until then, and levies a tax at the rate of $0 20 per assessed valuation in the 1975–76 fiscal year.

This bill would also permit a school district to have a tax at the rate of $0.20 per $100 of assessed valuation levied and collected in the 1975–76 fiscal year, notwithstanding any other limitation

This bill would take effect immediately as an urgency statute.

Ch. 466 (AB 970) Bannai CSUC fees and charges

[1] * Existing statutes require the chief fiscal officer of each campus of the California State University and Colleges to deposit in trust specified fees and charges for services and materials that are optional to the user

This bill would revise that requirement to require such chief fiscal officer to deposit in trust specified fees and charges for services and materials where such fees or charges are required of those persons who, at their option, use the services or are provided the materials, for which the fees or charges are made and to require such fees and charges so received and deposited to be used solely to meet the costs of providing such services and materials.

[(2) Current law requires certain moneys and fees received by the California State University and Colleges to be used to augment the support appropriation of the California State University and Colleges in the State Treasury, as specified

This bill would provide instead that such moneys and fees received shall augment the support appropriation to the California State University and Colleges for the fiscal year to which the collections apply] *

Ch. 467 (AB 1044) Chel Grand juries

Under existing statutory law a grand jury cannot make a report, declaration, or recommendation on any matter except on the basis of its own investigation. There is no statutory provision which restricts a grand jury from making such a report or declaration as a result of its investigation of indictable charges against a person concerning his innocence where he is not indicted

This bill would specifically require the grand jury to report or declare, at the request of the person charged, and with the approval of the court which impaneled the grand jury, that a charge against a person was investigated and that the grand jury could not as a result of the evidence presented find an indictment.

This bill would also require the grand jury to report or declare, at the request of the person called, and with the approval of the court which impaneled the grand jury, that any person called in an investigation to appear before the grand jury for purposes other than to investigate a charge against such person, was called only for the purpose of an investigation which did not involve a charge against such person

This bill would also require, at the request of the person charged or at the request of a person called as a witness, that the report or declaration be issued upon completion of the investigation of the suspected criminal conduct, and in no event beyond the end of the grand jury's term.

Ch 468 (AB 1183) Chel Administration of testamentary trusts

Existing law, relative to administration of trusts, permits the legal representatives of a trustee, in the case of such trustee's death, to render for settlement such trustee's accounts and to report the trustees acts and the condition of the trust estate with reference to a particular trust created by a will

This bill revises such procedure, in the event the trustee dies and also in the event the trustee becomes incompetent, by permitting such account and report to be presented by the trustee's executor, administrator, guardian, or conservator

The bill also provides that, in the event the trustee dies, or becomes incompetent, and there is no executor, administrator, guardian, or conservator appointed, or in the event the trustee absconds, the court may compel the attorney for the trustee to present the account and report

The bill incorporates various changes in the Probate Code proposed by AB 1869, to be effective only if that measure and this bill are both chaptered and become effective and this bill is chaptered last.

Ch. 469 (AB 1184) Chel Jurors

Existing law does not authorize challenges for cause of a prospective juror on the ground that such prospective juror is a parent, spouse, or child of a person who is disqualified from jury duty because of a relationship with a party such as, among others, guardian and ward, master and servant, employer and clerk, or principal and agent

This bill authorizes such ground as a basis for a challenge for cause of a prospective juror

Ch. 470 (AB 1309) Vicencia Vehicles driveaway-towaway operation alternative towing equipment requirements.

Existing state law, generally, (1) requires towed vehicles to be coupled to the towing vehicle by safety chain, cable, or equivalent device, in addition to the regular connection, (2) requires safety connections and attachments to be of sufficient strength to control the towed vehicle if the regular connection fails, (3) prohibits excess slack in a safety chain, cable or equivalent device, and (4) prescribes requirements regarding the use of a drawbar

This bill would exempt vehicles engaged in driveway-towaway operations from such provisions if (1) the towed vehicle has one end supported by the towing vehicle, (2) the towed vehicle is secured to the towing vehicle by a device which is readily demountable and performs the function of a 5th-wheel-type connection, (3) the 5th-wheel-type connection device is securely affixed to the vehicles to prevent shifting of the device, and (4) the 5th-wheel-type connection device provides a means of variation of inclination between the vehicles, as specified.

Ch 471 (AB 1547) Burke Schools· governing boards, trustee areas.

Under existing law, generally, the county committee on school district organization has the power to establish, rearrange the boundaries of, or abolish trustee areas of a school district to provide for alternative methods of electing governing board members, as specified Any such proposal may be initiated by the county committee, a petition signed by at least five qualified electors residing in a district, or by resolution of the governing board of a district

This bill would, in lieu of permitting the initiation of such a proposal by five qualified electors, require such initiation by at least 2 percent or 50, whichever is the lesser, of the qualified electors

This bill would make additional changes in Sec 1122, Education Code, proposed by AB 824, to be operative only if this bill and AB 824 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 824

Ch 472 (AB 1666) Gualco State employees salaries

The existing law makes no express provision which would require that interest be paid on those amounts that were not paid to state employees pursuant to salary increases authorized between July 1, 1973, and April 30, 1974, because of action by the Federal Cost of Living Council

This bill would require that interest at a rate of 7% per annum be paid on such

amounts when they are actually paid to state employees

This bill would take effect immediately as an urgency statute

Ch 473 (AB 1847) Gualco Release of liens.

Existing law imposes a fee of six dollars ($6) to record every release of lien executed by the state, or any municipality, county, city, district or other political subdivision if the original lien was recorded without fee, except that no fee is charged to record a release of lien recorded by the entity in error if a signed statement setting out the error is noted on the face of the release of lien.

This bill would also make the six dollar fee applicable to the recording of all releases of encumbrances or notices executed by the state or such other entities if the original encumbrance or notice was recorded without fee, and would, instead, prohibit the charging of any fee to record a release of lien, encumbrance, or notice which was recorded in error if there is notice on the face of the release of lien, encumbrance, or notice a statement to that effect

Ch. 474 (AB 1869) Chel Charitable trusts

No provision of law presently allows the court to amend or conform a trust instrument enabling the decedent's estate to qualify for the charitable tax deduction permitted by federal law.

The bill would allow the court to amend or conform the trust instrument in order to qualify the estate for a charitable tax deduction as provided pursuant to the Tax Reform Act of 1969 Notice of a petition for such amendment must be given to the Attorney General Before any such amendment or conformation may be ordered, all interested parties in the trust must submit to the court either written agreement to the changes in the instrument or a written disclaimer of interest

The bill incorporates various changes in the Probate Code proposed by AB 1183, to be effective only if that measure and this bill are both chaptered and become effective and this bill is chaptered last

The act is an urgency statute to take immediate effect

Ch. 475 (AB 1889) Vicencia. Vehicles: required lamp turn signals: motor-driven cycles.

Under existing provisions of state law, all motorcycles, including motor-driven cycles, manufactured and first registered on or after January 1, 1973, are required to be equipped with a lamp-type turn signal, as prescribed However, the federal regulations (safety standards) have eliminated turn signal requirements with respect to the manufacture of motor-driven cycles whose speed attainable in one mile is 30 miles per hour or less. Existing provisions of state law specify that the Commissioner of the California Highway Patrol shall adopt and enforce regulations identical to federal safety standards with respect to any motor vehicle or item or motor vehicle equipment

This bill would exempt motor-driven cycles whose speed attainable in one mile is 30 miles per hour or less from the state requirement regarding turn signals, thus conforming such state requirements with the federal safety standards

Ch. 476 (AB 1855) Suitt State lands· oil, gas leases

Under existing law, the State Lands Commission is authorized to lease state lands, including tidelands and submerged lands, for the extraction and removal of oil and gas deposits Such leases are required to provide for a minimum of 16⅔% royalty rate

This bill would authorize the commission to renegotiate the lease to reduce the minimum royalty rate or to substitute such other consideration as would be in the best interests of the state, upon specified findings, in order to prevent the premature abandonment of a lease.

Ch 477 (SB 579) Presley Water bonds local agencies

Existing law requires a two-thirds majority affirmative vote in a municipal water district's bond election to authorize such district to issue such bonds

Existing law also provides that certain local agencies which have contracted for a water supply directly with the [state from the] State Water Resources Development System or have contracted with another public agency which has in turn contracted with ~~such system~~ [the state] for a water supply [from such system], are required to have only

a simple majority affirmative vote at a bond election for [such] a water supply [agency] * to be authorized to issue such bonds

This bill would provide that, in addition to such local agencies, [(1)] a municipal water district which is a member agency of, or is located within a member agency of, a metropolitan water district [which has contracted with the state for a water supply from such system], or [(2)] a local public agency, other than a city or county, which is a member agency of, or located within a member agency of, a county water authority; ~~that~~ [which is a member agency of a metropolitan water district which] has contracted with the state for a water supply [from such system,] is required to have [only] * a simple majority affirmative vote at a water bond election, rather than two-thirds majority, to be authorized to issue water bonds

Ch 478 (SB 1142) Presley Improvement Bond Act of 1915. date of maturity

Under existing law, the final series of installment of bonds issued pursuant to the Improvement Bond Act of 1915 must mature and be payable on a date which shall not exceed 24 years from the second day of July next succeeding 10 months from their date

This bill would make the maximum maturity date 39 years rather than 24 years.

Ch 479 (SB 1167) Presley Municipal water districts· recreational facilities.

(1) Existing law permits a municipal water district to construct, maintain, improve, and operate public recreational facilities appurtenant to any water reservoir operated or contracted to be operated by the district.

This bill would permit the Big Bear Municipal Water District, in addition, to construct, maintain, improve, and operate such facilities which are not appurtenant to such a reservoir, if the proposal is approved by a majority of the qualified voters in the district at a special election, as specified

Ch 480 (SB 1065) Holden Sickle cell anemia· tests demonstration projects

Under existing law, the State Department of Health has the responsibility for designating tests and regulations to detect sickle cell anemia Testing may be conducted upon initial enrollment of a child in school and upon application of any person for a license to marry

This bill would also permit such testing at any other times that the department may designate

This bill would also authorize the department to make grants or contracts for demonstration projects for testing, counseling, research, and other activities relating to sickle cell anemia

This bill would appropriate $250,000 † from the General Fund to the department for the purposes of the bill

Ch. 481 (AB 1853) Z'berg Judges· Sacramento County

Existing law provides for 18 judges of the superior court in the County of Sacramento and 13 judges of the municipal court in Sacramento

This bill would increase the number of judges to 20 in the superior court in the County of Sacramento and 14 in the municipal court in Sacramento

It would also appropriate $120,000 to the State Controller for allocation and disbursement to Sacramento County for costs incurred by the county by the increase in the number of judges of the Superior Court of the County of Sacramento but provide that no other reimbursement or appropriation shall be made for any costs that may be incurred by local agencies by the increase in the number of judges of the municipal court in Sacramento

† Appropriaton reduced to $100,000 by action of the Governor

Ch. 482 (AB 2392) Badham Irvine Ranch Water District· alternative method of election and issuance of bonds

Under the California Water District Law, (1) there are provisions, among others, which govern the election of the board of directors for, and bonds issued by, districts formed pursuant to such law, including the Irvine Ranch Water District; (2) such law permits a district to be formed into 5 divisions of about equal area, (3) if the district is formed into divisions, one director for such board is elected from each division; (4) voters within such a district consist of owners of land, with their voting rights proportional to the value of such land; (5) the general obligation bonds of the district may be issued after an election, as specified, or after a hearing and notice, as specified, and (6) as specified, election on resident voter basis under prescribed circumstances

The bill would provide, among other things, that for specified reasons the Board of Directors of the Irvine Ranch Water District may provide, as alternatives to the above procedures, (1) for the formation of such district into uninhabited divisions, which have 12 or less registered voters within such division, and inhabited divisions which have more than 12 registered voters within such district; (2) that inhabited divisions are nearly equal in population and uninhabited divisions are nearly equal in area with election in inhabited divisions on a resident voter basis; and (3) for the issuance of the general obligation bonds of the district, or an improvement district thereof, as specified

This bill would take effect immediately as an urgency statute

Ch. 483 (SB 197) Mills Knight-Brown Era Oral History Project.

This bill would declare the intent of the Legislature that the Governmental Eras Documentation Project continue documentation of California's legislative and political history by commencing the Knight-Brown Era Oral History Project, to run for a period of 3 years

This bill would appropriate $66,000 to the California Heritage Preservation Commission for contracting with the Regents of the University of California for the Knight-Brown Era Oral History Project by the Bancroft Library's Regional Oral History Office and would provide that this appropriation is for the first year of the project

Ch. 484 (SB 747) Roberti Healing arts

Existing law provides that an applicant for a physician's and surgeon's certificate must pass a written examination in specified subjects.

This bill requires the Board of Medical Examiners to issue a physician's and surgeon's certificate, without a written examination, to anyone who meets specified requirements.

Ch. 485 (AB 524) Calvo. Compensation of court reporters.

(1) Existing law provides that official court reporters pro tempore for Santa Clara County shall be compensated at a rate of $45 per day and that additional official reporters pro tempore appointed by the judges of the municipal court districts shall, when reporting testimony and proceedings, receive $45 per day.

This bill would provide that official reporters pro tempore shall be compensated at a rate not less than $60 per day and that the per diem fees of additional official reporters pro tempore as appointed by the municipal court judges, when reporting testimony and proceedings, shall be at a rate of $60 per day

(2) Present law requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in various counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of such counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Santa Clara County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Santa Clara County and the Legislature

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting only certain counties

(4) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement made pursuant to that section for a specified reason

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

Ch 486 (AB 1375) Knox Local agencies state-mandated local programs and property tax limitations

(1) Existing law requires the Attorney General, in preparing a title or summary for an initiative measure which would require a substantial increase and does not contain a method of financing such increased cost, to state the amount of money that would be required

This bill would require the Attorney General, in preparing a title or summary for an initiative measure which would require an increase in local agency costs, to state in such title the amount of additional financing from local agency sources that will be required if such proposed initiative is adopted

(2) Under existing law, the state is required to reimburse local agencies and school districts for the local costs which are mandated by state acts and executive regulations enacted and issued after January 1, 1973

This bill would revise and clarify those provisions by defining or redefining certain terms, by establishing a new method of determining the amount of reimbursements to local agencies, and by establishing a new procedure for local agencies to make claims for reimbursement against the state. The bill would also require the Legislative Counsel to determine upon introduction whether each bill requires state reimbursement and in making such determination to disregard any provision in the bill which would make the reimbursement requirement inoperative In cases where the Legislative Counsel determines that state reimbursement is required, the bill would require the Department of Finance to prepare an estimate of the amount of reimbursement

(3) Existing law also requires the Legislative Analyst to prepare impartial ballot analyses of ballot measures submitted to the voters and to specify, among other things, any increased costs which would be incurred by local governments pursuant to the measure's provisions

This bill would require such specifications regarding increased local government costs to be set forth in boldface type

(4) Existing law establishes limits on the maximum property tax which may be levied by local agencies Existing law also provides procedures for cases where the appropriation or reserves for any county fund require a property tax rate greater than the legal limit

This bill would extend those provisions to cover any fund for which the county board of supervisors fixes the rates and revise the procedures

(5) Existing law permits counties providing structural fire protection in portions of the county in the 1971–72 and 1972–73 fiscal years but not paying for it by a tax on property to levy a property tax rate in addition to the otherwise permissible maximum rate

This bill would revise the method of determining the additional rate

(6) Additionally, under existing law local agencies may levy a property tax rate in addition to the otherwise permissible maximum rate to pay costs mandated by the federal government or by the courts which are not funded by the federal or the state government

This bill would require the Controller to prepare advisory guidelines for use by local agencies in determining when an additional property tax rate may be levied under those provisions

(7) Also under existing law, an election to establish a maximum property tax rate for a local agency must be conducted according to the law otherwise applicable to elections held by the local agency, except the governing body of the local agency may authorize the use of mailed ballots whenever there are 250 or fewer qualified voters eligible to vote in the election

This bill would revise the exception as to mailed ballots to permit its use when the governing body of the local agency makes a determination that the use of mailed ballots is less costly or in any manner more feasible than other election procedures

(8) The bill would also make various changes in regard to property tax rates levied by local agencies and reimbursements made by the state to local agencies

(9) Existing law specifies that certain additional property taxes shall not be invalidated and may continue in order to meet recurring costs undertaken by a local agency to

comply with a federal government mandate notwithstanding the curtailment of such mandate if the curtailment occurs after the local agency has taken various actions

This bill would provide that any such additional tax rate shall not continue to be levied if the curtailment of the mandate is upheld by a final court order

(10) Existing law permits a local agency to levy an additional property tax rate to pay the cost of retirement and pension benefits approved by the voters of the local agency

This bill would, instead, allow the additional rate to pay the cost of retirement and pension benefits and plans being provided pursuant to a city or a county charter or which have been specifically approved by the voters of the local agency

(11) The bill would also reappropriate specified funds to the State Controller for reimbursement to local taxing authorities for revenues lost pursuant to Sections 2229 and 2230 of the Revenue and Taxation Code

The bill would appropriate $30,000 from the General Fund to the Department of Finance for costs incurred by that agency pursuant to the bill's provision

This act would take effect immediately, as an urgency statute

Ch 487 (SB 363) Dunlap Governmental shareholders, cumulative voting

Existing law does not require governmental body shareholders to cast their votes in any particular way with respect to resolutions on the subject of cumulative voting for directors

This bill requires governmental body shareholders to cast their vote on resolutions on the subject to permit cumulative voting

Ch 488 (SB 437) Kennick CSUC police.

Under existing law, the Trustees of the California State University and Colleges may appoint one or more persons to constitute a police department. Generally, such police department may operate at each campus of the California State University and Colleges, within an area one mile from the exterior boundaries of each campus, and in or about any other grounds or properties owned, operated, controlled, or administered by the State University and Colleges

This bill would make specific reference to the headquarters of the California State University and Colleges, and add the area within one mile thereof, as an area in which the State University and Colleges' police may operate

Ch. 489 (SB 549) Stull County sanitation districts

(1) Under existing law, a county board of supervisors is required to publish in a newspaper published in the county or post at the courthouse door ordinances which it enacts and an order entered in the minutes of the board that the ordinance has been published or posted is prima facie proof of publication or posting.

This bill would provide that a certificate of the clerk of the board would also be prima facie proof of the publication or posting

(2) Under existing law if a county sanitation district includes no territory which is in cities or sanitary districts the county board of supervisors is the board of directors of the district; and the district board of a county sanitation district may adopt ordinances to carry out its duties, including collection of charges There is no provision of law relating to a model county sanitation ordinance

This bill would permit the board of supervisors of any county to adopt a model county sanitation ordinance in the same manner as other ordinances are adopted and would permit the district board to adopt by reference all or any part of such a model ordinance, to add to or amend the model ordinance and to adopt by reference any amendment or an amended ordinance adopted by the board of supervisors

Ch 490 (SB 858) Holmdahl Affidavit of registration

Existing statutory law provides that the affidavit of registration must show that the elector is able to read the Constitution in the English language and to write his name, or that the elector, who by reason of having been an elector on October 10, 1911, is entitled to vote, regardless of the fact that such person cannot read the Constitution in the English language or cannot write his name Section 1 of Article II of the California Constitution, as amended by Proposition 7 of the general election of November 7, 1972, however, deleted these requirements as a condition to registering to vote and to vote

This bill would conform such statutory provisions to Section 1 of Article II of the California Constitution, and it would make certain clarifying changes

This bill would also incorporate additional changes to Sections 310 and 321 of the Elections Code, proposed by AB 85, to become operative only if AB 85 and this bill are both chaptered and become effective on January 1, 1976, and this bill is chaptered last.

Ch 491 (SB 925) Mills Subdivision Map Act: dedication for transit facilities

Existing law permits by local ordinance a requirement for dedication or irrevocable offer of dedication of real property within a subdivision for streets, alleys, abutter's rights, drainage and public easements

Existing law also provides that if at the time the final map is approved, any streets, paths, alleys or storm drainage easements are rejected, the offer of dedication shall remain open and the legislative body by resolution may accept the offer at a later date, unless the offer of dedication is terminated or abandoned pursuant to existing law.

This bill would permit by local ordinance a requirement for dedication or irrevocable offer of dedication of real property within the subdivision for the construction of local transit facilities which directly benefit the residents of a subdivision

The bill would not apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added.

The bill would also require the irrevocable offer of dedication for such transit facilities, if rejected when the final map is approved, to remain open for acceptance by resolution of the legislative body at a later time, unless the offer is terminated or abandoned pursuant to existing law

Ch 492 (SB 941) Presley School classified employees merit system

The law currently prescribes a procedure for the classified employees of a school district to petition for and vote on, the establishment of a merit (civil service) system of personnel administration for classified employees of the district

This bill would establish an alternative procedure under which the electors of a school district could petition for, and vote on, the establishment of a merit system for classified employees of the district.

Ch 493 (SB 990) Nejedly Planning and Zoning Law: newly incorporated cities.

Existing law provides that the local agency must affirmatively find that the proposed subdivision or land project is consistent with the general plan or specific plan adopted pursuant to the planning and zoning law

This bill would allow each city incorporated after September 30, 1974, an exemption for a specified time from the specific finding of consistency with the plan if the city is proceeding with the preparation of a general plan and the city finds (1) there is a reasonable probability that the proposed land use will be consistent with the general plan proposal, (2) there is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed use is ultimately inconsistent with the general plan; and (3) the city makes all of the other required findings.

The bill would require every city incorporated after September 30, 1974, to adopt a general plan within 30 months following incorporation.

This bill would take effect immediately as an urgency statute

Ch 494 (SB 1010) Smith Personal income tax withholding statements. contents

Existing law requires that every employer or person required to deduct and withhold state personal income taxes shall, after termination of the calendar year or employment, furnish to each employee a statement, which shall include their name, the name and identifying number, the total number of wages and the total amount of taxes deducted and withheld

This bill would require that, in addition to such information, the total amount of unemployment compensation disability insurance contributions, paid by the employee, be included in such statement

This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act.

Ch 495 (SB 1040) Collier Vehicles prohibited wearing of headset, earplugs, exceptions.

Under existing provisions of law, no person, except law enforcement personnel when on duty, operating any motor vehicle, may wear any headset covering, or any earplugs in, both ears

The bill would exempt any person engaged in the operation of either special construction equipment or equipment for use in the maintenance of any highway

Ch 496 (SB 1156) Alquist Alcoholic beverages club licenses

Existing law defines "club," for purposes of obtaining a club license under the Alcoholic Beverage Control Act, to mean, among other things, an American national fraternal organization which actively operates in not less than 31 states and which has not less than 300 local units in those 31 states

This bill would revise such definition to provide that an American national fraternal organization would be required to actively operate in not less than 20 states, rather than 31 states, and which would have not less than 200 local units, rather than 300 local units, in those 20 states.

Ch. 497 (SB 1194) Stevens Dissolution of marriage

Under existing law, upon the application of a party to a proceeding relating to determination of a void or voidable marriage or dissolution of marriage, the superior court is authorized to issue an ex parte order enjoining any party from molesting or disturbing the peace of the other party

This bill would extend the authorized scope of such an order to include enjoinment of the molestation or disturbance of any person under the care, custody, or control of the other party

Ch 498 (AB 851) Robinson. Local agencies' financial affairs

Existing law authorizes the deposit of funds of local agencies with a depository This bill would authorize the treasurer of the local agency to contract with the depository for such services regarding funds on deposit as the treasurer in his judgment deems to the public advantage, provided the contract specifies the duration of compensating deposit if any, the interest rate on such compensating deposit if any, the services to be rendered, whether the depository shall bear the expenses of transportation of money to and from the depository, and the consideration payable to the depository

It would also specify the method to be used in paying such consideration.

Ch 499 (AB 959) Badham Conflict of interest

Existing law contained in the Political Reform Act of 1974 does not subject members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the state or regional coastal zone conservation commissions, judges, district attorneys, or members of the Fair Political Practices Commission to the financial disclosure provisions presently applicable to Members of the Legislature and certain other public officers This bill makes such financial disclosure provisions applicable to these officers and provides that a copy of the financial disclosure statement of a judge of a court of record shall be filed with the clerk of his court This bill specifies the dates by which the financial disclosure statements of these officers shall be filed

This bill is to take effect immediately as an urgency statute

Ch 500 (AB 1146) Bannai Compromise of minor's claims

Under existing law relating to guardians and wards, when a minor has a disputed claim for damages, money, or other property against a third person, his father, or if his father is dead or if the parents of the minor are living separate or apart and his mother then has care or custody of the minor then his mother has the right to compromise the claim, or execute a covenant not to sue on, such claim, if approved by the appropriate court

This bill revises such provision to give such right to compromise or execute a covenant not to sue to the parent of the minor entitled to the care, custody, or control of such minor

Ch 501 (AB 1801) Ingalls Vehicles· driving or parking on public grounds

Existing law prohibits the driving, stopping, or parking of any vehicle or animal on specified types of publicly owned or maintained property, except as may be permitted, conditioned, and regulated by the governing board or officer having jurisdiction over such property

This bill would make such provisions applicable to any property under the direct control of the legislative body of a municipality as well, if prescribed conditions regarding the holding of an open meeting are met

Ch 502 (AB 1924) Foran Fleet owner inspection and maintenance stations

Existing law provides for the licensing, by the Commissioner of the California Highway Patrol, of fleet owner licensed stations Such stations are authorized to adjust and inspect lamps and brakes, install and inspect motor vehicle pollution control devices, and to perform general inspection and maintenance on vehicles owned as a fleet of three or more vehicles which are engaged in interstate transportation and registered in California.

This bill would redesignate such stations fleet owner "inspection and maintenance stations," specify that the vehicles comprising the fleet be of one or more specified types, and delete the requirement that the fleet owner be engaged in interstate transportation. The bill would require that such inspection and maintenance be conducted in accordance with the requirements of the U.S Department of Transportation, if the fleet owner is engaged in interstate commerce Various conforming changes would be made.

Ch 503 (AB 1984) Beverly. Vehicles electric carts operation on sidewalks

Under existing state law, local authorities may adopt rules and regulations by ordinance or resolution which, among other things, authorize the operation of electric carts by physically disabled persons and persons 50 years of age or older, on public sidewalks.

This bill would permit local authorities to adopt rules and regulations by ordinance or resolution to authorize the operation, on public sidewalks, of electric carts by employees of the United States Postal Service, state and local governmental agencies, and utility companies while in the course of their employment

Ch 504 (AB 2079) Chel State employees· insurance benefits

Existing law establishes a $5,000 life insurance benefit for state employees in the 1974–75 fiscal year, and authorizes the extension of the benefit in succeeding fiscal years by order of the Governor

This bill would revise such provisions of existing law to require the Board of Administration of the State Retirement System to extend such benefit to succeeding fiscal years, unless an order of the Governor directs that such extension not be made

Ch 505 (AB 2101) Ingalls. Vehicle salesmen licensing

Existing law provides for the issuance by the Department of Motor Vehicles of licenses and temporary permits to vehicle salesmen

This bill would delete all such existing provisions and substitute new provisions therefor which carry over some existing provisions but which also would revise the grounds permitting refusal to issue a license or to suspend or revoke a license, provide for license renewal every third year, rather than annually, specify different unlawful acts for which a salesman may be disciplined, and revise various license fees and provide for a late renewal fee

This bill would appropriate $23.000 from the Motor Vehicle Account in the State Transportation Fund to the department for implementation of this bill

Ch 506 (AB 80) Keysor Highways Route 64· deletion.

Route 64 from Route 101 near Hidden Hills to Route 5 is presently included in the California freeway and expressway system

This bill, if enacted, would delete such portion of Route 64 from the California freeway and expressway system

Ch 507 (AB 293) Vincent Thomas Skipjack

Under existing law, skipjack weighing less than four pounds may not be sold, purchased, or processed in this state

This bill would repeal this provision of law

Ch. 508 (AB 565) Chappie Motor Vehicle Fuel Account

Existing law provides for the Motor Vehicle Fuel Account in which all license taxes, interests and penalties received pursuant to the Motor Vehicle Fuel License Tax are deposited. Moneys in the account are transferred to a number of other accounts, for specified purposes, including the Off-Highway Vehicle Fund In authorizing the transfer of funds from the Motor Vehicle Fuel Account to the Off-Highway Vehicle Fund, existing law refers to the Department of Public Works which has been redesignated as the Department of Transportation, and provides that every other year the Department of Public Works in cooperation with the Department of Parks and Recreation shall prepare an estimate of the amount of funds credited to the Motor Vehicle Fuel Account attributable to taxes imposed on distribution of motor vehicle fuel used in the off-highway operation of specified vehicles and which should be transferred to the Off-Highway Vehicle Fund

This measure would revise the reference referring to the Department of Public Works to the Department of Transportation, and would transfer $334,167 from the Motor Vehicle Fuel Account to the Off-Highway Vehicle Fund which is continuously appropriated to provide for trails and areas for use of off-highway vehicles. The measure also specifies that such transfer is made in order to reflect the amount of funds attributable to the Off-Highway Vehicle Fund for the 1973–74 fiscal year

The bill would take effect immediately as an urgency statute

Ch 509 (AB 593) McAlister Exemptions from execution

Present law provides that all money received by a California resident as a pension or as an annuity or retirement or disability or death or other benefit, or a return of contributions and interest thereon, from the United States government; the state; or any county, city, or city and county, or other political subdivision of the state, or any public trust, or public corporation, or from the governing body of any of them, or from any public board or boards, or from any retirement, disability, or annuity system established by any of them pursuant to statute is exempt from execution

This bill would provide that all such moneys are subject to execution for court-ordered spousal and child support payments

It would also make a related change

Ch. 510 (AB 611) McAlister Schools governing boards, elections.

Under current law, the voters of a school district may, in certain circumstances, petition to have a special election to fill a vacancy on a school district governing board The special election must be held within a 120-day period after the petitions for the holding of the election have been verified

This bill would make a technical change in the statute dealing with these procedures by eliminating a sentence therefrom which is not essential to its implementation

This bill would prohibit the holding of the special election if a regular governing board election to fill the vacant position is scheduled to be held within that 120-day period.

Ch 511 (AB 726) Vincent Thomas Home improvement contracts.

Under existing law a prime contractor who performs home improvement work for the owner or tenant of a one-, two-, or three-family dwelling place is required, when performing such work and entering into a contract for purposes of the performance of such work, to include in such a contract, when certain conditions exist, specified information Existing law also provides that violation of this provision is a misdemeanor and constitutes cause for disciplinary action

This bill would require that a contractor, whether a general contractor or a specialty contractor, who contracts with an owner or tenant for work upon a building or structure for purposes of performing home improvement work and where the aggregate contract price specified in one or more improvement contracts, including all labor, services, and materials to be furnished by such contractor exceeds $500, include in the written con-

tract certain revised information

This bill would also provide that a violation of this section by a licensee, his agent, or salesman is a misdemeanor punishable by specified fine or imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment

Ch 512 (AB 813) Foran Public social services

Existing law establishes the aid grant to be paid to recipients under the aid to the potentially self-supporting blind program (APSB) which is funded by a continuous state appropriation

This bill provides for the APSB grant to equal the grant of blind persons and married couples under the state supplementary program for the aged, blind, and disabled, eliminates the continuous state appropriation and provides that such aid be funded by any appropriation therefor in the Budget Act

The bill also eliminates obsolete provisions

The bill would take effect immediately as an urgency statute

Ch 513 (AB 850) Z'berg Resource conservation laws.

Existing provisions of law relating to resource conservation, the State Resource Conservation Commission, the Department of Conservation, the Division of Resource Conservation, and resource conservation districts are contained in Division 9 of the Public Resources Code

This bill would repeal and add Division 9 of the Public Resources Code whereby the sections of Division 9 would be renumbered, the provisions of Chapters 5, 6, 7, and 8 would be consolidated into a single chapter, and the headings of various chapters and articles and the division heading would be revised to reflect the provisions therein

No substantive change would be made by the bill except to increase the number of members of the State Resource Conservation Commission from seven to nine and to revise the qualifications specified for persons appointed to the commission; and to delete provisions relating to a maximum assessment that may be levied against a municipal or public utility landowner

The bill also would provide that any section of any other act enacted during 1975 that affects a section of this act shall prevail over this act.

Ch 514 (AB 924) Chel Bank and corporation tax exempt corporations.

Under existing Bank and Corporation Tax Law, various organizations and corporations are subject to the imposition of a tax based on their income, unless they are exempted thereby Organizations and corporations which are subject to such tax are required to pay a minimum tax of $200 per year

Existing Bank and Corporation Tax Law does not exempt corporations or associations organized and operated for the improvement of a condominium or cooperative housing project from such tax Such corporations or associations are subject to the imposition of such tax on all of their taxable income.

This bill would exclude from gross income that portion of the income of such organizations which is derived from contributions, assessments, or dues from shareholders or owners of the condominium or cooperative housing project, if such contributions are used exclusively for certain capital improvements or repair and maintenance of commonly owned property within the project, in the computation of taxable income

This bill takes effect immediately as a tax levy, but its operative effect will depend upon its effective date

Ch 515 (AB 944) Keene Grand jurors' fees Humboldt County

Present law requires that grand jurors in Humboldt County receive fees of five dollars for each day's attendance

This bill would increase those fees to a minimum of $10 and a maximum of $20; as determined by the county board of supervisors

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill because of a specific reason

Ch 516 (AB 979) Dixon. Parks and recreation

There is no existing law providing a grant of funds to the County of Los Angeles for the acquisition of the proposed Baldwin Hills Regional Park

This bill would amend and supplement the Budget Act of 1974 to appropriate $600,000, payable from unencumbered funds in the State Beach, Park, Recreational, and Historical Facilities Fund, to the Department of Parks and Recreation for a grant to the county for the acquisition of Baldwin Hills Regional Park, provided that none of such funds shall be available for expenditure unless and until there is substantial compliance with designated provisions

The bill would also take effect immediately as an urgency statute

Ch. 517 (AB 982) Davis Logging vehicles registration exemption, identification plates, equipment exemptions

Existing state law exempts certain vehicles from registration provisions contained in the Vehicle Code, and requires such vehicles to display an identification plate, for which a service fee of $5 is imposed (except that no service fee is imposed for such vehicles which are publicly owned)

This bill would make such provisions applicable to logging vehicles, which the bill defines

In addition, under existing state law, vehicles of a type subject to registration under the Vehicle Code which are not designed, used or maintained for the transportation of persons or property and are only incidentally operated or moved over a highway, are exempt from various requirements of the Vehicle Code relating to vehicle equipment and condition (primarily, requirements regarding lights; brakes, windshields, mirrors, horns, loading of logs, poles, other timber products, hay, and flammable material) Such vehicles are specifically made subject to other equipment provisions of the Vehicle Code (which, generally, impose requirements regarding vehicle equipment inspections, unlawful operation of unsafe vehicles, use of flashing warning lights, front, side, and rear lights; color of lights, lamps and reflectors on loads, protuberances on tires; television sets in vehicles, loading of metal products; correction of mechanical defects, use of reflectorizing material)

Existing law also exempts certain vehicles from the stopping distance requirements contained in the Vehicle Code, while requiring that such vehicles be operated at a speed that will permit them to stop in 32 feet (if such vehicles cannot be stopped within 32 feet from an initial speed of 15 miles per hour)

This bill would make the above exemptions regarding equipment and condition of vehicles and the stopping distances for vehicles, applicable to logging vehicles

Ch 518 (AB 1003) Lewis Public utilities rate increases

Existing law makes no provision requiring the Public Utilities Commission to allow individual residential public utility customers affected by a proposed rate increase to testify at any hearing on such increase

This bill would require the commission to permit such testimony by individual residential public utility customers, but would specify that the officer presiding at such hearing need not allow repetitive or irrelevant testimony and may conduct the hearing in an efficient manner.

Ch 519 (AB 1072) Chappie. Municipal water districts, bond anticipation notes

Existing statutory law permits a municipal water district to issue and sell negotiable bond anticipation notes payable from bond proceeds or district taxes, and permits the district to refund the notes from time to time, but the maximum maturity of any such notes as originally issued or as refunded shall not exceed five years from the date of the original notes.

This bill would permit the district to issue renewal notes in the event that the sale of bonds shall not have occurred prior to the maturity of the bond anticipation notes The bill would permit the district to make only one renewal of any bond anticipation note and limits the maturity of such renewal note to three years from the date of issuance

Existing law grants the homeowner's property tax exemption in the amount of $7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local governments to compensate for property tax revenues lost by

reason of such exemption

This bill would increase the amount of such appropriation by authorizing an additional property tax

Ch 520 (AB 1093) Maddy Tear gas advertising

Existing law prohibits the sale, possession, or transportation of any tear gas weapons or devices unless specifically exempted or permitted However, existing law does not, in any manner, specifically prohibit the advertising of tear gas, tear gas weapons or tear gas devices

This bill would make it a misdemeanor to advertise the sale of tear gas, tear gas devices, and tear gas weapons, unless a prescribed statement indicated that the possession or transportation of tear gas and tear gas weapons or devices is generally prohibited by law.

This bill provides that neither an appropriation is made nor an obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this act for special reasons.

Ch 521 (AB 1115) Mobley California Youth Conservation Corps

Existing statutory law requires the Department of Parks and Recreation to establish a program, designated as the California Youth Conservation Corps, for the purpose of developing, preserving, and maintaining environmentally important public lands and water. The department is authorized to continue the pilot program established by the department in San Diego County A county desiring to participate in the program for a particular year must submit an application to the department no later than January 15th The department is prohibited from expending more than 10% of the funds available for corps purposes for administration of the corps The department is required to designate corps camp projects and commit funds therefor on or before March 15th of the year of participation.

This bill would delete the authorization for the department to continue the San Diego County pilot program. The bill would remove the application deadline for county participation, the 10% limitation on corps administrative expenses, and the deadline for the department to designate corps camp projects and commit funds for the year of participation The bill would also authorize cities and districts to participate in the program.

Ch 522 (AB 1134) Egeland Healing arts.

Existing law provides with respect to applicants for a physician's and surgeon's certificate, that if an applicant fails twice to pass the examination, he shall not be eligible to be examined a third time until at least one year has elapsed, and if he fails a third time and thereafter, until two years have elapsed

This bill would delete such provision

Ch. 523 (AB 1204) Beverly Public funds depositories interest.

Existing law requires a depository of moneys of local agencies to compute interest payments on the average daily balances on deposit without specifying a basis

This bill would require the depository to compute the interest on the average daily balances on deposit using a 360-day basis

Ch 524 (AB 1225) McVittie Yogurt and kefir· raw milk

(1) Under existing provisions of law, market milk or market milk combined with nonfat milk from market milk which has been pasteurized and afterwards fermented, as prescribed, may be sold as yogurt, low-fat yogurt, nonfat yogurt, mazun, kefir, or such names as may be characteristic for the product and approved by the Director of Food and Agriculture

This bill would delete reference to kefir in such provisions, authorize the use of certified raw milk for any such product, and permit any such product to have a specified quantity of coliform bacteria

(2) There are no existing statutory provisions authorizing the sale of kefir made from certified raw milk

This bill would authorize the sale of kefir made from certified raw milk, as prescribed, and provide standards for the contents of a milk product which would be known as kefir and fruit kefir The bill would provide labeling standards for the sale of kefir, low-fat

kefir, and nonfat kefir which could be sold in liquid form, with or without fruit added, and labeled "Certified Raw," "Certified Pasteurized," or "Grade A." This bill would also prescribe standards for the content and labeling of fruit kefir, low-fat fruit kefir, and nonfat fruit kefir

The bill would provide that neither appropriation is made nor obligation created by this act for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 525 (AB 1334) Chel Vehicle offenses accident investigation

Existing law permits certain peace officers who have successfully completed at least 80 hours of instruction in a course, approved by the Commission on Peace Officer Standards and Training, in the investigation of traffic accidents to issue a written notice of violation whenever they have reasonable cause to believe that any person involved in a traffic accident committed a nonfelony traffic offense and such offense was a factor in the occurrence of the accident.

This bill would reduce to 40 the number of hours of instruction such a peace officer is required to complete This bill would also specify that provisions of law relating to issuance of a notice of violation shall have no application to procedures specified in law relating to issuance of a notice to appear

Ch 526 (AB 1369) Craven Public Employees' Retirement System reciprocity

Existing Public Employees' Retirement Law provides for receipt of reciprocal benefits by persons who have service in the Public Employees' Retirement System, retirement systems established under the County Employees' Retirement Law of 1937 and other local retirement systems if the person has 90 days or less break in service between systems

This bill would make that maximum period of break in service 6 months

No amount would be appropriated to the State Controller to reimburse local agencies for their costs

Ch 527 (AB 1371) Ingalls Vehicle licensing utility trailers

Existing law provides for the licensing, registration, and payment of fees for utility trailers on an annual basis

This bill would permit the Department of Motor Vehicles to issue to the owner of a fleet of 500 or more utility trailers having an unladen weight of 2,000 pounds or less a special license plate for such trailers and a registration card which would be valid indefinitely The bill would specify the contents of an application to be made by a fleet owner, procedures for the issuance of license plates, and the design of the license plates

The bill would appropriate $8,300 from the Motor Vehicle Account in the State Transportation Fund to the department for expenditure for the purposes of the act

Ch 528 (AB 1404) Mobley Frozen dairy products.

(1) The existing law requires ice cream or ice milk which is sold in package form to be labeled with the name and address of the manufacturer, the wholesale distributor, or the retailer, and requires designated corresponding words to appear above any such name It does not require that sherbet or quiescently frozen confections be labeled in a similar manner

This bill would delete the provision requiring designated words to appear above any such name in connection with ice cream or ice milk and would, instead, require ice cream, ice milk, sherbet, or quiescently frozen confections when sold in package form to be labeled with the name, address, and zip code of the manufacturer, the wholesale distributor, or the retailer The bill would further provide that when the name and address is not that of the original milk products processing plant, then there shall be stamped, printed, or embossed upon the package the plant number of the manufacturer or packer, as prescribed

(2) The existing law provides for standards for dairy products used as ingredients in frozen dairy products

This bill would permit the Director of Food and Agriculture to authorize the use of wholesome, edible dairy products, as permissible ingredients, in frozen dairy products, in addition to those for which standards are provided for under the law

(3) This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 529 (AB 1410) Chel. Traffic control· flashing signals. turn movements.
Under existing law, vehicular traffic facing an official traffic control signal with a green arrow may make the movement indicated by the green arrow
This bill would authorize vehicular traffic facing such a control signal with a flashing red or yellow signal replacing the green arrow to make the movement which would have been indicated by the green arrow (a) if the traffic stops at a specified point before entering the intersection if the signal is a flashing red signal or (b) if the traffic proceeds with caution through the intersection if the signal is a flashing yellow signal

Ch 530 (AB 1452) Foran Bonds, investment· state refunding bonds.
The existing law contains the signature and seal requirements for the execution of state general obligation bonds
This bill would make technical changes in the signature requirements for the execution of bonds
This bill also authorizes the issuance and sale or exchange of funding or refunding bonds to redeem or retire any bonds issued and outstanding and specified when such bonds may be issued and exchanged The bill makes the operative effect of the provisions relating to funding or refunding bonds contingent upon the approval by the voters of Assembly Constitutional Amendment No. 50.

Ch 531 (AB 1454) Brown Commercial license plates station wagons
Existing law provides an exemption for an owner of a station wagon from the requirement of paying commercial weight fees, notwithstanding any commercial use provided that a person who is bona fide engaged in a business and who owns and operates a station wagon registered in the name of such business, may pay such weight fees on the station wagon and receive a commercial license plate, notwithstanding the exemption from paying weight fees
The bill would, in addition, permit a person who is bona fide engaged in a business as an employee and who is required by such employment to own and operate a station wagon, which is registered to such person, to pay such weight fees and receive such commercial license plates

Ch. 532 (AB 1515) Gualco Municipal utility districts competitive bid contracts
Existing law requires competitive bidding on all purchases of supplies and materials in excess of $4,000 for municipal utility districts
This bill would instead require competitive bidding on all purchases of supplies and materials in excess of $10,000 for municipal utility districts

Ch 533 (AB 1537) Chimbole Unemployment Compensation Disability Fund.
Existing law permits certain state funds which are not subject to the provisions of law relating to the Surplus Money Investment Fund to elect to come within such provisions The Unemployment Compensation Disability Fund is not a fund which may elect to come within such provisions
This bill would authorize the Director of Employment Development to elect to bring the Unemployment Compensation Disability Fund under the Surplus Money Investment Fund provisions

Ch 534 (AB 1549) Chappie Registration fees and penalties, special identification plates, issuance and fees
(1) Existing law does not specifically provide for the application for and issuance of special identification plates to a manufacturer or dealer of special construction equipment, special mobile equipment, or cemetery equipment
This bill would authorize the Department of Motor Vehicles to issue such plates or other suitable device to such persons upon payment of a specified fee The bill would require the department to determine the size, color, and configuration of such plate or device and the application form therefor
(2) On and after March 8, 1976, there will be imposed [, for the late payment of the

required additional weight fee for the alteration or addition to a registered vehicle which places the vehicle into a higher weight classification, a penalty equal to the required additional weight fee] *

[The bill would reduce the penalty to 50% of the required additional weight fee] ~~for late applications for renewal of registration or renewal of special license plates a penalty equal to the computed registration fee or special license plates fee, respectively~~ *

~~This bill would provide that such penalty shall be equal to 50 percent of such respective fees~~ *

Ch 535 (AB 1590) Keene Commercial fishing surfperch

Under existing law, surfperch of the family Embiotocidae may not be sold or purchased between May 1st and July 15th of each year

This bill would provide that such surfperch may only be taken between July 16th and April 30th of each year and may be sold or purchased only between July 16th and May 10th of each year

Ch 536 (AB 1661) Knox Local agency security program· appropriation

Under existing law each depository accepting local agency deposits for purposes of the local agency security program must pay annually a specified amount levied against it for expenses of administering the program

This bill would revise the accounting procedure to require the depository to pay such amount into the State Banking Fund to the credit of the budget act appropriation for the support of the State Department of Banking from which the expenditures were originally made

This bill would become operative July 1, 1976

Ch 537 (AB 1663) Ingalls Interstate and foreign highway carriers

Present law requires interstate highway carriers to register with the Public Utilities Commission pursuant to standards established by the Interstate Commerce Commission and to submit either a copy of the carrier's ICC authorization or an affidavit of exemption therefrom, and contains provisions requiring liability insurance and an agent to receive service of process in this state

This bill would expand these provisions to include foreign as well as interstate highway carriers

Ch 538 (AB 1670) Nestande Unemployment Insurance Appeals Board

Under existing law the director or any party to a decision by a referee may appeal to the appeals board from the decision The appeals board may on its own motion affirm, modify, or set aside any decision of a referee on the basis of the evidence previously submitted in the case, or may direct the taking of additional evidence The appeals board may remove to itself or transfer to another referee the proceedings on any claim pending before a referee

This bill would permit the appeals board, acting as a whole, by notice mailed to the director and parties prior to the mailing of a referee's decision to transfer the proceedings to another referee, or remove the proceedings to itself for review and decision

This bill would also permit the appeals board, acting as a whole, by notice not later than 30 days after mailing of decision to either set aside the decision and remand the proceedings to another referee for review and decision or remove the proceedings to itself for review and decision

This bill would safeguard the payment of benefits in accordance with a determination of the department or a referee regardless of any such pending action by the appeals board

Ch 539 (AB 1682) William Thomas Teaching credentials

Existing law requires the Commission for Teacher Preparation and Licensing to waive the subject matter examination requirements for graduates of accredited public and private institutions of higher education who hold subject matter degrees specified by the commission

This bill would, instead, require the commission to waive the subject matter examination requirement for graduates of such institutions who successfully complete subject matter programs specified by the commission

Ch 540 (AB 1690) Siegler Bay Area Sewage Services Agency. territory

Existing law includes all of the territory of the Counties of Marin, Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, and San Mateo, and the City and County of San Francisco within the Bay Area Sewage Services Agency

This bill would redefine the territory comprising the Bay Area Sewage Services Agency as all of the territory of the Counties of Marin, Contra Costa, Alameda, Santa Clara, and San Mateo, and the City and County of San Francisco, and portions of the territory of the Counties of Sonoma, Napa, and Solano within the basin served by the San Francisco Bay Regional Water Quality Control Board, as determined by the State Water Resources Control Board The cost, if any, in making such determination would be paid by the agency The bill would also make related changes

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for specified reason

Ch 541 (AB 1691) Beverly Savings and loan associations

Existing law provides that, with respect to regulations promulgated by the Savings and Loan Commissioner extending to domestic savings and loan associations rights, powers, privileges, or duties extended to federal institutions, such regulations promulgated during the first 100 calendar days of a regular session of the Legislature expire on the 61st day after adjournment of such regular session, and such regulations not promulgated during the first 100 calendar days of a regular session of the Legislature expire on the 61st day after adjournment of the next regular session

This bill repeals the above provision, and provides instead that regulations shall expire on January 1 of the second succeeding year following the end of the calendar year in which such regulation was promulgated

Ch 542 (AB 1727) Chel Vehicles use of right-hand lanes by designated vehicles

Under existing state law, specified vehicles are required to be driven in a specific lane or lanes designated by the Department of Transportation or local authorities If there is no such designated lane, any such vehicle is required to be driven in the right-hand lane of traffic or as close as practicable to the right-hand curb or edge In addition, in the absence of such designated lane, drivers of such vehicles are required, when overtaking and passing another vehicle proceeding in the same direction, to use the lane to the immediate left of the right-hand lane

This bill would permit such vehicles to also be driven in the lane to the immediate left of the right-hand lane on a divided highway having 4 or more clearly marked lanes for traffic in one direction, if no such specific lane or lanes have been designated, unless otherwise prohibited

Ch 543 (AB 1789) Chimbole Appropriation construction of National Guard training facility

This bill would appropriate $172,000 from the General Fund for the state's portion of a National Guard training facility in the Antelope Valley

Ch 544 (AB 1832) Tucker Elections circulation of petitions and papers

(1) Existing law provides that a signer of any initiative, referendum, recall, or any other petition or paper, except a nomination petition or paper, shall affix the date of signing such document

This bill would delete such requirement, it would, instead, require the circulator of all such petitions and papers to indicate by affidavit the dates between which all signatures to such petitions or papers were obtained to the same extent as circulators of nomination petitions and papers are presently required to indicate the dates between which all signatures were obtained

(2) Existing law does not require signers of all such petitions and papers, including nomination petitions and papers, to add their printed name to such document

This bill would require such signers to add their printed name to the petitions and papers

(3) Existing law does not require the inclusion in such petitions and papers, including nomination petitions and papers, for a specified blank space after each name for the use

of the clerk in verifying the petition or paper

This bill would require that all such petitions and papers include a blank after each printed name for the use of the clerk in verifying the petition or paper

Ch 545 (AB 1846) Torres Traffic violations Youth Authority wards

Under existing law, no person shall be subject to prosecution for any nonfelony offense arising out of the operation of a motor vehicle or any violation of the Vehicle Code as a pedestrian which is pending against him at the time of his commitment to the custody of the State Director of Corrections Similarly, no driver's license shall be suspended or revoked, nor shall the issuance or renewal of such a license be refused as a result of a pending nonfelony offense occurring prior to the time of commitment of such person or as a result of a notice received by the State Department of Motor Vehicles that such a person has failed to appear in court with respect to such an offense The department is required to remove from its records any such notice upon receipt of satisfactory evidence that a person was committed to the custody of the director after the offense which gave rise to the notice occurred

This bill would extend these provisions applicable to persons committed to the custody of the State Director of Corrections and make them also applicable to wards committed to the custody of the Department of the Youth Authority

Ch 546 (AB 1862) Knox Districts Securities Advisory Commission

Existing law permits the State Treasurer to create a board to assist him in carrying out the powers, duties and responsibilities formerly vested in the California Districts Securities Commission and the California Bond Certification Commission There is no provision for compensation of the board members

This bill would permit the State Treasurer to create the Districts Securities Advisory Commission and provides compensation for members at $50 per day not to exceed $1,000 per year and their actual and necessary expenses, but excluding from compensation or expenses public officers or employees otherwise compensable for such duties

Ch 547 (AB 1887) Vicencia Petroleum

Existing law defines the "octane number" of motor vehicle fuel

This bill would redefine the "octane number" or "antiknock index number," and would make conforming changes in laws relating to advertisement of motor vehicle fuel

Existing law provides that a sealer must refuse to issue a certificate of accuracy for any petroleum dispensing device not licensed

This bill would permit, rather than require, the sealer to do so

Existing law specifies the size of letters, figures and numerals of advertising medium used to advertise motor vehicle fuel

This bill would delete these provisions

Ch 548 (AB 1967) Sieroty State Capitol picketing

Existing law makes it a misdemeanor to picket within the State Capitol

This bill would eliminate this provision

Ch 549 (AB 1973) Greene Special education allowances

Existing law requires school districts to make specified payments towards the tuition of certain exceptional pupils (i e , physically handicapped, mentally or severely mentally retarded, or multiply handicapped), and authorizes such payments towards the tuition of educationally handicapped pupils, who are enrolled in a public or private nonsectarian school, institution, or agency that offers the special education facilities and services that are made necessary by the pupils' disabilities when appropriate special educational facilities and service are not available or cannot reasonably be provided

This bill would require a school district to pay to the parent or guardian of any pupil receiving such benefits a monthly amount on a current basis toward the cost of tuition of such attendance, computed as specified, and to submit a claim for an apportionment to be used as reimbursement to the district, rather than for payment to the parent or guardian

Ch 550 (AB 1993) Foran Transportation brokers and travel promoters

(1) Existing law provides that if a passenger after making full payment for certain transportation, requests a ticket or voucher for such transportation, the travel promoter is required to issue and deliver such ticket or voucher, or both, to the passenger

This bill would provide that "ticket or voucher" means a writing which is itself good and sufficient to obtain the entire transportation for which the passenger has contracted

(2) Existing law requires a travel promoter to maintain a specified trust, or in lieu of such trust, the promoter may maintain an adequate bond

This bill would provide that in lieu of such trust, the travel promoter shall, rather than may, maintain an adequate bond. This bill would also require that a copy of such bond be filed with the Secretary of State prior to the advertisement of air or sea transportation, or both, by the promoter

Ch 551 (AB 2032) Lockyer Vehicles lighting equipment permitted utility flood and loading lamps

Under existing provisions of state law, certain front, side and rear lighting equipment is permitted upon vehicles, as specified However, there are no provisions which specifically permit the equipping of tow cars, ambulances, or firefighting equipment with utility flood or loading lamps

This bill would, under prescribed conditions, permit tow cars, ambulances, and firefighting equipment to be equipped with utility flood or loading lamps mounted on the rear and sides, which project a white light illuminating an area to the side or rear of the vehicle for a distance not to exceed 75 feet at the level of the roadway.

Ch 552 (AB 2052) Chimbole Sewer districts bonds

Until January 1, 1975, provisions of the Health and Safety Code permitted districts authorized to provide sewer facilities and authorized to incur bonded indebtedness therefor if approved by a two-thirds vote, nevertheless to incur such indebtedness if approved by a majority vote, provided certain conditions were met, including voter rejection of previous proposals, and findings of necessity by the health officer of the county in which the principal portion of the district is located On January 1, 1975, these provisions became inoperative

This bill would repeal and reenact such provisions and limit the amount of such special bond indebtedness to the amount certified necessary to alleviate the health hazard constituting the necessary, to be effective only until January 1, 1977

Ch 553 (AB 2091) Perino Stockton-East Water District

Existing law authorizes the Stockton-East Water District to maintain reserve funds for the purpose of water for replenishment purposes, the stream delivery of agricultural surface water, or for other district purposes. and to commingle funds from general assessments, ground water assessments, charges for stream-delivered water, sale, lease, or disposition of water, and all other revenue for all lawful district purposes

This bill defines "dry years" and would authorize establishment of a reserve fund in specified amounts from ground water assessments, stream-delivered water charges and water sales for the limited purpose of constructing, leasing or purchasing, maintaining, and operating ground water pumping facilities to assure water availability in dry years

Ch 554 (AB 2122) Maddy School building construction

To insure compliance with Field Act construction standards, the law currently requires that school building construction be supervised by the Department of General Services, that construction work be under supervision of an architect or engineer, and that such architect or engineer and the contractor submit to the Department of General Services specified reports showing that work has been performed in accordance with approved plans and specifications

This bill would require school building construction work to be performed under the observation, rather than supervision, of an architect or engineer, and would require that such architect or engineer and the contractor submit to the Department of General Services reports, based upon personal knowledge, indicating that the work has been performed in compliance with approved plans and specifications The bill would define the term "personal knowledge", as applied to the architect or engineer and the contractor

Ch 555 (AB 2182) Sieroty CSUC nonresident tuition

Existing law requires the payment of a nonresident tuition fee by nonresident students as fixed by the Trustees of the California State University and Colleges

This bill would permit a nonresident student who is a citizen and resident of a foreign country to pay the nonresident tuition fee in 3 equal installments if on the semester system or 2 equal installments if on the quarter system, but would require payment of all registration fees required of resident students by the same date as required for resident students The bill would direct the trustees to establish an appropriate payment schedule and would authorize the assessment of a service charge to finance the cost of administering this installment plan. In addition, the bill would require payment of the first installment no sooner than 30 days after the deadline for payment of registration fees

Ch. 556 (AB 2245) Chimbole Attorneys, city attorneys

Existing laws do not specifically regulate the representation of defendants in criminal matters by a city attorney who does not, in fact, exercise prosecutorial responsibilities or a partner or associate of such a city attorney

This bill would authorize such a city attorney or the partner or associate of a city attorney to represent such defendants, under specified conditions, but would not preclude any city from limiting or prohibiting the private practice of any attorney it retains or employs

Ch 557 (SB 103) Mills. Pedestrian and bicycle facilities construction

Under the Mills-Alquist-Deddeh Act, funds available for transportation purposes in an area not served by public transportation may be allocated by the transportation planning agencies for highway purposes, including facilities for the exclusive use of pedestrians and bicycles

This bill would specifically authorize such agencies to approve claims filed for allocations of funds under that act by a city for the construction of such facilities, if the city is not expected to be served by public transportation within three years of the filing of the claims.

Ch. 558 (SB 115) Marks Rehabilitation of housing

(1) The Marks-Foran Residential Rehabilitation Act of 1973 authorized cities, counties, cities and counties, housing authorities, and redevelopment agencies to conduct programs for the financing of residential rehabilitation, as defined by such act, in residential rehabilitation areas designated by them pursuant to a comprehensive residential rehabilitation financing program with prescribed contents

This bill would authorize such local agencies to finance residential rehabilitation of housing meeting prescribed criteria outside such residential rehabilitation areas

(2) The maximum repayment period for residential rehabilitation loans under the Marks-Foran Residential Rehabilitation Act of 1973 is 20 years or three-fourths of the economic life of the property, whichever is less, except that for certain loans made by redevelopment agencies in redevelopment project areas the maximum repayment period is 30 years or three-fourths of the economic life of the property, whichever is less

This bill would change the maximum repayment period for residential rehabilitation loans made under such act to 40 years or four-fifths of the economic life of the property, whichever is less

(3) Under existing provisions of the Marks-Foran Residential Rehabilitation Act of 1973, the maximum amount of a loan for rehabilitation of each dwelling unit and each commercial unit is $17,500, except that the maximum amount for a loan made by a redevelopment agency for rehabilitation within a redevelopment project area is $30,000 for each dwelling unit

This bill would make the maximum amount of all loans for rehabilitation under the Marks-Foran Residential Rehabilitation Act of 1973 $30,000 for each dwelling unit and for each commercial unit

(4) A local agency, under the Marks-Foran Residential Act of 1973, must require that any residence rehabilitated with financing under the act be open to all, upon the sale

or rental of the residence, until financing is repaid, and must request contractors and subcontractors engaged in residential rehabilitation financed under the act to provide equal opportunity for employment

This bill would require, with respect to such residential rehabilitation, that the local agency require that contractors and subcontractors provide equal employment opportunity, and require that any residence so rehabilitated continue to be open to all even after financing is repaid

Ch 559 (SB 161) Rains Municipal courts

Existing law does not provide for a municipal court in the Lompoc Judicial District.

This bill would provide for a municipal court in the Lompoc Judicial District with one judge, one municipal court clerk, one assistant clerk of the municipal court, one municipal court clerk, two clerk-typists, one marshal, and extra help workers as needed, each to be compensated in accordance with a specified salary schedule The salary plans and employment benefits for the municipal court employees are specified and would be administered and adjusted in accordance with the personnel rules and salary ordinance of the County of Santa Barbara Any changes made in compensation would be on an interim basis and would expire January 1 of the second year following such changes, unless ratified by the Legislature

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the bill for specified reasons

Ch 560 (SB 273) Schrade Poling of horses

Under existing law the poling of any horse is unlawful and any person violating such provision is guilty of a misdemeanor The crime of poling of horses is currently defined as a method of training horses to jump which consists of forcing, persuading, or enticing a horse to jump in such a manner that one or more of its legs will come in contact with an obstruction consisting of, among other things, a wire charged with electricity or a wire with brads, nails, tacks or other sharp points embedded therein or attached thereto

This bill would expand the definition of the crime of poling of horses to mean a method of training a horse to jump in such a manner that one or more of its legs will come in contact with an obstruction consisting of any kind of wire, rather than the restricted kinds of wire, as stated above

This bill provides that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act for specified reasons

This bill also makes additional changes affecting Section 597g, Penal Code, proposed by SB 565, to be operative only if SB 565 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered after SB 565

Ch 561 (SB 348) Robbins Schools leaves

Existing law provides that school employees may be granted leaves of absence for travel and study

This bill would permit an employee to agree not to receive compensation during the period of the leave

Ch 562 (SB 364) Dunlap Corporations, voting of shares

Existing law does not require that a written proxy, in order to be used to vote on a proposal, specify the shareholder's vote on that issue

This bill requires proxies of domestic corporations to contain an appropriate space marked "abstain" in which the shareholder may indicate a desire to abstain from voting his or her shares on the proposal but does not apply to the use of general proxies where specific proposals or directors to be voted upon as candidates are not set forth therein

This bill prohibits a written proxy from being voted either for or against a proposal if marked "abstain"

Ch 563 (SB 589) Smith Patient's records

Existing law requires specified licensees of the healing arts or of specified initiative acts to make all of a patient's records available for inspection and copying by an attorney upon the presentation of written authorization for such patient, as specified

This bill would include a pharmacist or pharmacy in those licensees which must make records available to such attorney.

The bill would authorize such inspection and copying of such records when the attorney presents a copy of such written authorization as an alternative to the written authorization.

Ch 564 (SB 826) Holmdahl County Employees' Retirement Law death benefits

Existing County Employees' Retirement Law of 1937 provides a $750 death benefit paid from contributions of the county or district upon the death of any member after retirement in a county in which the board of supervisors has adopted that benefit An alternative $750 death benefit for retired members is permitted in counties in which the board of retirement determines that the benefit can be financed from surplus earnings of the retirement system

This bill would instead permit the board of supervisors to adopt a $750 death benefit for retired members financed in part by county or district contributions and in part by surplus earnings if the board of retirement determines that its portion of the benefit may be financed by surplus earnings

Ch 565 (SB 903) Stiern Regional Occupational Center of Kern

Current law authorizes the county superintendent of schools, with the approval of the county board of education and the governing board of any school district which maintains a regional occupational center or program to initiate proceedings for the levying of a tax for the support of such centers and programs

Current law also provides for the issuance of bonds for the construction and improvement of public schools

This bill would require not to exceed $6,000,000 in proceeds of bonds issued under the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1974 to be allocated by the State Allocation Board to the Regional Occupational Center of Kern for the construction and equipping of a new regional occupation center to be located in Kern County

This bill would require any amounts allocated and disbursed to the center pursuant to this bill to be fully repaid with interest at a rate determined by the board from the tax levied for the support of regional occupational centers and programs by the participating school districts of the center

This bill would permit the State Allocation Board to terminate funding if it determines that insufficient funds are being generated by the participating school districts and to only continue funding after approval of the electorate of the district is obtained, as specified

This bill would provide that no appropriation is made for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this bill, as specified

Ch 566 (SB 910) Alquist Traffic trial commissioners. Alameda County

Existing law authorizes the appointment of traffic trial commissioners to serve in municipal courts Such traffic trial commissioners are appointed by municipal courts with the approval of the Judicial Council or, conversely, by the Judicial Council with approval of the municipal court

This bill would specify that municipal court traffic trial commissioners serving in Alameda County would receive a salary equal to 80% of the salary of a superior court judge

Ch 567 (SB 922) Wedworth Public Employees' Retirement System service credit

Existing Public Employees' Retirement Law extends service credit to state members for unused sick leave at the time of retirement and also permits retired members to reinstate from service retirement Sick leave credit can be restored to state employees who are reemployed by the state within 6 months of terminating state employment

This bill would prevent state members from receiving service credit more than once for unused sick leave

Ch 568 (SB 926) Mills Railroad lines abandonment

Presently, the State Transportation Board is required to issue its findings and recommendations with respect to the transportation uses which may be made of a line of railroad proposed for abandonment within 45 days of receipt of a copy of the railroad's application to the Public Utilities Commission for authorization to abandon

This bill would extend such 45-day period to 90 days

Ch 569 (SB 1038) Russell State funds State Personnel Board Cooperative Personnel Services Revolving Fund

(1) The existing law contains no express provision continuously appropriating the State Personnel Board Cooperative Personnel Services Revolving Fund for use by the State Personnel Board

This bill would continuously appropriate such fund for use by the board

(2) The existing law expressly provides that money for expenditures from the fund shall be made available by appropriation in the Budget Act and contains provisions making money available to the fund for expenditure from the effective date of the legislation creating the fund until a Budget Act appropriation can be made

This bill would delete such provisions

This bill would take effect immediately as an urgency statute

Ch 570 (SB 1061) Petris. Alameda-Contra Costa Transit District directors: compensation

Under existing law, the Board of Directors of the Alameda-Contra Costa Transit District is authorized to provide, by ordinance or resolution, that each member receive for attendance at each board meeting, and for each day engaged in other authorized district business, the sum of $50, but not to exceed $150 in any calendar month

This bill would increase the maximum allowable amount per calendar month to $250, in other words, payment for 5, rather than 3, days per month.

Ch 571 (SB 1092) Berryhill Alcoholic beverages

Existing law limits the number of on-sale general alcoholic beverage licenses which may be issued to any county based on the number of inhabitants in such county

This bill would authorize the Department of Alcoholic Beverage Control to issue five additional original on-sale general licenses in any county where the inhabitants number less than 5,000 but more than 3,000 and where the major economy of the county is dependent upon the year-round use of the county's recreational facilities. The bill would specifically provide that a holder of an on-sale general license for seasonal business may apply for such original on-sale general licenses

The bill would provide that to qualify for such a license premises must have a seating capacity for 100 or more diners

Ch 572 (SB 1192) Robbins Bicycle routes city-county projects

Existing law permits a county and one or more cities to build, jointly, a system of bicycle routes or paths This law is specifically made not applicable to Los Angeles County until the county and one or more cities therein plan a system of bicycle routes or paths that includes a minimum of 100 miles of such routes or paths in the San Fernando Valley

This bill would make such law applicable to Los Angeles County if the county or one or more cities therein plan such system and would specify that such plan is not required to conform to provisions of law relating to the preparation and approval of general plans

This bill would take effect immediately, as an urgency statute

Ch 573 (AB 683) Sieroty Vehicle pollution control exemption certification charges

Under present law there is no maximum charge which can be made for the inspection and certification of the exemption for certain vehicles which are classified as exempt from the requirement of the installation of accredited motor vehicle pollution control devices

This bill would require that the charge that can be made for the inspection and certification of this exemption shall not exceed three-tenths of one hour multiplied by the hourly labor rate charged by the particular garage or service station and shall be

posted as a fixed fee

This bill would go into immediate effect as an urgency statute

Ch 574 (AB 884) MacDonald County employees retirement sick leave credit

Existing County Employees Retirement Law of 1937 permits the board of supervisors in counties of the 3rd, 8th, and 9th class to elect to grant sick leave credit for purposes of retirement to employees

This bill would authorize the board of supervisors of any county under the County Employees Retirement Law of 1937 to provide by ordinance that members specified in the ordinance be credited for up to 100% of sick leave accumulated as of the date of their retirement, and that such sick leave credit be in addition to service credit. The bill would require that the additional cost to the retirement system be borne by the county or district which is the employer

The provision would not be applicable to any district employees unless elected by the district governing board

Ch 575 (AB 931) Boatwright Taxation vehicles of banks

Under existing law, banks do not pay vehicle registration fees and license taxes and financial corporations, while paying those fees and taxes, may credit their payment against the franchise taxes paid to the state

This bill subjects banks to vehicle registration fees and license taxes and eliminates the offset which financial corporations receive for such fees and taxes against their franchise taxes

The revenues derived from the fees and taxes on bank vehicles, as well as other vehicles, are continuously appropriated for various purposes

This bill will [take effect immediately, as a tax levy It will] * become operative on January 1, 1976, if it is enacted on or before October 1, 1975, and will become operative on January 1, 1977, if it is enacted after October 1, 1975

Ch 576 (AB 1608) Montoya Coroner's subpoenas

Existing law authorizes county coroners to issue subpoenas for witnesses during coroners' inquests which may be served by any competent person

This bill would permit coroners to also issue a subpoena duces tecum requiring specified persons to bring books, medical records, documents, or other items under their control concerning the decedent's mental or physical condition which, in the opinion of the coroner, are necessary to the conduct of the inquest and are necessary as an aid in determining the circumstances, manner, and cause of death of the decedent

The bill specifies that items set forth in the subpoena duces tecum shall not be made public unless an inquest is held

The bill also authorizes the coroner or his authorized deputy to certify to the superior court, upon proof of service of process, the failure of a witness to attend or produce the required items, and for the court to issue an order directing the person to appear before the court and show cause why he should not be ordered to comply In such a case, the same penalties and opportunities afforded a person committing a contempt in a civil action would be utilized by the court

Ch 577 (SB 1093) Berryhill Public Employees' Retirement System cost-of-living adjustments

Existing public employees' retirement law generally limits cost-of-living adjustments to 2% per year

This bill would permit retirement benefits of local miscellaneous members of the Public Employees' Retirement System to be increased by 15% with respect to members whose retirement or death before retirement occurred prior to July 1, 1971, in addition to cost-of-living adjustments, if the benefit is elected by employing contracting agencies

Ch 578 (AB 1986) Boatwright Unclaimed property

Under existing law holders of specified unclaimed property which escheats to the state may deduct lawful service charges

This bill would restrict the withholding of such service charges to those expressly authorized by designated statutes or contracts

Under existing statutory law there is no express prohibition against discontinuance of

a financial interest or dividends on inactive accounts subject to the unclaimed property law

This bill would prohibit such discontinuance

The bill would also revise the period for which certain types of property must be held before they escheat

Ch 579 (AB 1798) Greene Professional engineers and land surveyors

The Professional Engineers Act and the Land Surveyors' Act specify that certificates of registration as a professional engineer, certificates of authority to use certain engineering titles and licenses of land surveyors, expire at 12 p m on June 30 of each even-numbered year, if not renewed

This bill would delete such expiration date, and instead provides that all certificates and licenses in effect on the date this bill becomes effective will expire at midnight on June 30, 1976, and that quadrennial renewals will be staggered on a quarterly basis It also would require the State Board of Registration for Professional Engineers, prior to June 30, 1976, to divide the list of active registrants under the Professional Engineers Act and licensees under the Land Surveyors' Act, respectively, alphabetically into 16 groups and to stagger renewals and renewal notices accordingly

The bill also would permit the board, until January 1, 1977, to renew certificates for less than a 4-year period to facilitate redistribution of renewal dates, but only if the attendant renewal fees are varied accordingly so that no person is charged more for a renewal on a yearly basis than any other person

Ch 580 (SB 1182) Stull Joint exercise of powers leases or rental contracts or agreements

Existing law authorizes any local agency by ordinance to enter into a lease or rental contract or agreement with a joint powers entity, created by a joint powers agreement in a county of the third class and formed for the purpose of acquiring or improving a regional public park or recreation area, provided such ordinance contains specified terms and is first approved by a majority of the voters of the local agency.

This bill would provide that one or more such leases, contracts, or agreements may be entered into following the effective date of an ordinance adopted by the governing body of the local agency authorizing the local agency to enter into such lease, contract, or agreement The bill would authorize the local agency to levy a property tax rate in addition to the maximum tax rate of the local agency, pursuant to existing law, to provide necessary funds to carry out such leases, contracts, or agreements and provide that the agency may specify in the ordinance to be submitted to the voters the additional property tax rate to be authorized for such purposes and the length of time the increase will be in effect The bill would also require the revenue generated from such additional property tax rate be used only for the purposes specified in the ordinance

Ch 581 (AB 125) McAlister District eminent domain powers.

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 582 (AB 128) McAlister District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 583 (AB 2081) Robinson. County Employees Retirement Law contributions

Existing County Employees Retirement Law of 1937 requires members to pay contributions to the retirement system at prescribed rates.

This bill would permit counties which have adopted specified service retirement formulas to pay a part of the members' or the safety members' normal contributions to the retirement system subject to certain conditions

Ch 584 (AB 124) McAlister District eminent domain powers.

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain.

Assembly Bill No. 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law.

The bill also makes technical, nonsubstantive changes

Ch 585 (AB 126) McAlister District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative; the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 586 (AB 129) McAlister. District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies.

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 587 (AB 130) McAlister District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies.

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent

Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 588 (AB 657) Carpenter Public Employees' Retirement System.

Existing Public Employees' Retirement System Law permits employees and employers other than the state, a school district, or a superintendent of schools to make additional member's contributions on behalf of any group of miscellaneous members or any group of management employees.

This bill would permit school districts and superintendents of schools to make such contributions on behalf of members The bill specifies that an election by an employer to make additional contributions does not require additional contributions on the part of a member

This bill would also require the Board of Administration of the Public Employees' Retirement System to provide for additional employer contributions to be credited at least monthly to the individual member account

Ch. 589 (AB 1971) Lanterman Optometry

Existing law provides that applicants for examination for a certificate to practice optometry must meet specified requirements

This bill provides that notwithstanding existing law, a person meeting the requirements outlined in this bill shall be given an examination for a certificate of registration as an optometrist by the State Board of Optometry

Ch 590 (AB 2049) Foran San Francisco Bay Area Transportation Terminal Authority

(1) Presently, the board of the San Francisco Bay Area Transportation Terminal Authority is composed of 5 voting members and 2 nonvoting members, 1 appointed by the Metropolitan Transportation Commission and 1 representing private transportation interests appointed by the Governor

This bill would delete the 2 nonvoting members and provide, instead, for 3 additional voting members, 1 appointed by the Metropolitan Transportation Commission, 1 representing private transportation interests appointed by the Governor, and 1 appointed by the Board of Directors of the San Mateo County Transit District The bill would also provide that the member appointed by the commission shall serve as a voting member until such time as the presently state-owned terminal properties are turned over to the authority, at which time such member would become a nonvoting member of the authority.

(2) Under present law, $75,000 has been appropriated to the Department of Transportation for the support of the authority, with the requirement that any expenditures from this appropriation be made by the department for the purpose of matching funds contributed or advanced to the authority from other sources.

This bill would delete this requirement

Ch 591 (AB 118) Fenton Unemployment insurance agricultural labor

The existing law specifically excludes agricultural labor, as defined, from the Unemployment Compensation Insurance Law

This bill would specifically include agricultural labor, as defined, within the provisions of the Unemployment Compensation Insurance Law

This bill would provide that changes made by the bill shall be operative with respect to wages paid on and after January 1, 1976

This bill would provide that no cause of action founded on provisions of law changed by this bill and existing prior to such change shall be abolished or impaired by this bill.

Ch 592 (AB 372) Hart County confinement male, female separation

Existing law provides for the maintenance of sufficient rooms so that males and females in county jails may be confined separately, and prohibits the keeping or putting of males and females in the same room As to counties with a population of 275,000 or less, existing law also provides for the keeping of female county jail prisoners so they

cannot see, be seen by, or converse with male prisoners.

This bill would delete such provisions and provide, instead, that male and female prisoners shall not sleep, dress or undress, bathe, or eliminate in the same room

Existing law also provides, among other things, for the separation of sexes on county industrial farms including separate quarters and separate employment This bill would require in this regard only that separate quarters for women be provided on industrial farms and would delete the general provisions requiring separation of the sexes on such farms and separate employment for the sexes.

This bill also provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act because the duties, obligation or responsibilities imposed on local government by this act are minor in nature and will not cause any financial burden to local government

Ch 593 (AB 681) Siegler Jurors

Under provisions of existing law, persons who have previously served as jurors, as specified, within a specific time period are not competent to act as trial jurors.

This bill would repeal these provisions

Existing law specifically exempts 17 designated classes of persons from jury duty

This bill would eliminate those categorical exemptions

Under existing law, a person may be excused by the court, on an individual basis, from jury duty when material injury or destruction to his property is threatened, or when certain health reasons make it necessary that he be excused

This bill would revise that law to provide instead that a court shall excuse a person from jury duty, on an individual basis, when his service as a juror would entail undue hardship upon him or on members of the public served by him

This bill would also increase the number of peremptory challenges in both civil and criminal cases

Ch 594 (AB 1124) Boatwright. County Employees Retirement Law military service

Existing County Employees Retirement Law permits purchase of credit for military service for which the member receives no retirement pay from the United States

This bill would instead permit purchase of credit for military service if the military service is not a basis for present or future military retirement pay

Ch 595 (AB 1370) William Thomas. Public Employees' Retirement System services after retirement

Existing Public Employees' Retirement Law permits all retired persons to serve up to 60 working days under specified circumstances without loss of retirement benefits and a retired person to serve on the academic staff of a college for 90 working days and earn up to $4,000 compensation without loss of retirement benefits.

This bill would instead permit all retired persons to work up to 90 working days under the specified circumstance in any fiscal year without loss of retirement benefits and delete the $4,000 compensation limitation for academic staff retired persons

Ch. 596 (AB 1449) Foran County jails: parolee detention

Operative July 1, 1975, the law provides for reimbursement of detention costs to counties by the Department of Corrections whenever an alleged parole violator is detained in custody in the county jail pursuant to an order of the Adult Authority, the Governor, or state parole officer, and the detention is related to a violation of the parole

The bill would require that funds given to counties for reimbursement be expended for maintenance, upkeep, and improvement of the jail conditions, facilities, and services, and requires the Department of Corrections to withhold all or part of the reimbursement funds to any county whose jail facility fails to conform to minimum local detention facility standards

The bill also deletes the provision in existing law that Section 4016 of the Penal Code will become operative on July 1, 1975.

Ch 597 (AB 1484) Ralph Alcoholic beverages

A wholesaler, for the purposes of the Alcoholic Beverage Control Act, is defined as every person, other than a manufacturer, winegrower or rectifier who is engaged in business as a jobber or wholesale merchant, dealing in alcoholic beverages, in an area within or without the state other than a territory or possession of the United States

This bill would revise the definition of a wholesaler to describe the area within which such a person operates as within the United States, or within a foreign country having common boundaries with any state of the United States, rather than within or without the state, other than a territory or possession of the United States

Ch 598 (AB 1631) Garamendi. Employment Services Board membership

Existing law specifies that 12 members of the Employment Services Board be appointed by the Governor with advice and consent of the Senate, however, 13 areas of representation are specified

This bill would specify that the Governor appoint 13 members to the board which would conform the number of members to be appointed by the Governor to the 13 areas of representation

Ch 599 (AB 1679) Kapiloff Funeral directors and embalmers fees

Existing law provides a schedule of licensing fees for licenses issued under the Funeral Directors and Embalmers Law. In this connection, the existing schedule of licensing fees generally fixes the amounts of such fees at certain specified amounts, except as provided

This bill would require the State Board of Funeral Directors and Embalmers to adopt regulations fixing the amount of all such licensing fees, which fees would be subject to prescribed maximum amounts. This bill would also revise the existing fee schedule, and would create a fee for filing a report of a change of corporate officers and a preneed trust fund trustees

This bill would take effect immediately as an urgency statute

Ch. 600 (AB 1842) Chel. State lands revenues

(1) Section 6217 of the Public Resources Code provides for the allocation of certain revenues, moneys, and remittances received by the State Lands Commission to specified funds and agencies and in accordance with a specified order of allocation, including the California Water Fund and the Central Valley Water Project Construction Fund to the extent needed, when combined with Long Beach oil and dry gas revenue, to total specified amounts Long Beach oil and dry gas revenue is not available for the other funds and agencies specified in Section 6217 The final repository of both Section 6217 and Long Beach revenues is the Capital Outlay Fund for Higher Education

This bill would combine Long Beach oil and dry gas revenue with Section 6217 revenues, moneys and remittances, thereby making Long Beach oil and dry gas revenue available for any of the funds and agencies, and in accordance with the order of allocation, specified in Section 6217. The bill would delete obsolete provisions.

(2) There is, under existing law, an advisory panel appointed by the Secretary of the Resources Agency and consisting of 9 members The panel gives advice on matters relating to the administration of sea grant research projects funded, on a matching basis, with federal funds received under the federal National Sea Grant College and Program Act of 1966

This bill would add a tenth member to the panel, who would be a representative of the State Lands Commission

(3) This bill would make additional changes in Section 6217 of the Public Resources Code, proposed by SB 174, to be operative only if this bill and SB 174 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 174.

(4) Also, this bill would make additional changes in Section 6217 of the Public Resources Code, proposed by AB 997, to be operative only if this bill and AB 997 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 997

Ch 601 (AB 1925) Foran Transit districts and local agencies

(1) Presently, a "local agency," for purposes of requiring such agencies to comply with city or county building ordinances, excludes a rapid transit district whose board of directors is appointed by public bodies or officers within the area comprising the district.

This bill would expand this exclusion to also exclude a rapid transit district whose board of directors is elected from election districts within the area comprising the district

(2) Under present law, no ordinance of the San Francisco Bay Area Rapid Transit District shall be passed by the district board of directors at other than a regular or adjourned regular meeting

This bill would also permit passage of an ordinance of the district at a special meeting

(3) Present law requires that notice of an annexation election be published in specified fashion in a newspaper of general circulation published within the San Francisco Bay Area Rapid Transit District

This bill would, instead, require such publication in a newspaper of general circulation published within the county proposed for annexation to the district

(4) Presently, the San Francisco Bay Area Rapid Transit District board of directors consists of 9 members elected by election districts Prior to November 29, 1974, the board consisted of 12 appointed members

This bill would delete obsolete provisions regarding an appointive board of directors and make a related change

Ch. 602 (AB 1951) William Thomas Courts judges in Kern County.

Under existing law there are 6 judges of the superior court in Kern County

This bill would increase the number of superior court judges in Kern County from six to eight

This bill would also appropriate $120,000 to the State Controller for allocation and disbursement to Kern County for costs incurred by the county pursuant to this bill

Ch 603 (AB 2090) Chimbole Medical Practice Act exemptions from

Existing law provides that commissioned medical officers in a United States Army, Navy or Marine hospital are exempt from the provisions governing the practice of medicine in this state

This bill makes the exemption applicable to any commissioned medical officer in an Air Force hospital as well

Ch. 604 (AB 2092) Hart. Teachers' Retirement System, State

Existing State Teachers' Retirement Law excludes from the system persons who perform less than 24 hours of service or serve less than four days per pay period unless they are already members This bill would instead exclude persons who perform less than 60 hours or serve less than 10 days per pay period and would permit members employed on such basis to terminate their membership

Existing law generally excludes persons employed as substitutes and part time from the system This bill would permit them to make an irrevocable election of membership and to receive previous service credit upon payment of contributions

Existing law permits previously excluded members to receive previous service credit if they make contributions based upon the rate of contribution first applicable to them as members or upon their reentry to membership

This bill would require such contributions to be based upon the rate of employer and employee contributions in effect upon the date of election to receive such credit

This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the act

Ch 605 (AB 2161) Deddeh Schools elections ballot propositions.

Current law specifies the form of ballot propositions for the approval by the voters of school district bonds and the acceptance by the district of aid under state school building aid laws

This bill would authorize the combining of two such propositions so that the voter may cast one vote for or against both such propositions at the same time

Ch. 606 (SB 52) Moscone Indian health services

Existing law requires the State Department of Health to maintain a program for Indians and their families, consisting of studies, technical and financial assistance, and coordination with similar programs, and authorizes the department to contract and

cooperate with local governmental agencies and voluntary nonprofit organizations in connection with the development of such programs

This bill would authorize the department to make contracts with, grants to, or combinations thereof, to existing urban or rural Indian health programs, rather than only local governmental agencies and voluntary nonprofit organizations, for purposes of the bill, and would require the department to adopt rules and regulations establishing criteria for reimbursement under the bill

The bill would specify that all moneys appropriated by this bill for Indian health services shall be used to provide financial, training, and technical assistance to existing urban or rural Indian health programs and would limit State Department of Health expenditures for administrative purposes to 15 percent

The bill would require that funds appropriated for Indian health services be supplemental to those available from the federal government, would prohibit such funds from duplicating or replacing federal commitments to provide health services to native American Indians and their families who receive health services pursuant to an existing urban or rural Indian health program, and would state the intent of the Legislature that in subsequent years the program funded by this bill shall be funded according to customary budgetary procedures

This bill would appropriate $2,500,000 from the General Fund to the State Department of Health for the purpose of carrying out the Indian health program established by Article 14 (commencing with Section 429 40) of Division 1 of the Health and Safety Code

The bill would take effect immediately as an urgency statute.

Ch. 607 (AB 639) Hayden. School employees: retirement

Existing law permits certificated school employees who are part-time employees to have retirement benefits in the State Teachers' Retirement System based on full-time employment if the employee and the employer both elect to make the contributions required for full-time employment

This bill would permit certificated school employees to obtain the same benefit in the Public Employees' Retirement System

Ch. 608 (AB 792) Keene Garberville Sanitary District

This act would validate a certain state allocation to the Garberville Sanitary District expended for repair or restoration of storm and flood damage to district sanitary facilities.

It would take effect immediately as an urgency statute.

Ch 609 (AB 1899) Boatwright. Peace officers.

Existing law makes various persons peace officers with specified powers and duties, including Los Angeles City housing authority patrol officers, but not including Contra Costa County housing authority patrol officers

This bill would make Contra Costa County housing authority patrol officers peace officers with authority extending to any place in the state as to a public offense committed respecting persons or property, the protection of which is the immediate duty of such officer

Ch 610 (AB 2073) Ingalls Public Utilities Commission

Under existing law, the membership of the State Transportation Board and the State Highway Users Tax Study Commission does not include a member of the Public Utilities Commission appointed by that commission

This bill would require the Public Utilities Commission to appoint one of its members to the State Transportation Board and one to the State Highway Users Tax Study Commission.

Ch 611 (SB 1127) Petris. Housing authorities and community development commissions· tenant commissioners.

Present law expressly provides that the commission of a county or city housing authority acting as such a commission, may include 2 commissioners who are tenants of the housing authority. No similar provisions exist with respect to area housing authorities formed by two or more cities, counties, or a combination thereof, or with respect to

community development commissions

This bill would require the inclusion of 2 housing authority tenants, as prescribed, on the commission of a county or a city housing authority, including the governing body of a county or city acting as such a commission, and on any community development commission. If the governing body of a county or city is acting as such a commission, this bill would, in the alternative, authorize the appointment of 2 housing authority tenants to a specified housing commission

This bill would also require the inclusion of one housing authority tenant, as prescribed, on the commission of any area housing authority and on the governing body of any so-called "joint powers entity" conducting a housing program authorized by the Housing Authorities Law

Ch. 612 (AB 303) Leroy F Greene Energy resources information

The Warren-Alquist State Energy Resources Conservation and Development Act presently requires the State Energy Resources Conservation and Development Commission to perform numerous functions in connection with energy resources, and requires, among other things, that the commission serve as a central repository within the state government for the collection and storage of data and information on all forms of energy supply, demand, conservation, public safety, and related subjects

This bill would, in addition, require the commission to serve as a central repository within the state government for retrieval and dissemination of such data and information and specifically to serve as a central repository for the collection, storage, retrieval, and dissemination of data and information on all forms of energy research. It would also require the data and information to be derived from all sources, including, but not limited to, certain prescribed sources This bill would also authorize the commission to charge and collect a reasonable fee for retrieving and disseminating any such information to cover the cost of such a service, require the funds collected by the commission for any such service to be deposited in the State Energy Resources Conservation and Development Special Account, and continuously appropriate such funds for expenditure, by the commission, for purposes of retrieving and disseminating any such information

Ch 613 (AB 1084) Egeland Mobilehome parks charge

Existing law regulating mobilehome park tenancies precludes the owner of a mobilehome park or his agents from charging any fees to tenants other than charges for rent, utilities, or incidental reasonable service charges

This bill would specify that, as respects incidental reasonable service charges, such charges are precluded unless services are actually rendered

This bill would preclude the owner or management of the mobilehome park from charging the tenant a fee for permitting a tenant to maintain pets within his or her mobilehome space, unless special facilities or special services are furnished by the owner or management for the pets, for permitting a tenant to have guests occupy the tenant's mobilehome for a period not exceeding two weeks in a calendar year, for enforcing the rules and regulations of the park, or a per-person fee for the members of the tenant's immediate family

This bill would require the park owner or his or her agents to inform a prospective tenant in writing before he or she moves into the park of the nature of any service to be rendered and the amount of the charges to be imposed for such service

This bill would also preclude the imposition of charges for additional services rendered to a tenant subsequent to moving into the park unless the tenant is given 60 days' written notice of such charges by the park owner or his or her agents

Ch. 614 (AB 1113) Egeland. Teacher preparation certificates of clearance

Existing statutes authorize the Commission for Teacher Preparation and Licensing, upon request of an approved teacher preparation institution, to issue a document at no cost to the applicant or institution authorizing student teaching by the applicant

This bill would delete that authorization and, instead, would add provisions which permit any potential credential candidate, prior to admission to an approved professional preparation program, to obtain a certificate of clearance from the commission, require the commission, upon verifying the candidate's personal identification and

health status, to issue a certificate of clearance, require payment therefor a fee of not to exceed one-half of the regular fee for a credential, which shall be deducted from the fee for the initial credential applied for by the certificate holder

Separate statutes effect appropriations of fees imposed for these purposes

Ch 615 (AB 1411) Chel Consumers legal remedies

Existing law provides that the provisions of the Consumers Legal Remedies Act are not exclusive in nature and that the remedies provided therein are in addition to any other procedures and remedies provided for in any other law

This bill would reiterate that the remedies provided therein for violation of, or for conduct proscribed by, the act are in addition to any other procedures or remedies for such violation or proscription provided for in any other law

Present law provides that class actions by consumers brought under specified provisions of the Consumers Legal Remedies Act shall be governed exclusively by designated procedural provisions

This bill would specify that the above provision shall not be construed to deprive a consumer of any statutory or common law right to bring a class action without resort to the act to enjoin or recover damages with respect to conduct proscribed by the act

Ch 616 (AB 1462) Lockyer Vehicles ambulances lighting equipment

Existing law does not require clearance and side-marker lamps on ambulances and does not permit identification lamps on ambulances

This bill would permit clearance and side-marker lamps and identification lamps on ambulances

This bill would make additional changes in Sec 25351, Vehicle Code, proposed by AB 1308, to be operative only if this bill and AB 1308 are both chaptered and effective January 1, 1976, and this bill is chaptered last

Ch 617 (AB 1480) MacDonald Community colleges data processing

Under existing law generally, the governing board of any school district, including community college districts, may contract for electronic data processing services with other public agencies School districts which have not had such services traditionally or routinely rendered by school classified employees may, in addition, contract with other parties for such services, and other districts which traditionally or routinely hire classified employees to perform electronic data processing services, may, in addition to contracting for such services with other public agencies, contract with other parties for such services for a period not to exceed 90 days in certain limited instances.

This bill would afford general authority to the governing board of any community college district, free from otherwise applicable limitations to contract for electronic data processing and related services to be performed by a vendor or lessor

Ch 618 (AB 1525) Ingalls Superior court judges

The law presently authorizes 12 superior court judges for Riverside County

This bill would increase the number of such judges to 13

It would also appropriate $60,000 to the State Controller for allocation and disbursement to Riverside County for costs incurred by the county pursuant to this act

Ch 619 (AB 1613) Chacon Community colleges bond election

Under current law, the maximum tax rate of a community college district is increased in order to permit the levy and collection of a tax for making lease payments for plant and equipment The authorization for the increase remains in effect until the end of a four-year period in which no bond election is submitted to the voters

Urgency legislation, which was enacted at the 1975 Regular Session, provided, in addition, that the governing board of any such district may continue to levy and collect the tax in the fifth year even if there is no election in the fourth year, if a bond election is consolidated with another districtwide election to be held in the latter half of a calendar year, but after the end of the fourth fiscal year In order to do so, the governing board must resolve to consolidate the election with the districtwide election, and such resolution must be adopted prior to June 30 of the fourth fiscal year

This bill would remove the authority for a community college district to continue to levy and collect such tax in the fifth year in the absence of an election in the fourth year

under the circumstances as specified

This bill would be construed as not affecting the validity of actions taken pursuant to the urgency legislation between the effective date of such legislation and the effective date of this bill.

Ch 620 (AB 1703) Maddy Ballot cards. write-in names

Existing law provides that a separate write-in ballot must provide spaces in which the title of the office for which a vote is being cast may be written in by the voter, or shall have printed upon it the title of the offices for which write-in votes may be cast

This bill would require that separate write-in ballots provide a blank space followed by the word "office" and a second blank space followed by the word "name" for purposes of facilitating write-in votes for offices for which write-in votes may be cast.

Ch. 621 (AB 1726) Suitt Judges and justices superior court Imperial County

The existing law authorizes Imperial County to have 2 judges in its superior court

This bill would increase to 3 the number of judges authorized for the Superior Court of Imperial County

This bill would also appropriate $60,000 to the State Controller for allocation and disbursement to Imperial County for costs incurred by the county pursuant to this act.

Ch 622 (AB 1779) Siegler Real estate licenses.

Under existing law, if an applicant for any real estate examination fails to take the examination on the date scheduled he must make an application to the Department of Real Estate for a new date He must pay a fee of four dollars.

This bill provides that a broker applicant must pay a fee of fifteen dollars and a salesman applicant a fee of ten dollars to apply for a new examination date

Ch 623 (AB 1808) Lanterman Public Employees' Retirement System service credit.

Existing Public Employees' Retirement Law permits public agencies which are public or private nonprofit corporations formed for the primary purpose of operating a regional center for the developmentally disabled to become contracting agencies of the Public Employees' Retirement System.

This bill would delete the requirement that the public or private nonprofit corporation be formed for the primary purpose of operating such centers and provide that only the employees of the regional center shall constitute the public agency for purposes of the retirement system

Existing law requires contracting agencies to make contributions to the retirement fund in order for their employees to receive credit for service prior to the contract's effective date

This bill would provide that with respect to contracting agencies which are public or private nonprofit corporations which operate regional centers for the developmentally disabled, such agencies may elect not to provide credit for service prior to the effective date of the agency contract with the system

Ch 624 (AB 1851) Lancaster Savings and loan associations.

Existing law regulating savings and loan associations provides that an amortized loan includes a loan which provides for payment in full on or before 24 months have elapsed from the date of the loan

This bill would provide that an amortized loan includes a loan which provides for payment in full on or before 36 months have elapsed from the date of the loan

Existing law authorizes a savings and loan association incorporated under the laws of this state to act as trustee of a trust created or organized in the United States and forming part of a stock bonus, pension, or profit sharing plan qualified for specific tax treatment under specified provisions of federal law

This bill would extend this authorization to include trusteeship of such plans qualified for specific tax treatment under other specified provisions of federal tax law

Existing law authorizes a savings and loan association to invest in, hold, buy and sell in specified property, securities, obligations, and instruments

This bill would extend this holding, buying, selling, and investing authorization to include investment in, any obligations or other instruments or securities of the Student

Loan Marketing Association

Existing law governing savings and loan associations requires that the first monthly installment which includes principal on an amortized loan to finance the construction of real property must fall due within 24 months after the date of such loan

This bill would extend the 24-month period to 36 months.

Existing law authorizes a savings and loan association to make amortized loans upon the security of real property in excess of 80 percent of the appraised value of such property if specified conditions are met, including the condition that the loan does not exceed the lesser of $45,000, 90 percent of the appraised value of the real property, or 90 percent of the purchase price if the loan is to finance the purchase, and the condition that the loan requires repayment in monthly installments which include, as a part, the monthly proration of hazard insurance premiums, except as the proration of such premiums may be waived

This bill would modify the above conditions by raising the dollar limitation on such loans from $45,000 to $55,000 and by deleting any requirement that monthly installments on the loan include a proration of hazard insurance premiums

Existing law permits a savings and loan association to make amortized loans on the security of real property in excess of 90 percent of the appraised value of the real property, as indicated above, to a limit of 95 percent of the appraised value of the real property if specified conditions are met, including the condition that the amount of the loan does not exceed the lesser of $36,000, 95 percent of the value of the real property securing the loan, or 95 percent of the purchase price of the security property

This bill would modify the above condition by raising the dollar limitation on such loans from $36,000 to $42,000

Existing law permits a savings and loan association to make loans or advance credit, with or without security, for the purpose of financing repairs, alterations, improvements, or equipment on residential real property if specified conditions are met, including the conditions that the loan or advance does not exceed $10,000 on any one loan or advance when aggregated with the balance of all outstanding loans relating to the same real property made by the association, that the loan or advance not be for a period in excess of 10 years, and that the loan or advance not aggregate at any one time more than 5 percent of the association's total assets with regard to loans made for financing repairs, alterations, or improvements

This bill would modify the above conditions by providing that such loans or advances not exceed $10,000 on any one loan or advance for the same property alteration, repair, or improvement, that such loans or advances not exceed $10,000 on any one loan or advance for the equipping of any real property when aggregated with the balance of all outstanding equipment loans relating to the same real property made by the association, that the loan or advance be for a period not in excess of 15 years, and that the loan or advance not aggregate at any one time more than 20 percent of the association's total assets with regard to all loans made under its authorization to make such loans or advances

Existing law contains no authorization for a savings and loan association to make federal funds loans

This bill would authorize such loans provided specified conditions are met This bill would define "federal funds loans" as unsecured loans of funds from a deposit of an association to a member bank of the Federal Deposit Insurance Corporation or to the Federal Home Loan Bank in San Francisco.

Ch 625 (AB 1878) Perino Public Employees' Retirement System membership

Existing Public Employees' Retirement Law defines the term "local policeman" as an officer or employee of a police department of any contracting agency

This bill would confine that definition to employees of contracting agencies which are cities or which already have employees in that category, and would permit other contracting agencies to thereafter include employees in the "local policeman" category by contract amendment

Ch 626 (AB 1900) Bane Mobilehomes

Under existing law, any person who violates specified Health and Safety Code provisions relating to mobilehomes is guilty of a misdemeanor Under the Penal Code, an indictment or information or complaint is required to be filed within 1 year after commission of the misdemeanor

This bill would provide that the 1-year period for filing a misdemeanor indictment or information or complaint, under such Health and Safety Code mobilehome provisions, against a mobilehome dealer or manufacturer with respect to the first sale or lease of a mobilehome to a consumer, as defined, would commence on the date the mobilehome is delivered to the consumer

Ch 627 (AB 2012) Antonovich Vehicles reconstruction of horseless carriages and historical vehicles

Under existing provisions of state law, any local authority may adopt an ordinance establishing procedures for the abatement and removal, as public nuisances, of abandoned, wrecked, dismantled, or inoperative vehicles, or parts thereof, from private or public property Any such ordinance is required to contain, among other things, provisions which specify that after a vehicle has been removed, it shall not be reconstructed or made operable

This bill would exempt vehicles which qualify for either horseless carriage or historical vehicle license plates, as specified, from such provisions required to be contained in a local ordinance prohibiting the reconstruction and making operable of removed vehicles

The bill would also specify that its provisions shall apply to any ordinance enacted prior to, as well as subsequent to, the operative date of the bill

The bill would also make nonsubstantive changes

This bill would also incorporate additional changes in Section 22660, Vehicle Code, proposed by SB 746, to be operative only if SB 746 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last.

Ch 628 (AB 2098) Thurman Irrigation districts improvement districts

Under present law an improvement district of an irrigation district may be dissolved, where there is no outstanding indebtedness of such improvement district, by the board of the irrigation district after a prescribed hearing

This bill would authorize the board of an irrigation district to order the dissolution of an improvement district without a hearing, if the board determines that all indebtedness of the improvement district has been paid and the improvement for which the improvement district was formed no longer exists or is no longer operational

Ch. 629 (AB 2143) Egeland Healing arts

(1) Existing law authorizes any registered nurse to perform arterial puncture, venipuncture, or skin puncture for the purposes of withdrawing blood or for test purposes upon authorization from any licensed physician and surgeon

This bill would authorize a registered nurse to perform such acts upon the authorization of a dentist in addition to a physician and surgeon

(2) Existing law defines dentistry to include, among other things, in diagnosis or treatment the use of drugs, anesthetic agents, and physical evaluation

This bill would provide that such diagnosis or treatment may include all necessary related procedures, as well as the use of drugs, anesthetic agents, and physical evaluation

(3) Existing law provides that the provisions of the Dental Practice Act do not apply to practice by personnel of among others, the Army or Navy when engaged in discharge of official duties

This bill would include in such exemption personnel of the Air Force and Coast Guard

(4) Existing law requires any person licensed under the Dental Practice Act who changes his name to notify the Secretary of the Board of Dental Examiners prior to such change, and it requires such a person, after such change is made, to reregister with the secretary

This bill would delete the requirement that such persons notify the secretary prior to the change of their names, and it would require such persons to reregister with the

secretary within 10 days after such change of name

Ch 630 (AB 2338) Davis Fairs loans change of interest rates

Under existing provisions of law, loans which have been made from funds appropriated in the 1973 and 1974 Budget Acts pursuant to such provisions, are required to be made at a rate of interest equal to that returned by investment of state funds through the Pooled Money Investment Board, except that loans executed under such provisions to correct health and safety deficiencies are required to be at an interest rate not to exceed 6% per year

This bill would repeal such provisions, and add provisions which would require that the interest rate for loans executed pursuant to such provisions, as they existed prior to the effective date of the bill, be computed annually and be either the same as the average rate returned by investment of state funds through the Pooled Money Investment Board for the five fiscal years immediately preceding the year in which the loan payment is made, or the rate originally agreed to, whichever is less, except that the interest rate of any loan made to correct health and safety deficiencies would be prohibited from exceeding 6% per year

The bill would also require that hereafter any loan made from funds appropriated pursuant to such provisions be at such average pooled money interest rate, except for the interest rate for health and safety deficiency loans, which could not exceed 6% per year

Ch 631 (AB 2339) Lanterman Maximum property tax rates· alternate procedures.

Under existing law, the basic maximum property tax rate for chartered cities generally is the rate specified in the charter, or, if no such rate is so specified, the rate used by such a city in the 1971–72 or 1972–73 fiscal year at the option of the city council. Various alternate procedures are available for increasing such a maximum rate

This bill would establish a new alternate procedure to establish a maximum tax rate for a chartered city which has been assessing and collecting its own taxes and transfers such functions to the county in which the city is located. Such alternate rate would be determined by multiplying the city's maximum tax rate for the preceding fiscal year by the same factor established by the State Board of Equalization to determine the public utility roll supplied to the city for such preceding fiscal year

Ch 632 (SB 510) Alquist Santa Clara Valley Water District· indebtedness and ground water charges

Existing law permits the maximum interest rate for bonds authorized by the legislative body of a local agency to be 8 percent per year

This bill would amend the Santa Clara Valley Water District Act to conform to the existing law

Existing law permits the Board of Directors of the Santa Clara Valley Water District to determine the denominations of the bonds which it issues, but subject to the requirement that they be not less than $100 and not more than $1,000

The bill would require that district bonds be issued in denominations of at least $1,000

Existing statutory law authorizes the board of directors of the Santa Clara Valley Water District to levy a ground water charge in any year at a fixed and uniform rate for agricultural water and all other water Presently, such rates may not exceed, respectively, $8 and $30 per acre-foot

The bill would permit the district to levy a ground water charge not to exceed, respectively, $9 and $35 per acre-foot in any water year beginning July 1, 1976 and ending June 30, 1981, and not to exceed, respectively, $10 and $40 per acre-foot in any water year beginning July 1, 1981, and ending June 30, 1986

The bill further provides that if revenue bonds are issued pursuant to the act, such issuance would remove the dollar limitations on the ground water charges levied by the board, and require such charges to be fixed and uniform rates for any year, provided, the levy for agricultural water would be limited to a yearly fixed and uniform rate of no more than one-fourth of the levy for other water

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Ch 633 (AB 1514) Arnett Court appearances by corporations

Under existing law, except in the small claims court, corporations must appear as a party in a court action through an attorney at law

This bill would allow corporations to appear in the municipal court through a director, officer, or employee, whether or not such person is an attorney at law

Ch 634 (AB 392) Duffy Physician's assistants

Existing law authorizes the Board of Medical Examiners to establish qualifications and guidelines for physician's assistants who are authorized to perform medical services under the supervision of an approved physician and surgeon

Existing law provides for an Advisory Committee on Physicians' Assistant and Nurse Practitioner programs which advises the Board of Medical Examiners, the Board of Nursing Education and Nurse Registration and the Board of Vocational Nurse and Psychiatric Technician Examiners on matters relating to physicians' assistants and nurse practitioners

This bill would enact the Physician's Assistant Practice Act The bill would delete the Advisory Committee on Physician's Assistant and Nurse Practitioner programs

The bill would create the Physician's Assistant Examining Committee of the Board of Medical Examiners and prescribe its membership, powers and duties

The bill vests in the committee the authority to issue certificates, conduct examinations, establish qualifications, standards and guidelines for physicians' assistants The bill makes related changes transferring duties now vested in the board to the committee

The bill creates a Physician's Assistant Fund which is continuously appropriated to carry out the purpose of the act

Ch 635 (AB 2076) Chel. Pedestrian violations

Existing law provides for the imposition of fines for violations of the Vehicle Code and local ordinances adopted pursuant to the Vehicle Code which constitute infractions ranging from a maximum of $50 for a first conviction to a maximum of $250 for any third or subsequent conviction within a year Further, an offense which would otherwise be an infraction is made a misdemeanor if the defendant was convicted of 3 or more such violations within a year of the offense and if such prior convictions are admitted by the defendant or alleged in the accusatory pleading

This bill would exclude pedestrian violations from the multiple offense provisions of the Vehicle Code and would set the maximum fine at $50 for an infraction committed by a pedestrian

This bill would incorporate additional changes in Sec 42001, Vehicle Code, proposed by SB 189, to be operative on the operative date of SB 189 only if this bill and SB 189 are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 636 (AB 319) Cullen State park system parking

Present law provides for the Department of Parks and Recreation to collect fees for the use of units of the state park system, but does not provide for the issuance of an annual permit to the registered owner of a self-contained camp trailer or camper to park his camp trailer or camper overnight at coastal beach parking areas that are a part of the state park system

This bill would require the department to conduct a 3-year experimental program from January 1, 1976, to January 1, 1979, in which the department would issue such an annual permit, upon the payment of a fee of $25, for overnight parking at designated coastal beach areas, except during June, July, and August. The bill would define "overnight," for such purposes This bill would further require such permit to be in the form of a sticker affixed and displayed upon the outside of the vehicle and require the Director of Parks and Recreation to prescribe, by regulation, the designated beach areas where persons with permits are to park, the procedure for permit application and fee collection, the form and content of the permit, the location and manner of its display, and other matters deemed necessary or desirable in carrying out such provisions, as specified The bill would require the director to designate such coastal beach parking areas under the program on or before December 31, 1976, and would prohibit the designation of additional areas or any intensification of use of any designated area after December 31, 1976

This bill would also create the State Beach Overnight Parking Fund in the State Treasury and require permit fees provided for by this bill to be deposited to the credit of such fund and require moneys in the fund, when appropriated by the Legislature, to be used for the purpose of providing facilities and protection for persons parking overnight under the permit issued pursuant to the bill

The bill provides that such provisions shall remain in effect until January 1, 1979, and as of that date are repealed

The bill would appropriate $50,000 † from the State Beach Overnight Parking Fund to the department, without regard to fiscal years, for contracting with state or local law enforcement agencies to provide such protection

Ch 637 (AB 22) Arnett Tahoe water quality

Existing law requires waste from within the Lake Tahoe watershed to be placed only into a sewer system and treatment facilities sufficient to handle and treat any such waste and transportation facilities sufficient to transport any resultant effluent outside the watershed The further maintenance or use of cesspools, septic tanks or other means of waste disposal in the watershed and the occupancy of any building from which waste is discharged in violation of these requirements is declared to be a public nuisance A particular area of the Lake Tahoe watershed, however, is exempt from such requirements upon specified findings by the regional water quality control board for the Lahontan region

This bill would exempt any area or areas within the Fallen Leaf Lake watershed from such requirements in the event the regional water quality control board for the Lahontan region makes specified findings

Ch 638 (AB 379) Deddeh Municipal courts

(1) Existing law provides for two judges for the municipal court in the South Bay Judicial District, makes various provisions for the appointment, classification and salary and benefit schedules of a court clerk, deputy clerks, and official court reporters

This bill would increase the number of judges in the South Bay Judicial District to four and would authorize the appointment of a clerk-administrator and judicial secretaries by the judges of the court

The bill also would make various changes regarding the number of court personnel, their compensation, classification and benefit schedule

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

This bill would require the Judicial Council to also provide for the maintenance of such records for the South Bay Judicial District in San Diego County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of San Diego County and the Legislature.

(3) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch 639 (AB 384) Beverly State funds investment.

(1) The existing law specifies the types of securities which are eligible securities for the investment of surplus state moneys

This bill would make negotiable certificates of deposits purchased from a chartered bank or savings and loan association also eligible securities for the investment of surplus state moneys.

(2) The existing law provides that the money designated by the Pooled Money Investment Board as available for investment in specified authorized securities may be invested, reinvested, sold, or exchanged by the State Treasurer, in his discretion, as appears to be in the best interests of the state

This bill would specifically authorize the State Treasurer to hire or engage the services of an investment analyst to assist in such investment decisions

This bill would incorporate additional changes in Section 16430, Government Code, proposed by AB 385, to be operative only if AB 385 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

† Appropriation deleted by action of the Governor

Ch 640 (AB 450) Fenton Franchise agreements, petroleum

Under existing law the terms of the contract between a manufacturer and a petroleum distributor or between a petroleum distributor and a gasoline dealer dictate the reasons why the gasoline dealer's or petroleum distributor's franchise may be terminated This bill provides that a gasoline dealer's or petroleum distributor's franchise may not be terminated or subject to a refusal to renew except for good cause, as defined

Ch 641 (AB 551) Knox Office of Planning and Research

Present law provides for the Council on Intergovernmental Relations to develop long-range policies to assist the state and local agencies in meeting problems of growth and development in urban areas, to provide planning assistance to city, county, district, and regional planning agencies, to develop and adopt guidelines for the mandatory elements of city and county general plans and render other assistance pertaining thereto, to divide the state into regional planning districts, and to receive annual reports from local and regional planning agencies

This bill would transfer these functions to the Office of Planning and Research

Present law also provides for the council to provide local or regional planning assistance in and for a city or county upon request of the governing body thereof, to accept planning grants, to transfer any county so requesting from one regional planning district to another or alter district boundaries, and to utilize the studies and research of other state agencies, and states that the council shall have no regulatory powers

This bill would delete these provisions, and delete other obsolete provisions It would also abolish the Council on Intergovernmental Relations and create a 10-member Local Government Advisory Council within the Office of Planning and Research, to make appropriate decisions and advise the office as specified

Ch 642 (AB 571) Knox San Francisco Bay Conservation and Development Commission

Present law prescribes the membership of the San Francisco Bay Conservation and Development Commission as including, among others, one member appointed by the State Lands Commission, from its staff

This bill would allow the member representing the State Lands Commission to be appointed either from the membership of the commission or from its staff

Ch 643 (AB 852) Robinson Local agencies financial affairs

Existing law provides that so far as possible, all money belonging to, or in the custody of, a local agency, including money paid to the treasurer or other official to pay the principal, interest or penalties of bonds, shall be deposited for safekeeping in state or national banks in the state selected by the treasurer or other official having the legal custody of the money, or may be invested in (1) bonds or interest-bearing notes or obligations of the United States, or those for which faith and credit of the United States are pledged for the payment of principal and interest, (2) bonds of this state, or those for which the faith and credit of this state are pledged for the payment of principal and interest, (3) bonds of any county, city, metropolitan water district, municipal utility district, or school district of this state, (4) bonds, consolidated bonds, collateral trust debentures, consolidated debentures, or other obligations issued by federal land banks or federal intermediate credit banks, (5) debentures and consolidated debentures issued by the Central Bank for Cooperatives and banks for cooperatives established under the Farm Credit Act of 1933, (6) bonds or debentures of the Federal Home Loan Bank Board, (7) stock, bonds, debentures and other obligations of the Federal National Mortgage Association, and (8) the bonds of any federal home loan bank

This bill would revise such list of authorized alternate investments to refer to (1) bonds issued by the local agency including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by it or by a department, board, agency or authority thereof, (2) United States Treasury notes, bonds, bills or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest, (3) registered state warrants or state treasury notes or bonds, including state revenue bonds, (4) bonds, notes, warrants or other evidences of indebtedness of any local agency within this state, including revenue bonds, (5) obligations issued by banks for cooperatives, federal land banks,

federal intermediate credit banks, federal home loan banks, the Federal Home Loan Bank Board, the Tennessee Valley Authority, (6) obligations, participations, or other instruments issued or guaranteed by the Federal National Mortgage Association, (7) obligations, participations, or other instruments of a federal agency or a United States government-sponsored enterprise, and (8) bills of exchange or bankers acceptances which are eligible for purchase by the Federal Reserve System, not to exceed 270 days maturity or 15 percent of the agency's surplus money

Ch 644 (AB 994) Goggin Oil and gas unit agreements

Under existing law, tracts of land may be unitized to provide for the management, development, and operation of such tracts as a unit to prevent, or to assist in preventing, waste, and to increase the ultimate recovery of oil and gas Existing law specifies that the title held by persons consenting to an oil or gas unit agreement shall be of record Existing law also entitles a nonconsenting owner of a working or royalty interest in a tract subject to a unit agreement to offer his interest for sale and provides that the order of the State Oil and Gas Supervisor directing unit operation shall not become effective unless such interest is purchased by one or more of the consenting working interest owners If a disagreement arises with respect to the price at which the interest shall be purchased, either party may request the supervisor to appoint an engineering committee consisting of one or more qualified oilfield appraisers and engineers to make an independent appraisal of the value of the interest and report to the supervisor, who shall determine the fair market value of the interest

This bill would delete provisions specifying that the title held by persons consenting to an oil or gas unit agreement shall be of record

The bill would specify that a unit agreement may involve the management and operation of more than one oil or gas pool and may involve a portion of a pool or pools

The bill would prescribe the contents of a petition requesting approval by the supervisor of a unit agreement

The bill would delete provisions authorizing the appointment of an engineering committee and, instead, would authorize the creation of a 3-member arbitration committee, as specified, to determine the fair market value of the interest, which determination would be binding on the parties, except as specified It would also modify the provisions providing for the payment of compensation and expenses of the committee

Ch 645 (AB 1085) Keene Mobilehomes sales· escrow accounts

Under a law which became operative July 1, 1975, every mobilehome dealer is required to establish an escrow account for payments received from the buyer on each sale of a mobilehome required to be moved under a permit Any moneys in the escrow account may not be disbursed until the buyer has received delivery of the mobilehome on the site and the mobilehome has passed installation inspection tests The moneys in the escrow account are refunded to the buyer if delivery is not made within 120 days from the date of sale, except that the parties may agree in writing for 30-day extension periods

This bill would specify that an escrow account is to be established with an escrow agent for a new or used mobilehome sale if the mobilehome dealer receives payment from the buyer at any time prior to delivery, but would exempt from this requirement a simultaneous transaction in which the buyer receives delivery of a used mobilehome on the site intended for occupancy within two calendar days, including the date of the sale

The bill would also provide that the single document requirement of a conditional sales contract would not be violated by the establishment of an escrow account

This bill would provide that if no inspection is required, then the deposits may be disbursed from escrow upon delivery of the mobilehome on the site

This bill would prohibit a mobilehome dealer from establishing with an escrow agent an escrow account in an escrow company in which the dealer has more than a 5% ownership interest

This bill would take effect immediately as an urgency statute.

Ch 646 (AB 1114) Mobley State parks road development

There is no existing law providing funds for the development of a road at Millerton Lake State Recreation Area

This bill would appropriate $200,000 from the State Park Highway Account in the Bagley Conservation Fund to the Department of Parks and Recreation for such purpose

Ch 647 (AB 1303) Cullen Alcoholic beverages

Under existing law it is a misdemeanor for any rectifier or wholesaler of distilled spirits to deliver to any on- or off-sale general licensee or for any on- or off-sale general licensee to sell or have in his possession at the licensed premises distilled spirits in packages containing more than one gallon or less than one-half pint, except that such prohibition doesn't apply, among other instances, to packages of distilled spirits in containers less than one-half pint which are sold and delivered to certified common carriers operating certain defined vessels, under a certificate ~~of~~ [of] * public convenience and necessity, for use and consumption on such vessels in transit in the Pacific Ocean from points on the California shore to points in California off the California shore

This bill broadens the exception to such prohibition by providing that such provision shall not apply to any sightseeing, tourist, or charter vessels holding on-sale general licenses for boats and regularly operated for the convenience of the general public and which have a capacity of carrying 100 or more passengers

Ch 648 (AB 1143) Hayden Vessel operation, safety guidelines

Existing law does not require the Department of Navigation and Ocean Development to adopt vessel operation safety guidelines for distribution to persons registering vessels with the Department of Motor Vehicles

This bill would require the Department of Navigation and Ocean Development, in cooperation with the Department of Motor Vehicles, to adopt and publish, no later than January 1, 1977, guidelines for safe vessel operation, as specified The bill would require the Department of Motor Vehicles to provide every person who originally registers, or who acquires the ownership certificate of, a vessel less than 65 feet in length after January 1, 1977, with a copy of the safety guidelines

Ch 649 (AB 1154) Robinson Local agencies financial affairs

Existing law permits counties with a treasury balance in excess of $30,000,000 and cities and special districts with a treasury balance in excess of $8,000,000 at the end of the prior fiscal year which have money in sinking funds of, or surplus money in, its treasury not required for immediate necessities of the local agency to invest such moneys in bills of exchange or banker's acceptances which are eligible for use as collateral by member banks for borrowing from the Federal Reserve Bank Existing law also limits investment in banker's acceptances by local agencies to those not exceeding 90 days' maturity

This bill would authorize the legislative body of any local agency with such surplus funds, regardless of the treasury balance at the end of the prior fiscal year, to so invest its funds, would revise the description of eligible bills of exchange or banker's acceptances to those which are eligible for purchase by the Federal Reserve System, and would extend the permissible maturity of banker's acceptances which may be invested in by counties and other local agencies to those not exceeding 270 days' maturity.

Existing law also permits local agencies to invest such surplus money in certain participation certificates evidencing beneficial interests in obligations that have been subjected by government agencies to a trust for which any agency of the United States has been named as trustees.

This bill would change such language and, instead, permit investments in obligations, participations, or other instruments of a federal agency or a United States government sponsored enterprise

Ch 650 (AB 1304) Cullen Secured transactions

Existing law provides that the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to the provisions of the Vehicle Code which require registration of a vehicle or boat; but during any period in which collateral is inventory held by a person who is in the business of selling such vehicles or boat, or both, the filing provision apply to security interest in that collateral created by

him as debtor

This bill would revise the above to provide that during any period in which collateral is inventory the filing provisions apply to a security interest in that collateral

Ch 651 (AB 1352) Ralph Vehicles axle weight limits

(1) Existing law permits a maximum gross weight imposed upon the highway by the wheels on any one axle of 18,000 pounds, and a maximum gross weight upon any one wheel or wheels, supporting one end of an axle and resting upon the roadway, of 9,500 pounds Further, existing law provides that the gross weight on the rear axle of a bus shall not exceed 20,500

This bill would increase such maximum gross weight limits to 20,000 and 10,500 pounds, respectively; and would provide for a maximum gross weight limit on a front steering axle of 12,500 pounds for all vehicles except certain vehicles, including buses, specified as being exempt This bill would also provide that the gross weight on any one axle of a bus shall not exceed 20,500 pounds

(2) Existing law permits garbage collection vehicles to exceed such weight limits by specified weights; and makes such excess weight limit for certain garbage collection vehicles applicable to any weight limit imposed by any city or county

This bill would repeal such provisions.

(3) With respect to a vehicle or combination of vehicles for which the distance between the first and last axles of two or more consecutive axles is 18 feet or less, existing law specifies the total gross weight with load that may be imposed upon the highway by any group of such two or more consecutive axles Such total gross weight is derived from a table specifying the allowed load in pounds on a group of axles for each of various specified distances between the first and last axles of a group of two or more consecutive axles With respect to a vehicle or combination of vehicles for which the distance between the first and last axles is more than 18 feet, existing law specifies the total gross weight with load that may be imposed upon the highway by any such vehicle or combination of vehicles. Such total gross weight is derived from a table specifying the allowed load in pounds for each of various specified distances between the first and last axles of such vehicle or combination of vehicles.

This bill would repeal such provisions and, instead, specify the total gross weight that may be imposed on the highway by any group of two or more consecutive axles Such total gross weight would be derived from a table specifying the maximum load in pounds that may be carried on any group of two or more consecutive axles depending on the total number of axles of a vehicle or combination of vehicles and the distance between the extremes of any group of two or more consecutive axles The bill would provide that gross weight limits shall include all enforcement tolerances

(4) Existing law declares that trucks and vehicle combinations transporting logs shall be deemed to be in compliance with maximum gross weight limits of the total gross weight on a group of axles does not exceed by 2,500 pounds the applicable weight limit for such a vehicle

This bill would instead declare that such vehicles shall be deemed to be in compliance with specified weight limits if the total gross weight of 34,000 pounds on tandem axles permitted under such limits is not exceeded by 500 pounds The bill would also permit two consecutive tandem axles to carry a gross load of 34,500 pounds each if the overall distance between the first and last axles of such consecutive sets is 34 feet or more Other conforming changes would be made

Ch 652 (AB 1364) Craven City councils and mayors' elections

Existing law provides that a city council may submit to the city's electors an ordinance providing that the members of the city council be elected "by districts" or "from districts," with the proposed ordinance specifying 5, 7, or 9 districts "By districts" means election of council members by voters of the member's district alone "From districts" means that although council members represent districts, they are all elected by the voters of the entire city Existing law also provides for the establishment of an elective mayor, elected by all the voters of the city, but does not authorize combination of an elective mayor with a "by district" or "from district" system

This bill would authorize a city council to propose an ordinance under these existing procedures providing that in 4, 6, or 8 districts members of the city council be elected "by district" or "from district," with a citywide election of the mayor

Ch 653 (AB 1474) Lewis Vehicle dealers franchises

Existing law specifies various procedures to be followed by the New Motor Vehicle Board whenever a franchisee has filed with the board a protest against a franchisor's establishing or relocating an additional dealership

This bill would require the board, in carrying out such procedures, to inform the franchisor that he may not establish or relocate the dealership until the board has held a specified hearing on the protest The bill would also provide that in the event of multiple protests, the board is permitted, rather than required, to consolidate the protests in a single hearing

This bill would also specify, for purposes of this law, that the reopening of a dealership that has not been in operation for one year or more constitutes the establishment of an additional motor vehicle dealership

Ch 654 (AB 1521) MacDonald Schools teacher-nonteacher ratios

Prior law which was effective until July 1, 1975, authorized the Superintendent of Public Instruction to grant a limited waiver from the prescribed ratio of teaching to nonteaching personnel in a school district, which ratio affords a basis for reduction of state support if not complied with, where he finds that the prescribed ratio does not best serve the pupils' educational needs and that failure to grant the waiver would result in extreme hardship to the district It requires the Superintendent of Public Instruction to report each year to the Legislature concerning such waivers

This bill would reenact such provision and provide for a termination date on such authority of July 1, 1977

The bill would go into immediate effect as an urgency statute

Ch 655 (AB 1636) Z'berg Public Employees' Retirement System disability retirement

Existing law requires the Public Employees' Retirement System to administer the Legislators' Retirement System

This bill would require the costs of administration to be paid from annual appropriations from the earnings on the Legislators' Retirement Fund and would appropriate an amount from the Legislators' Retirement Fund

Existing law provides the mandatory retirement for service at age 67 does not apply to a local member of the Public Employees' Retirement System elected to office of a contracting agency

This bill would extend such provision to a local member appointed to an office of a contracting agency with a fixed term of office provided for by state law

Existing law provides that local safety members of the Public Employees' Retirement System shall be retired for disability only upon their employer's determination of incapacity and that in the event of a dispute over the effective date of such disability retirement, the retirement shall be effective on the date the employee's condition is permanent and stationary as found by the Workmen's Compensation Appeals Board. The Board of Administration of the Public Employees' Retirement System determines eligibility of all other categories of membership for disability retirement

This bill would delete that provision and instead specify that a local safety member's eligibility for retirement for disability shall be determined by his employer and shall not be effective without the member's consent earlier than the termination of his leave of absence without loss of salary, or, if earlier, when his disability is found to be permanent and stationary by the Workmen's Compensation Appeals Board. This bill would authorize contracting agencies to delegate duties regarding such disability retirement to subordinate officers The bill would also make related changes in other provisions of law

Ch 656 (AB 1626) Wilson Alcoholic beverages.

Present law provides that quantity discounts of wine to consumers shall not exceed 10% on quantity sales of a case or more A case is defined as containing 2 4 gallons or more of wine consisting of containers of the same size

This bill would change such definition to 2 3 gallons

Present law permits a retailer to return wine to the seller but prohibits the seller from selling wine to the retailer for a year after the returned wine is accepted or received unless specified conditions exist, including designated transactions between the retailer

and the seller involving exchanges for the identical quantity of wine

This bill would specify that the term "identical quantity" includes wine in metric measure containers and wine in United States standard measure containers which contain substantially the same amount of wine

Ch 657 (AB 1683) William Thomas Juries petit jury panel selection.

The present law provides that the jury commissioner of a county shall diligently inquire and inform himself regarding the qualifications of persons resident there who may be summoned for trial jury duty The commissioner then prepares a list of qualified and recommended persons and forwards it to the superior court for consideration in panel selection

This bill would require the Director of the Department of Motor Vehicles to furnish, upon request, a list of persons who are licensed or have been issued an identification card under certain provisions of the Vehicle Code and who reside in the affected county to the jury commissioner, who would be required to keep the list confidential as specified.

It would require the jury commissioner to use the list of registered voters and permit him to use the list from the Director of the Department of Motor Vehicles in the preparation of a roll of eligible juror candidates from which the jury list would be prepared

The bill, in addition, would make related changes

The bill provides that there shall be no reimbursement to local governmental agencies pursuant to Section 2231 of the Revenue and Taxation Code nor any appropriation therefor by this act

The bill also makes an appropriation of $31,000 from the General Fund to the Department of Motor Vehicles for costs incurred under the act

Ch 658 (AB 2053) Craven School district retirement salary plans generally

Provisions of law governing a district retirement salary plan which was discontinued were repealed in 1973

This bill would authorize the continuation of reserve funds and payment of benefits to persons who retired under the discontinued plan The bill would only be applicable to a discontinued plan in a unified district presently having an average daily attendance of less than 200,000 pupils The governing board would be authorized to make additional cost-of-living adjustments in the payments to persons who retired prior to January 1, 1953

Ch 659 (AB 2094) Lanterman Vehicles drivers' licenses. grounds for refusal to issue or renew.

Under existing provisions of state law, every application for a driver's license is required to contain specified information, including whether the applicant has ever been afflicted with apoplexy, epilepsy, paralysis, insanity or other disability or disease affecting his ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway In addition, the Department of Motor Vehicles is prohibited from issuing or renewing a driver's license to any person who, among other things, is insane, feebleminded, or an idiot or imbecile and when it appears by examination or other evidence that a person is unable to operate a motor vehicle upon a highway safely because of physical or mental defect

This bill would delete such provisions and instead would (a) require every driver's license application to contain information as to whether the applicant, within the last 3 years, has experienced either a lapse of consciousness or an episode of marked confusion caused by any condition which may bring about recurrent lapses, or has any disease, disorder, or disability which affects ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway, and (b) prohibit the department from issuing or renewing a driver's license when it is determined that a person is unable to safely operate a motor vehicle because of experiencing, within the last 3 years, either a lapse of consciousness or an episode of marked confusion caused by any condition which may bring about recurrent lapses, or because of any other disability, disease, or disorder

The bill would become operative on July 1, 1976

Ch 660 (AB 2295) Chappie Vehicle weight limits local restriction

Existing law permits a county to restrict use of its highways in the following situations

(1) Reduce permissible weight of vehicles and loads on unimproved county highways and county bridges

(2) Reduce weights on improved highways that are subject to deterioration by heavy vehicles Such reduction is limited to 90 days or the period occupied by continuous repairs, if longer than 90 days

(3) Prohibit the use of highways in unincorporated residential or subdivision areas by any commercial vehicle exceeding a gross weight of 14,000 pounds However, the Counties of San Diego and Contra Costa are specifically authorized to prohibit the use of highways in unincorporated residential or subdivision areas by any commercial vehicle exceeding a gross weight of 5,000 pounds

(4) Prohibit the use of any highway by any commercial vehicle exceeding a gross weight of 14,000 pounds, if by accepted engineering standards, the highway cannot support such vehicle

This bill would authorize the County of Nevada to prohibit, by ordinance, the use of Northwoods Boulevard by any commercial vehicle exceeding a maximum gross weight limit to be specified in the ordinance

The bill would specify exemptions for various classes of vehicles from any such ordinance adopted pursuant to this authorization and would specify the manner in which notification of the prohibition is to be made

The bill would also provide that no such ordinance shall be effective unless the board of supervisors designates, in the ordinance, an alternative, unrestricted route for the use of the vehicles

The bill would declare that Northwoods Boulevard presents a unique traffic problem and that a special law is necessary

This bill would take effect immediately as an urgency statute

Ch 661 (AB 2306) Lockyer Interest tax and other state programs

Under existing state laws interest is generally established at one-half of 1 percent a month or at 6 percent per year for sums owed the state or for sums the state owes to taxpayers, except for the Gift Tax Law where interest in some instances is set at 7% Interest of 6% or one-half percent a month is also established for various payments under the Senior Citizens Property Tax Assistance Law, and for purposes of unemployment compensation

This bill would increase the interest payable under the various state taxes and other programs to 1% a month or 12% a year

The revenue derived from certain state taxes, such as taxes on fuel, are continuously appropriated for various purposes The change of the interest rates for purposes of such taxes as the gas tax and the diesel tax would alter these existing appropriations

This bill, however, prohibits the continuous appropriation of additional revenues raised pursuant to this bill and specifies that such revenues may only be appropriated by legislation enacted after the effective date of this bill

In addition, counties, cities, and the San Francisco Bay Area Rapid Transit District presently impose sales and use taxes under provisions which require them to automatically incorporate changes in the state's Sales and Use Tax Law

By increasing the interest on tax overpayments under the Sales and Use Tax Law from one-half to 1% per month, the bill would also mandate this additional cost on counties, cities, and the San Francisco Bay Area Rapid Transit District

Existing Section 2231 of the Revenue and Taxation Code provides that the state will reimburse local agencies and school districts for state-mandated local programs enacted after January 1, 1973

This bill specifies that there will be no such reimbursement, since this bill would contain a source of revenue which may be utilized by local governments to cover the costs of the mandate

This bill would provide that the interest rate charge contained therein shall apply to all interest accrued on or after January 1, 1976

This bill would incorporate additional changes in Sections 32271, 32291 and 32405 of the Revenue and Taxation Code, proposed by SB 692, to be effective only if SB 692 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 662 (AB 2349) Boatwright Property taxation disabled veterans' exemption

(1) Under existing law, "totally disabled" for purposes of qualifying for the disabled veterans' exemption is defined to mean that the United States Veterans Administration has rated the disability at 100 percent

This bill would also include in that definition that the Veterans Administration has rated the disability compensation at 100 percent by reason of being unable to secure or follow a substantially gainful occupation.

(2) Under existing law, claims for the disabled veterans' exemption must be filed between March 1 and April 15 of the calendar year in which the fiscal year for which the exemption applies begins.

This bill would provide for late filing of claims for the disabled veterans' exemption until the following December 1 and allow for granting of 80 percent of the exemption for the 1976–77 fiscal year and thereafter.

(3) Existing property tax law does not make provision for procedures to be used by applicants in making claims for the disabled veterans' property tax exemption and for the processing of such exemption by counties

This bill would specify procedures to be used by applicants claiming the disabled veterans' property tax exemption, and also procedures to be followed by county assessors and auditors in processing and administering such claims The bill would require, among other things, county assessors to mail notice of eligibility to disabled veterans who previously received the exemption, and also that claims for the exemption once granted, shall remain in effect until title to the affected property changes Furthermore, the taxpayer who has filed a claim for the exemption would be required to notify the assessor when the property is no longer eligible for the exemption

The bill specifies that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement to local agencies pursuant to the bill because of a specified reason

This act would take effect immediately as an urgency statute

Ch 663 (SB 113) Dunlap Veterans Cal-Vet loans

Existing law specifies that the maximum amount of a Cal-Vet home loan may not exceed $25,000

This bill would increase the Cal-Vet home loan limit from $25,000 to $30,000

Ch 664 (SB 488) Song Crimes felony-misdemeanor.

Present law now specifies certain times in which, when a crime is punishable both by imprisonment in state prison or by fine or imprisonment in the county jail, the crime will be considered a misdemeanor Specially, one such time occurs when during or before the preliminary hearing, and with the consent of the prosecuting attorney and defendant, the judge determines the offense to be a misdemeanor

The bill would provide that during or before the preliminary hearing, or prior to an order holding the defendant to answer at trial, the judge may determine the offense to be a misdemeanor and the case would proceed as such, eliminating the needed consent of the prosecuting attorney and defendant

Ch 665 (SB 629) Song Courts electronic recording of proceedings

Existing law makes no provision for electronic recordation of municipal and justice court proceedings

This bill would authorize municipal and justice courts to order actions or misdemeanor criminal proceedings to be electronically recorded whenever an official or temporary court reporter is not available

This bill also makes certain findings and declarations in regard to legislative intent

Ch 666 (SB 724) Holmdahl Declarations under penalty of perjury

Present law provides that a declaration made under penalty of perjury executed within this state shall have the same effect as the sworn statement of a person required to make such a statement pursuant to state law, or rule, regulation, order, or requirement promulgated pursuant to law

The bill would include such declarations which are executed in another state if the other state permits such declarations

The provisions of the bill would become operative on January 1, 1977

Ch 667 (SB 763) Song Criminal records

Existing law requires the Department of Justice to inform an applicant wishing to see his criminal record of the existence of such a record and to specify a time at which such record may be examined at a facility of the department

This bill requires the department to either specify a time at which the record may be examined at a facility of the department or, if the applicant is unable to review his record at such time and place, to authorize the applicant's review of his record at any police department or sheriff's office which agrees to make the record available to the applicant

Ch 668 (SB 799) Stull Municipal courts Imperial County

Existing law makes no provision for an Imperial County Municipal Court

This bill would establish the Imperial County Municipal Court and provide for the administration and personnel of the court

The bill also specifies that notwithstanding Section 2231 of the Revenue and Taxation Code, there is no reimbursement made to local agencies for costs incurred by them pursuant to the provisions of the bill because of a specified reason

Ch 669 (SB 801) Stull Arraignment in custody prisoners

Existing law provides that, in counties having a population exceeding 4,000,000, i e , Los Angeles County, a criminal defendant who is to be arraigned in municipal court and who is held in custody may be arraigned in the municipal court in the county nearest to where defendant is being held, as well as before the court in which the accusatory pleading is filed, and permits such defendant to make three free telephone calls prior to being taken for arraignment, in addition to other calls provided by law

This bill would include counties of the third class, i e , San Diego County, in such provisions and would require the approval of both the presiding judge of the municipal court in which the accusatory pleading is filed and the presiding judge of the municipal court within the county nearest to the place in which the defendant is held in custody before the defendant may be arraigned in such court

Ch 670 (SB 842) Grunsky Interpleader

Under existing law interpleader actions are authorized only when the subject matter of the conflicting claims involves a contract, personal property, or the performance of an obligation

This bill would authorize an interpleader by any person against whom multiple claims are or may be made irrespective of their nature

Under existing law a court in which an interpleader has been filed has no statutory authority to enjoin the parties from instituting or further prosecuting any other proceeding affecting the rights and obligations of the parties to the interpleader action

This bill would expressly grant the court such authority

Ch 671 (SB 891) Beilenson Tuberculosis control programs

(1) Under existing law, the State Department of Health is required to maintain a program for the control of tuberculosis and the Department of Benefit Payments is required to administer the funds made available by the state for the care of tuberculosis patients

This bill would delete the authority of the Department of Benefit Payments to administer such funds and would require the State Department of Health to administer such funds

(2) Under existing law, state payments to cities or counties providing care to tuberculosis patients in a tuberculosis ward, hospital, or sanatorium are based upon the number of patient-days of care provided to persons whose admission and care have been authorized by the county

This bill would repeal the existing state payment system for tuberculosis care provided by cities and counties The bill would authorize the State Department of Health to establish standards and procedures for the operation of local tuberculosis control programs The state department would be authorized to distribute an annual state subvention to any local health department maintaining a tuberculosis control program consistent with such standards and procedures, with the subvention to be used primarily for tuberculosis prevention activities The state department would be authorized to

allocate additional state funds to selected local health departments, as specified

The bill would authorize the state department to pay for the cost of regional laboratory services and hospitalization facilities for patients whose care cannot be reasonably accomplished at the local level

This bill would take effect immediately as an urgency statute

Ch 672 (SB 1099) Gregorio Bail

Under existing law the officer in charge of a jail wherein an arrested person is held in custody, an officer of a sheriff's department or police department of a city who is in charge of a jail or employed at a fixed police or sheriff's facility and is acting under an agreement with the agency which keeps the jail wherein an arrested person is held in custody, and certain court clerks, are authorized to accept bail

This bill would also give such authority to an employee of a police or sheriff's department who is assigned by such department to collect bail

Ch 673 (SB 1123) Song State Bar, inactive members

Under existing law, all inactive members of the State Bar are required to pay an annual membership fee as fixed by the board of governors but not to exceed $20

This bill creates an exemption from such annual membership fee for inactive members for any calendar year following the calendar year in which any such member attains the age of 70 years

Ch 674 (SB 1124) Song Medical evidence

Existing law makes specific provision for the exclusion and discovery of written records related to medical studies conducted by in-hospital medical staff committees of a licensed hospital Existing law excludes the proceedings and records of organized committees of hospital medical staffs or medical review committees of local medical societies from discovery with certain exceptions

This bill would extend the above provisions to specified medical-dental committees

Ch 675 (SB 1263) Collier Highways local streets and road system reports

Under existing law, each county and city is required to submit specified information regarding its road or street system to the Department of Transportation by May 1, 1976 The department is required to submit a report of all such information to the Legislature by January 1, 1977

This bill would postpone from May 1, 1976, to May 1, 1977, when each county and city would be required to submit such information to the department, and would postpone from January 1, 1977, to January 1, 1978, when the department would be required to submit such report to the Legislature

This bill would take effect immediately as an urgency statute

Ch 676 (SB 285) Song Air pollution control motor vehicles

Under existing law, a limited-production vehicle (defined as a new 1975 model year motor vehicle having a manufacturer's gross vehicle weight rating of under 6,001 pounds that is manufactured or sold in this state in quantities of less than 210 units annually) is required to meet either emissions standards adopted by the State Air Resources Board for 1974 model year motor vehicles or the standards adopted by the Environmental Protection Agency for 1975 model year motor vehicles, whichever are more stringent

This bill would define limited-production vehicle to include 1976 model year motor vehicles and would permit the board to certify limited-production vehicles for sale in California on the basis of engineering evaluation performed in lieu of all or any portion of the certification test procedures applicable to new nonlimited-production vehicles

The bill would take effect immediately as an urgency statute

Ch 677 (AB 656) Wornum Municipal court employees

Present law specifies that there shall be one clerk of the municipal court in Marin County who shall be the administrative officer of the court and receive a specified salary

This bill would eliminate such specified salary and provide that this clerk shall receive an annual salary recommended by the municipal court and approved by the board of supervisors

Existing law enumerates specific monthly salaries for one chief deputy clerk, 12 dep-

uty clerks, grade V, four deputy clerks, grade IV, 16 deputy clerks, grade III, 12 deputy clerks, grade II, seven deputy clerks, grade I, seven intermediate typists, and one file clerk employed by the municipal court of Marin County

This bill would eliminate the position of the file clerk and require that the remaining employees receive salaries recommended by the municipal court and approved by the board of supervisors, and upon such recommendation and approval, to be employed at or granted special step increases within the salary range based on experience or qualifications Also, the bill specifies that the clerk of the Marin County Municipal Court may appoint additional employees as recommended by the municipal court and approved by the board of supervisors

The bill would provide that until such time as the salaries are approved by the board of supervisors, the employees would receive the salaries in effect immediately prior to January 1, 1976

The bill would also provide that any change in the salaries of the clerk and the other enumerated municipal court employees in effect immediately prior to the effective date of the amendments to these sections enacted by the Legislature at its 1975–76 Regular Session shall be on an interim basis and shall expire on January 1 of the second calendar year after the calendar year in which the change occurs, unless ratified by the Legislature

Ch. 678 (SB 736) Song Codes, maintenance of various

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes and legislation necessary to codify such statutes as are enacted from time to time subsequent to the enactment of the codes

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 1975 and would not make any substantive change in the law

Ch 679 (SB 1098) Rains Bills, delivery to Governor

Existing law requires that as soon as an enrolled bill is delivered to the Governor it shall be indorsed as having been received by the Governor and the indorsement shall be signed by the private secretary of the Governor

This bill would also permit the indorsement to be signed by any other person designated by the Governor whose designation has been reported to the Speaker of the Assembly and the President pro Tempore of the Senate

Ch 680 (AB 102) Lanterman Validations

This bill is the Second Validating Act of 1975 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities

This bill is to take effect immediately as an urgency statute

Ch. 681 (AB 103) Lanterman. Validations

This bill is the Third Validating Act of 1975 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities

Ch 682 (AB 376) Knox Corporations

This bill completely revises those provisions of the Corporations Code generally governing corporations for profit including foreign corporations qualified to do business in this state

This bill provides that neither appropriation is made nor obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this act

Ch 683 (AB 487) Berman Motor vehicles authorization for flashing warning lights

Existing law does not authorize a motor vehicle owned by a private, nonprofit organization which provides training or other activities for persons who are mentally retarded or physically handicapped, or both, and certified by the Department of Rehabilitation or licensed by the State Department of Health, to be equipped with, or to display, flashing warning lights

This bill would authorize any motor vehicle designed for carrying more than 8 persons, including the driver, owned by such an organization, to be equipped with a flashing amber light signal system, and to display the flashing amber lights of such system when necessarily parked upon a highway and in the process of loading or unloading such retarded or handicapped persons

The bill would also make such provisions applicable to such a motor vehicle which is rented, leased, or chartered by such an organization

Ch 684 (AB 537) Ralph Employee housing

(1) The existing law makes the Employee Housing Act inapplicable to any labor camp owned, operated, and maintained by federal, state or local government

This bill would, in addition, make the Employee Housing Act inapplicable to employee housing of any school, college or university

(2) The existing law allows a permit to operate a labor camp to be suspended if the permit holder violates any provisions of the Employee Housing Act

This bill would require, if the holder of a permit to operate a labor camp violates any provisions of the Employee Housing Act, and does not remedy such violation within specified periods after notice thereof by the enforcement agency, that a verified complaint be filed with the superior court for an order granting relief

(3) The existing law makes any person violating any provision of the Employee Housing Act guilty of a misdemeanor punishable by a fine of not more than $200 or 60 days in jail, or both

This bill would increase the penalty for a violation to not more than a $1,000 fine or 60 days in jail, or both

This bill would define the term "willful violation," and would specify a civil penalty of not less than $300 nor more than $1,000 for each such violation, in an action brought by the enforcement agency

This bill would require that any person operating or maintaining a labor camp without an operating permit pay double the normal fees for a permit to operate such a camp

This bill would permit any person residing in a labor camp to file an administrative complaint with the enforcement agency, with a copy delivered to the employer, and if a civil action is not filed within 30 days thereafter, to bring a civil action for injunctive or declarative relief or damages arising from a violation of the Employee Housing Act

If the enforcement agency certifies that the labor camp is in compliance with the Employee Housing Act, no injunctive relief shall be granted

Ch 685 (AB 782) Duffy Milk products, ultra-pasteurization

The existing law provides for pasteurization of milk and milk products

This bill would, in addition, provide that when the term "ultra-pasteurization" is used to describe any milk or milk product, it means that it has been thermally processed either before or after packaging, in accordance with the ultra-pasteurization requirements of regulations established under the Federal Food, Drug and Cosmetic Act, so as to produce a product which has an extended shelf life under refrigerated conditions This bill would also exclude any flavored milk product or market half-and-half which is ultra-pasteurized and packaged in hermetically sealed containers from the provisions designating class 1 milk for purposes of milk stabilization and marketing provisions

This bill would specifically include within class 2, any combination of market milk or market skim milk which is sterilized and packaged in hermetically sealed containers

Also, this bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 686 (AB 918) Warren Energy conservation, transportation

The existing law does not specifically require any agency of the state to provide assistance to public and private employers and employees to establish carpools and to develop programs and undertake construction to establish preferential lanes for carpool vehicles

This bill would, generally, do all of the following

(1) Require, not later than March 1, 1976, all state agencies to provide assistance to their employees living in metropolitan areas in establishing carpools and locating poten-

tial carpool participants, and authorize the Department of Transportation to establish carpool programs in metropolitan areas with funds made available for such purposes from any source

(2) Require the department to develop programs and undertake construction to establish preferential lanes on major freeways in metropolitan areas for use of carpool vehicles, as prescribed, and permit such vehicles to use preferential bus lanes unless it makes certain findings.

(3) Encourage the department to establish, as soon as possible, preferential lanes for the use of buses and three-passenger carpool vehicles on the Santa Monica Freeway (or at least a designated portion thereof in Los Angeles County) as a pilot project

(4) Exclude the transportation of persons in a passenger vehicle having a seating capacity of 15 passengers or less from place of residence to place of employment, if the driver himself is on the way to or from his place of employment, from the provisions regulating passenger stage corporations

(5) Exclude passenger vehicles having a seating capacity of 15 passengers or less, carrying at least 3 persons (including the driver) from places of residence to places of employment, from the charter party carrier provisions

Ch 687 (AB 1276) Sieroty Pleas.

Existing law provides that a plea of nolo contendere may be entered with the consent of the district attorney and with the approval of the court to an indictment or an information or to a complaint charging an offense triable in an inferior court There is no requirement in existing law that a showing be made that the defendant understands the legal effect of such a plea

This bill requires the court to ascertain whether the defendant has such understanding and that he knows upon a plea of nolo contendere the court will find the defendant guilty, and deletes the requirement that the district attorney consent to the entering of a plea of nolo contendere

Ch 688 (AB 1292) Sieroty Parking· physically handicapped persons' vehicles

Existing law exempts disabled veterans and persons, as specified, from certain parking meter fees, but does not provide for the designation of parking spaces for any such person

This bill would permit a local authority to designate a parking space, and would permit a local authority or person in lawful possession of an off-street parking facility to designate a stall or space in such facility owned or operated by the local authority or person, for the exclusive use of physically handicapped persons whose vehicles display specified distinguishing license plates Any street space so designated by a local authority would be required to be indicated by blue paint on the adjacent curb, and the use of additional, suitable means of designation would be authorized Any off-street stall or space would be required to be indicated by a specified sign Additionally, authority would be provided for the removal of a vehicle not operated by a physically handicapped person that is occupying a designated stall or space Further, the bill would declare that such provisions shall not be construed to restrict the exemption for disabled veterans and persons from parking meter fees.

Ch 689 (AB 1302) Collier Counties. surplus plants

Existing law allows a county board of supervisors to sell, at a price not less than the county's estimated cost, surplus plants, shrubs, flowers, trees and vegetation and their seeds or products produced at a county arboretum, but prohibits such sales if the plant, shrub, flower, tree, seed or their product is available commercially within the State of California

This bill would also allow the county board of supervisors to exercise any other powers it deems necessary and proper to promote the objects and purposes of the county arboreta

Ch 690 (AB 1306) Arnett Schools student body funds

Existing law prescribes the manner in which funds of any student body organization of any school district may be deposited or invested

This bill would add thereto an authorization to invest such funds in shares, certificates, or other forms of evidence of indebtedness or interest issued by any insured state-chartered credit union or federal credit union

Ch 691 (AB 1377) Lancaster Banks

Existing law provides that a commercial bank shall not invest an amount exceeding 10 percent of its capital and surplus in the securities of any one obligor or maker; except for specified securities, generally, obligations of the state or federal government.

This bill adds to the obligations in which a commercial bank is permitted to invest an amount exceeding 10 percent of its capital and surplus, obligations of a local agency or district of the state having the power, without limit as to rate or amount, to levy taxes to pay the principal and interest of such bonds

Ch 692 (AB 1403) Mobley County sanitation district board members compensation

Existing law gives the board of directors of a county sanitation district the power to fix the amount of compensation to be paid each member of the board not exceeding $50 for each board meeting, not exceeding $100 in any 1 month plus actual traveling expenses or a mileage rate, as specified

This bill would authorize the $50 maximum compensation for board meetings to also apply to each day's service rendered as a member of the board by request of the board, and would provide all compensation shall not exceed $200 in any 1 month, together with any expenses incident thereto

Ch 693 (AB 1413) Sieroty County boards of supervisors powers operas and other performances

Existing law authorizes the board of supervisors of counties with a population in excess of 1 million to provide by contract for performances of operas, symphonies, band concerts, and historical or commemorative pageants or plays within the county

This bill would expand the types of cultural events which the board of supervisors may contract for to include, but not limited to, other instrumental concerts, choral concerts, plays or other related presentations (with or without music), ballet, dance, recitals, exhibitions, and readings

Ch 694 (AB 1421) Lanterman Developmentally disabled

Under current provisions for appointment of a conservator or guardianship for developmentally disabled persons, such persons do not have a right to have the court appoint the public defender or other attorney to represent him In addition the director's services as adviser, guardian, or conservator are required to be performed solely through the regional centers

This bill grants such right and requires payment according to ability for such legal services The bill provides that the director's services as adviser, guardian, or conservator in the alternative may be performed by other agencies or individuals designated by the regional centers

Under current law the definition of developmentally disabled persons lists certain disabilities originating before age 18 which are closely related to or require treatment similar to mental retardation

This bill provides generally for disabilities originating before age 18, as defined by the Director of Health, including those related to mental retardation The bill provides that such disabilities may be attributable to certain listed disabilities or handicapping conditions and authorizes genetic counseling for pregnant women of high risk of delivering a defective or handicapped infant because of genetic disorder

Under current law developmentally disabled persons may be released from state hospitals for home visits not exceeding 60 days

This bill in addition authorizes such persons to be released for provisional placement with parental consent, not exceeding 6 months

Under current law area board members and members of the State Developmental Disabilities Planning and Advisory Council may serve consecutive three-year terms The bill prohibits members in counties with more than 100,000 population from serving more than two such terms

Under current law the area board and the state council may appoint an executive secretary and advisory committees

This bill in addition authorizes the appointment of advisory consultants by the advisory board and consultants by the state council

Under current law if the developmentally disabled person has no person legally authorized to consent to medical treatment the person in charge of the regional center in a regional center placement or the medical director of a state hospital where the developmentally disabled person is a patient may give such consent, provided he immediately initiates proceedings for the court appointment of a guardian or conservator

This bill authorizes, but does not require, the initiation of such court proceedings and grants the authorization to consent in a regional center placement to the director or physician designated by the director, rather than the person in charge of the regional center

Under the Lanterman Developmental Disabilities Services Act the procedure for certain civil rights such as habeas corpus and judicial review is provided for persons in state hospitals This bill extends such provisions to persons under the act in community care facilities and health facilities

The bill also provides for the order of commitment of a mentally retarded person of the State Department of Health to automatically expire after any year and requires a new petition for commitment to be filed

This bill further provides that contracts between the State Department of Health and area boards to provide services, and contracts and grants with public or private nonprofit corporations to provide services to the mentally retarded and developmentally disabled may provide for advance payments, notwithstanding other provisions of law, not to exceed 25% of the total annual contract amount

This bill appropriates $22,000 from the General Fund to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to the bill

Ch 695 (AB 1450) Foran Removal or release from custody

Present law authorizes the sheriff to remove prisoners from the county jail for various purposes (e g , medical or hospital care, mental evaluation) but does not provide any method whereby the county sheriff may remove or release inmates of the county jail for purposes related to the inmates' eventual release from jail A release or removal of a prisoner confined to county jail as a condition of probation for purposes related to preparation for release may be obtained for not more than 3 days by authorization of the probation officer

This bill would provide the county sheriff with the authority to remove or release inmates for not more than 3 days for family emergencies or for purposes related to preparation for a return to the community

Ch 696 (AB 1706) Maddy Elections tabulation of ballots

Under existing law only a write-in vote is prohibited from being counted if the voter has marked his ballot by a combination of punching or slotting the ballot card and writing in a candidate, a choice of more names than there are candidates to be elected or nominated for any office

This bill would also prohibit, in such situation, the counting of votes tabulated by punching or slotting the ballot card

Ch 697 (AB 1755) Chappie Commercial fishing frogs

Under existing law, (1) for purposes of the provisions governing the taking of frogs, "frog" is defined as the American bullfrog, the California redlegged frog, or any other species of edible frog, (2) except as otherwise provided, there is a minimum size limit, as specified, and a bag limit, as specified, for the taking of such frogs, (3) there is an exception to the bag limit for a person who conducts a place of business where such frogs are sold to the public for food or are possessed, or taken for sale or to use, for educational and scientific purposes, (4) frogs may only be taken between March 1st and November 30th of each year, (5) the Department of Fish and Game may issue a permit to take, purchase, or dispose of frogs below the minimum size limit if such frogs are used for scientific or educational purposes Existing law further provides that the Fish and Game Commission has authorization to establish rules and regulations governing the commercial taking of fish, which includes frogs (amphibia), for educational and scientific purposes

This bill would (1) change such definition of "frog" to include all species of frog, (2)

prohibit the taking or possession of frogs for commercial purposes, except as authorized by the Fish and Game Code or regulations of the commission; (3) remove statutory bag limit, minimum size limit, and season for taking frogs, (4) provide that such exception for a person conducting such place of business, would permit such person to have any number of frogs, as defined, only at such place of business; and (5) eliminate the department's authority to regulate, as specified above, the taking of frogs for scientific or educational purposes

Ch. 698 (AB 1806) Lanterman Southern California Rapid Transit District: public transportation apportionment.

Under existing law, the allocation of funds under the Mills-Alquist-Deddeh Act to an operator within the Southern California Rapid Transit District is based on the ratio of its public transit service mileage within the district to the total of such mileage of all operators within the district

This bill would specify, for any fiscal year commencing on and after July 1, 1975, in the case of an operator within the district which has lost any days of operation due to strikes occurring prior to August 1, 1975, civil disorders, or acts of God, that the public transit service mileage of such an operator shall be its actual such mileage times the number of days it would have been in operation but for such causes, divided by the number of days it was in actual operation

Ch 699 (AB 1860) Knox Water district securities

Existing law requires the written report of the State Treasurer on the feasibility and economic soundness of the project for which the bonds of designated districts is desired, or for which a report has been issued, to be filed in the office of the State Controller, the bonds certified by the State Controller, and provides for revocation by the State Controller, on noticed revocation of the report by the State Treasurer. Also, bonds certified in accordance with the chapter are specifically declared to be legal investments for, among others, savings banks.

This bill would require the written report of the State Treasurer to be filed in the Office of the State Treasurer, the bonds certified by the State Treasurer, and, upon notice, the State Treasurer may revoke the report, and upon revocation of the report, prohibits the State Treasurer from certifying the bonds without making a new report based upon new application by the district The bill would provide that savings banks may make investments in such bonds subject to Section 1359 of the Financial Code.

Existing law requires all contracts and transfers entered into or made by a California water district for cooperation with other entities pursuant to specified statutory authority to be first approved by the State Treasurer

This bill would require such approval only in the case of contracts which require the district to make annual payments in excess of a specified amount and contracts with the United States.

Ch 700 (AB 1886) Foran. Vehicles. licensing of persons who verify proof of vehicle identification

Under existing provisions of statutory law, there are no specific provisions or procedures for licensing vehicle verifiers by the Department of Motor Vehicles.

This bill would make it unlawful for any person to act as a vehicle verifier, as defined, without having first procured a vehicle verifier's permit or when such permit has been canceled, suspended, revoked, or invalidated. The bill would also require that vehicle verifiers make application to the department upon the appropriate form, accompanied by a good and sufficient bond, as specified, in the amount of $5,000 The bill would specify the grounds for refusal to issue, and to suspend or revoke such permit, and the activities which are unlawful and cause for disciplinary action The bill would provide for a hearing if the department issues a permit requiring conditions of probation or refuses to issue, suspends or revokes a permit

The bill would require a vehicle verifier to maintain records, as prescribed.

The bill would impose fees for the application and original vehicle verifiers permit, and for an application for renewal

The bill would require all persons who hold a vehicle verifier's permit issued before the operative date of the bill to comply with its provisions within 3 months after such

operative date

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

The bill would appropriate $15,600 from the Motor Vehicle Account in the State Transportation Fund to the department for the purposes of the bill

Ch 701 (AB 2048) Vincent Thomas Commercial fishing use of lobster and crab traps

Existing law relating to the use of crab and lobster traps provides that (1) crab traps may be used in specified districts, including, but not limited to, Districts 18 and 19, only to take crabs, and (2) during the lobster season any traps used south of Point Conception to take lobsters or crabs are the same as lobster traps and must be of specified dimensions and that a specified means of escape for lobsters be built into such traps

This bill would provide, instead, that (1) traps in District 19, and that portion of District 18 south of Point Conception, may only be of specified construction and used only to take crab, other than market crab, and sheepshead, and (2) revises specifications for lobster traps

Ch 702 (AB 2119) Rosenthal Drug abuse county advisory committees

Under existing law, each local mental health advisory board is required to have a technical advisory committee on drug abuse which is required to review the community's drug program, review the drug program portion of the county Short-Doyle plan, and perform other specified duties relating to community drug abuse control

This bill would abolish the technical advisory committee on drug abuse of the local mental health advisory board and transfer its functions to a county advisory committee on drug abuse, which is required to be established by each county by the bill

Ch 703 (AB 2181) Egeland Driving schools licensing

Existing law provides for the licensing by the Department of Motor Vehicles of commercial driver training schools and instructors, prescribes the requirements to be met by schools and instructors, and the fees to be paid for licensing, and provides for the issuance, cancellation, supervision, and revocation of licenses and procedures incidental thereto

This bill would revise such provisions and would provide for the licensing of driving school owners, operators, and instructors In such revision the bill would, in particular, define various terms, specify new and different grounds for refusing to issue and for suspending and revoking licenses, and provide for a temporary suspension of such licenses if the Director of Motor Vehicles finds that such action is required in the public interest

This bill would revise the amount of application fees and prescribe new fees, provide for various temporary permits, require larger policy amounts for liability insurance carried by driving schools, impose new requirements regarding the records kept by driving schools, and require the department to monitor driving school instruction and to prescribe course content

The bill would also revise the requirements to be met by owners, operators, and instructors and provide for the reexamination of their qualifications under certain circumstances

The bill would also make various conforming changes and repeal obsolete provisions of law

Ch 704 (AB 822) Keysor Elections registration of voters

(1) Under existing law registration of voters is required to be in progress at all times except during the 29 days immediately preceding an election when registration shall cease for that election

This bill would require the Secretary of State to adopt regulations, which would require counties to design and implement programs intended to identify qualified electors not registered to vote, and to register such persons to vote The Secretary of State would also be required to report violations of such provisions to the Attorney General, who in turn would be authorized to take such action necessary to enforce compliance of this provision

(2) Under existing law the contents and form of a voter's affidavit of registration is presently specified

This bill would delete various requirements regarding the content and form of a voter's affidavit of registration, and would require the Secretary of State to prescribe the form of such affidavit, which affidavit would be required to contain certain new material

(3) Under existing law an affidavit of registration is required to be subscribed and sworn to in the presence of a county clerk or a deputy county clerk

This bill would delete the requirement that such affidavits be subscribed and sworn to in the presence of a county clerk or a deputy county clerk It would provide that affidavits of registration be printed on a multipart card, known as a voter registration card On such card would be printed the entire text of the affidavit of registration and certain voter information Completed voter registration cards, certified by the affiant, as to its truth and correctness, under penalty of perjury, would be submitted either by mail or in person to the county clerk or a deputy county clerk.

(4) Under existing law proof of citizenship for purposes of completing an affidavit of registration may be accomplished by various specified methods

This bill would delete such specified methods of establishing citizenship for purposes of completing an affidavit of registration, and would require that a person prove he is a citizen by his certification under penalty of perjury on the affidavit of registration

(5) Under existing law it is provided that a person duly registered in any precinct in California who moves from that precinct within 30 days prior to an election shall be a resident of that precinct until the close of the polls on the day of such election

This bill would change the law to provide that such person who removes himself from a precinct within 29 days prior to an election, rather than within 30 days, would be entitled to vote in the precinct from which he so removed

(6) Under existing law a voter's registration is canceled upon his failure to vote at the general election, but provides for reinstatement of the voter's registration if the voter responds within 60 days to the clerk's notice of cancellation

This bill would provide instead for cancellation for failure to vote at the general election only if the voter fails to respond within 30 days to a notice of pending cancellation from the clerk and would require such notices to be forwarded to the voter's new address

(7) Under existing law every person having charge of affidavits of registration who commits certain prohibitive acts is guilty of a misdemeanor

This bill would make such provision applicable only to deputy clerks or registration clerks, and it would make it a misdemeanor for any person to interfere with the prompt transfer to the county clerk of a completed affidavit of registration.

(8) Under existing law each county clerk is required to arrange original affidavits of registration for each precinct, alphabetically by surnames in each precinct, and bind them into books with an alphabetical index, and it provides for the filing, without regard to precinct, of duplicate affidavits of registration

This bill would delete existing law This bill would provide that affidavits of registration for the whole of each county be filed, as fast as the registration progresses, in an orderly arrangement as prescribed by the county clerk, and it would require the county clerk to provide a printed alphabetical index to surnames of the voters on all uncanceled affidavits for the whole of the county

(9) Under existing law a person may be orally challenged within the polling place by a member of the precinct board upon any or all of the specified grounds

This bill would delete and revise certain specified grounds enumerated under the existing provision of law to conform to the provisions of this bill

This bill would also require each county clerk to make available at all times voter registration cards in a sufficient number of locations throughout the county

This bill would also require the Secretary of State to print, or cause to be printed, blank notification forms, blank affidavit of registration forms, and voter registration cards, which printed material, the Secretary of State would be required to supply to county clerks

The bill would also conform certain provisions to Proposition 10 on the November [5, 1974,] * ballot, which proposition amended the Constitution to permit ex-felons to register to vote and to vote

This bill would also revise existing law with respect to notices of change of political affiliation and changes of names and war voters to conform to the provisions of this act

This bill would also permit each county clerk to request each voter who is registered on an obsolete affidavit of registration form to reregister on the affidavit prescribed by this act It would also provide that no voter's affidavit shall be canceled because the form of the affidavit has become obsolete

This bill would also provide that its provisions shall become operative on July 1, 1976

This bill would provide that its provisions are to be known as and may be cited as the Moscone-Keysor Voter Registration Act of 1975

This bill would provide that neither an appropriation is made nor an obligation created for the reimbursement of local agencies for any costs incurred by them pursuant to this act for specified reasons

Ch 705 (AB 1448) Foran County parole boards.

Existing law provides for the release on parole of persons imprisoned in county or city jails, industrial farms or road camps after judgment of conviction for the commission of a misdemeanor

This bill would revise such provisions to permit such parole of persons confined in such institutions under a judgment of imprisonment, or as a condition of probation for any criminal offense, unless the court at the time of committing has ordered that such prisoner confined as a condition of probation upon conviction of a felony not be granted parole, and this bill would make other related changes

Ch 706 (SB 469) Dills Ungranted tidelands' boundaries

Existing law requires the State Lands Commission to inventory ungranted tide and submerged lands and identify such lands which possess significant environmental values, but does not require the commission to make an inventory of all such lands to ascertain and describe their location and extent and to evaluate existing boundary descriptions Existing law generally authorizes the commission to establish the ordinary high water mark or the ordinary low water mark of any tide or submerged lands by agreement

This bill would apply to all ungranted tide and submerged lands, and would do all of the following

(1) Require, and provide procedures for, the commission to make an inventory to ascertain and describe the location and extent of such lands and evaluate existing boundary descriptions, and authorize the commission to conduct its own survey under specified circumstances

(2) Require, and provide procedures for, the commission to prepare and publish a preliminary boundary map for such lands, a preliminary boundary description for each parcel, and a master boundary map and a boundary description for each parcel, such maps to be completed by specified dates

(3) Authorize, and provide procedures for, boundary agreements between interested parties and the incorporation of such agreements as part of the master map and description, and prescribe the rights of upland owners and other affected parties in regard to such master map and description

(4) Authorize the commission to enter into boundary line agreements with any person or public entity describing and defining the boundary line between ungranted tide or submerged lands and adjacent uplands, to be binding, upon recordation, between the state and all parties

(5) Provide that neither an appropriation is made nor any obligation created for the reimbursement of any city, county, or city and county for any costs, other than reproduction costs, incurred by it in providing the commission with copies of boundary descriptions of ungranted tide or submerged lands

(6) Appropriate $1,635,000 † for expenditure in preparing the inventory under (1) above during the 1975–76 through 1980–81 fiscal years, as prescribed

Ch 707 (AB 1269) Thurman School buildings earthquake safety

Under existing law, school buildings constructed prior to 1933, generally are required to meet the so-called "Field Act" standards of earthquake safety Certain auxiliary structures are excluded from the definition of "school building" for these purposes, as well as buildings utilized by adult schools or community colleges for off-campus voluntary adult education courses

Existing law also provides for the exclusion of school buildings owned or occupied by a school district or county superintendent of schools that had been used exclusively for adult education classes on and after January 1, 1975

† Appropriation reduced to $260,000 by action of the Governor

This bill would require such buildings to have been used exclusively for adult education classes on and after July 1, 1975, rather than January 1, 1975

The bill would also exempt the fieldhouse at Ratcliffe Stadium owned by the State Center Community College District from Field Act requirements until July 1, 1976.

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

Ch 708 (SB 183) Marks Public agencies notice of meetings.

Present laws, generally requiring that meetings of state agencies be open and public, provide for giving notice of meetings, which shall indicate the items of business to be transmitted, and prohibit adding items to the agenda subsequent to the notice absent emergency conditions. Present law also requires generally that meetings of the Public Utilities Commission shall be open and public, and specifies among other things how notice of meetings shall be provided

This bill would specifically require state agencies to include an agenda with the notice of meetings, which need not include a list of any witnesses expected to appear. It would specifically require the commission to include in meeting notices an agenda, and would prohibit the addition of any item of business to the agenda subsequent to the notice in the absence of an unforeseen emergency situation, specifying that a rate increase shall not constitute such an emergency It would also specify that for these purposes a meeting includes an investigation, proceeding, or showing required by law to be open and public.

Ch 709 (SB 251) Nejedly Toll-free telephone lines.

Presently, the Department of General Services is authorized to contract for up to 100 toll-free telephone lease lines to provide access by the public and local governments to state agencies located in Sacramento

This bill would, instead, authorize state agencies, with the approval of the department, to install and operate toll-free telephone lease lines, and would require the department to adopt such guidelines for the use of such lines by state agencies as the department determines are necessary to promote their efficient use. The bill would also require publication of the number, as specified.

The bill would, also, direct the department to report to the Legislature on June 1, 1976, on the extent of usage and costs of the system

Ch 710 (SB 393) Dunlap Irrigation districts assessments

Existing law permits a person having an interest in any land within an irrigation district to petition for a special rate of assessment if his land or a described portion of it was irrigated from another works than that of or proposed for the district when the land became part of the district, and it has continuously been so irrigated.

Existing law also requires the special rate to be determined by a noticed hearing and based upon benefits received, or to be received by, the land from the district, and the special rate is terminable on notice to the owners to show cause why such rate should not be changed.

This bill would, in addition to present law, permit a person having an interest in any land within only the Solano Irrigation District to petition for a special rate of assessment if his land or a described portion of it was irrigated from another works than that of or proposed for the district when the land became part of the district, or if his land or a described portion of it was used on January 1, 1975 for residential purposes and has, after becoming part of the district as a result of the acts of another governmental entity than the district, been irrigated wholly or partially from the water system owned by that other governmental entity, or if his land has never received water service from the district and there is no plan for future service from the district The special rate would be determined at a noticed hearing and based upon benefits received or to be received, by the land from the district and the special rate may be changed by another noticed hearing

The bill declares the necessity for a special act applicable only to Solano Irrigation District

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by the act for a specified reason

Ch 711 (SB 628) Smith Sales and use taxes

Under existing Sales and Use Tax Law, occasional sales of property are generally exempted from such taxes Such exemption does not apply to the occasional sale of motor

vehicles subject to registration under the Vehicle Code when a use tax is imposed on the purchaser

This bill would provide that a person who is licensed or certificated under the Vehicle Code as a dealer who makes a sale of a motor vehicle subject to registration or identification under specified provisions of law would be a retailer, subject to the imposition of sales taxes on such sale, rather than imposing the use tax on the purchaser of such motor vehicle For purposes of the bill, a "sale" would not include a "lease "

Ch. 712 (SB 694) Smith State educational agencies

(1) Under current law, there is in the state government an Educational ~~Instruction~~ [Innovation] * and Planning Commission which carries on various planning and advisory functions relating to projects carried out under Title III of the federal Elementary and Secondary Education Act.

This bill would make numerous revisions in the body of law relating to the commission, including the addition of a requirement that the commission advise the State Board of Education regarding the state plan for the use of funds received under Title III and Title IV of the Elementary and Secondary Education Act

This bill would also make various changes regarding the duties of the State Board of Education in allocating the affected federal funds

(2) Current law provides for an Advisory Committee on Educational Research in Basic Educational Programs, and specifies its powers and duties, including those relating to innovative schools funded by special federal funds

This bill would repeal the body of law relating to the committee

Ch 713 (SB 765) Behr School buildings

Existing law specifies conditions and procedures under which school districts may apply for state school building aid funds to be used for the reconstruction of school buildings which do not comply with the earthquake safety requirements of the Field Act

This bill would permit the Bolinas-Stinson Elementary School District, under certain conditions, including the condition that existing buildings of the district are situated on a geologic fault zone, to apply state school building aid funds toward the cost of constructing new buildings on a safe site, notwithstanding that the district's application was for the purpose of providing funds to rehabilitate its existing school buildings

This bill would take effect immediately as an urgency statute

Ch 714 (SB 883) Presley Labor unpaid wages

Existing law permits the Labor Commissioner to take assignments of wage claims and other specified claims of employees upon the filing of a claim therefor by an employee, and pursue the collection of such claims

This bill would permit the Labor Commissioner to collect any unpaid wages or monetary benefits due and unpaid to any worker in this state without the requirement of an assignment from such worker The Labor Commissioner would act as trustee of all such collected unpaid wages or benefits, and would be required to deposit such wage and benefits into the Industrial Relations Unpaid Wage Fund, which the bill would create as a special fund in the State Treasury and continuously appropriate for the purposes of the bill

The Labor Commissioner would be required to make a diligent search to locate any worker for whom wages or benefits have been collected, and to remit such wages or benefits to such worker or his lawful representative, or to specified trusts or custodial funds under a plan to pay benefits from the Unpaid Wage Fund If the worker or his representative cannot be identified or located within 7 years, then the wages and benefits collected would escheat to the state pursuant to the Unclaimed Property Law

Ch 715 (SB 977) Rodda Unemployment compensation

Under existing law an individual is ~~qualified~~ [disqualified] * for unemployment compensation benefits if the director finds that he has left his most recent work voluntarily without good cause or that he has been discharged for misconduct connected with his most recent work

This bill would specify that an individual who terminates his employment shall not be deemed to have left his most recent work without good cause if his employer operated so as to deprive him of equal employment opportunities because of that individual's race, color, religious creed, sex, national origin, ancestry or physical handicap This bill would

also provide that such provision would not apply to a deprivation based upon a bona fide occupational qualification or applicable security regulation established by the United States or State of California, or if the individual fails to make reasonable efforts to provide the employer with an opportunity to remove any unintentional deprivation of the individual's equal employment opportunities

This bill would also redefine "suitable employment" for purposes of unemployment compensation to include as a consideration factors as would influence a reasonably prudent person in the individual's circumstances, and would delete a provision that any work offered is suitable if it gives the individual wages at least equal to his weekly benefit amount for total unemployment and authorizing the director to apply standards reasonably calculated to determine what is suitable employment

Ch 716 (SB 1017) Song County ordinances: prosecution for violation.

The existing law does not authorize counties to prosecute violations of an ordinance as a misdemeanor or infraction

This bill would provide that a county ordinance violation is a misdemeanor unless reduced to an infraction by county ordinance It also specifies maximum penalties for violation constituting an infraction

Ch 717 (SB 1020) Stiern School districts: legal counsel

The law currently authorizes school districts to employ an administrative adviser and generally describes the duties of such employee

This bill would authorize school districts and county superintendents of schools to appoint legal counsel to perform specified legal duties The bill would relieve county counsels and district attorneys of the duty of performing services for which a legal counsel is employed to perform

The bill would provide for the resumption of performance of legal services by county counsels and district attorneys upon specified notification

Ch 718 (SB 1052) Presley and Joint Committee on Legal Equality. Civil law probate

Present statutory law provides that if a person marries after making a will and has issue of such marriage, and any of the issue survives the maker of the will, or is born after its father's death, the will is resolved as to such issue unless designated conditions are met.

This bill would extend such provision to a child born after the death of either parent who is the maker of such a will

Present law provides that an illegitimate child is an heir of his mother and also of the person who acknowledges himself in writing to be his father However, although such a child may inherit any part of the estate of his mother's kindred, he is barred from inheriting any part of the estate of his father's kindred unless before his death his parents intermarry

This bill would delete the prohibition on inheritance from the father's kindred and instead provide that an illegitimate child may represent his or her mother and acknowledged or judicially established father and may inherit any part of the estate of such parent's kindred. It also would provide that an illegitimate child may inherit from a person who has been established to be his or her father in paternity proceedings

Present law provides that the estate of an unmarried illegitimate child without a will is succeeded to as if he had been born in lawful wedlock if he has been adopted by his father

This bill would instead provide for such succession if adopted by his or her father or acknowledged in writing by his or her father; or if paternity has been judicially established during the lifetime of the illegitimate child in the presence of a competent witness

Existing law contains provisions stating that marriage does not disqualify a woman from serving as an executrix or as an administratrix.

This bill would repeal such provisions

Under existing law a person related to a judge or his wife within the third degree is not competent to act as an inheritance tax referee

This bill would extend such provision to the spouse of a judge

Present law provides that the mother of an illegitimate child may appoint a guardian

of the person and estate or person or estate of the child by will or by deed

This bill would provide that such appointment may be made by the parent who has the care, custody, or control of the child.

Existing law provides that when a minor has a disputed claim against a third person his father, or if his father is dead or the parents of the minor are living separate and apart and his mother has the custody of the minor then his mother, has the right to compromise or execute a covenant note to sue on such claim

This bill would grant such authority to either parent, or if the parents are living separate and apart, to the parent having the care, custody or control of the minor

Present law provides that if a minor having a father living has property, the income of which is sufficient for his support in a manner more expensive than his father can afford, the court may direct that the expenses of the minor may be defrayed out of his own income

This bill would provide that in such circumstances a court may make such an order if the minor has parents living

Existing law provides that if a husband is unable to provide suitably for the support and maintenance of a wife over whose estate a guardian has been appointed due to her incompetency, the expense of her support may be charged against her estate under designated circumstances

This bill would recast such provision to make it applicable to both spouses

It would also make other nonsubstantive changes.

Ch 719 (SB 1064) Holden Injury reports

Existing law requires every person conducting a hospital or pharmacy, or the managing agent thereof, or the person in charge of the hospital or pharmacy or any hospital ward to which a person suffering from any self-inflicted wound or from a wound inflicted by another by means of a knife, gun, pistol or other deadly weapon to report such wound to designated law enforcement personnel.

This bill would require such hospital personnel to also report physical injuries or conditions which, in the opinion of the admitting physician, reasonably appear to be the result of neglect or abuse when occurring in a person who has been received from a nursing facility or intermediate care facility. It requires any physician and surgeon who has such a person exhibiting such symptoms under his charge to make such a report.

Ch 720 (SB 1068) Way. Water project cost allocations.

Existing law provides for certain approved expenditures for recreation land acquisition and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources.

This bill would revise the amounts of certain approved expenditures for recreation land acquisition, and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources

This bill would also provide, in addition, such necessary legislative approval to make effective specified expenditures for recreation land acquisition for Abbey Bridge Dam and Reservoir.

Ch 721 (SB 1079) Alquist. State Contract Act monetary limits.

(1) The State Contract Act presently defines the term "project," for the purposes of the act, to include erection, construction, alteration, repair or improvement which will exceed in cost a total of $10,000

This bill would increase this amount from $10,000 to $15,000.

(2) Existing law specifies that if the department, as defined, determines that any of the provisions of the act are not required for projects estimated to cost less than $10,000, it may exempt such projects therefrom, but is required to award the work to the lowest responsible bidder or reject all bids

This bill would increase the monetary amount with respect to such provision from $10,000 to $15,000

(3) The existing law permits, subject to certain conditions, specified departments to authorize the carrying out of a project directly by the state agency concerned therewith

provided that if the estimated total cost of any construction project or work carried out under such provisions exceeds $5,000 the district or agency shall solicit bids in writing and shall award the work to the lowest responsible bidder or reject all bids, provided, however, that subject to certain conditions, the director may authorize the district or agency to carry out work in excess of $5,000 by day labor if certain conditions are met

This bill would increase the monetary amount with respect to such provisions from $5,000 to $15,000

(4) Existing law authorizes a department, as defined, to require a prospective bidder on any contract to complete and verify under oath a standard questionnaire and financial statement with such questionnaire and financial statement being mandatory on contracts with an estimated cost in excess of $50,000

This bill would, instead, increase to $150,000 the contract monetary limit which imposes the requirement of the questionnaire and financial statement from prospective bidders

Ch 722 (SB 1106) Garcia Public works contracts emergencies payment bonds

Under existing law, a contractor awarded a contract by a public entity for any public work involving the expenditure of over $10,000, is required, prior to entering the performance of the work, to file a payment bond with the public entity awarding the contract

This bill would authorize the Department of Transportation, in cases of emergency work necessitated by the imminence or occurrence of specific events, to allow a contractor from whom tools or equipment are rented in such cases to commence performance of work under a contract for such rental prior to filing a payment bond with the department In such a case, no payment would be made to the contractor until a payment bond covering all work of the contract is filed with the department.

The bill would take effect immediately as an urgency statute

Ch 723 (SB 1141) Presley Municipal water districts: water disposal

Existing law permits a municipal water district to acquire, construct, and operate facilities for the collection, treatment and disposal of sewage, waste, and storm water and charge for the services and facilities.

This bill would define "waste," for such purposes, and would also include within such definition any and all aquatic vegetation, except riparian vegetation, which threatens or adversely affects the quality of the waters, as defined, within the district

Ch 724 (SB 1151) Alquist San Francisco Bay Area Rapid Transit District: purchases

(1) Under existing law, any purchase by the San Francisco Bay Area Rapid Transit District exceeding $3,000 is required to be by contract let to the lowest responsible bidder

This bill would increase the purchase amount to $10,000 before the purchase is required to be by contract let to the lowest responsible bidder.

The bill would authorize the district board, upon a specified finding by ⅔ of all its members, to procure, without calling for bids, prototype equipment or modifications to conduct and evaluate operational testing

(2) Under existing law, the district board is vested with the authority to accept or reject bids

The bill would authorize the district general manager to act for the board where the required bid expenditure is less than $25,000

(3) Under existing law, the board, by a ⅔ vote of all its members, may authorize the expenditures of any amount of money to safeguard life, health, or property in case of a great public calamity without the need to follow the usual procedure of calling for bids.

The bill would authorize the general manager to take similar action, if necessary, in order to avert damage to, or to repair or restore, district property with respect to money previously appropriated specifically by the district board for the purchase of goods and services In taking such action, the general manager would be required to submit to the district board a report explaining the necessity for such action.

(4) Under existing law, the general manager has full charge of the administration of the business affairs of the district

The bill would specifically authorize the general manager to establish districtwide purchasing standards

Ch. 725 (SB 1179) Berryhill. Weights and measures device repairmen

Existing law defines a device repairman, for purposes of registration with the Department of Food and Agriculture, to mean, among other things, any person engaged in the business of adjusting, repairing, placing in service, or installing commercial weighing or measuring devices for other persons, or any person who maintains a service at one or more locations for, or hires employees, to perform such work

This bill would revise this definition It would define device repairman to mean any person who engages in the business of installing, adjusting, servicing, or repairing such devices This bill would also exempt persons engaged in the business of installing commercial weighing or measuring devices which are owned or operated by others for commercial purposes from registering under the applicable provisions of the Business and Professions Code if the devices so installed are required to be inspected, tested, adjusted, or repaired by a sealer or device repairman before the installed equipment is placed into service.

Ch. 726 (SB 1188) Nejedly. Prisoners' discipline

No provision of existing law specifies whether or not a prisoner may be disciplined for acts defined by law as criminal after being acquitted on criminal charges relating to such acts. This bill would specify that such discipline may not be imposed after such acquittal

Existing law does not require any reference to such acquittal in any prison file relating to such act This bill would require such files to include reference to the acquittal

Ch. 727 (AB 98) Lockyer. Veterans affairs. appeal procedure

Existing law makes no specific provision for an appeals procedure where a veteran is denied benefits by the Department of Veterans Affairs.

This bill would allow any decision made by a division of the department to be appealed to the Director of Veterans Affairs

This bill would require the director to grant a hearing, if requested, to appellant, and render a decision within 30 days which shall be final subject to judicial review

This bill would permit the director to delegate the holding of hearings to the deputy director or legal officer and would prescribe that such hearings be held in the department office nearest to the appellant's home unless appellant requests otherwise

Ch. 728 (AB 831) Siegler. Unemployment compensation students

The existing law specifies that an unemployed individual is eligible to receive unemployment compensation benefits with respect to any week only if, among other things, he was able to work and available for work for that week

This bill would provide that an unemployed individual shall not be disqualified for eligibility for unemployment compensation benefits solely on the basis that he or she is a student

This bill would also provide that there are no state-mandated local costs in the bill that require reimbursement under Section 2231 of the Revenue and Taxation Code because there are no duties, obligations or responsibilities imposed on local government by the bill.

Ch. 729 (AB 863) Egeland Teachers' Retirement System, State retirement contributions

Existing State Teachers' Retirement Law requires refunds of accumulated retirement contributions to be made upon request of the member or by the Teachers' Retirement Board if it appears that the member's employment is permanently terminated and the member does not have enough service to qualify for receipt of a retirement benefit

This bill would require employing school districts and other employing agencies to notify any member who terminates employment as to the member's eligibility to receive retirement benefits from the system

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the bill

Ch 730 (AB 913) Bill Greene Schools classified service—exemption
An existing statute with the termination date of January 1, 1976, exempts from the school classified service, certain short-term positions established for the employment by school districts of community representatives in advisory or consulting capacities
This bill would delete such termination date

Ch 731 (AB 1245) Dixon Schools pupils truancy
Existing law authorizes specified persons to arrest or assume temporary custody of minors under specified conditions relating to unauthorized absences from school and requires such persons to deliver such minors to any of a number of persons or places
This bill would include within the persons and places to which such minors must be delivered, a nonsecure youth service or community center designated by the school or district for counseling prior to returning such minor to his home or school

Ch 732 (AB 1634) Foran Revenue limits—Child development centers
Under current law, the Commission for Teacher Preparation and Licensing prescribes requirements for child development permits which enable the holder to serve in a child development center
This bill would require that a special child development permit be issued to any person employed as a supervisor, head teacher, or teacher by an agency conducting a child care and development program under contract with a county who did not meet specified requirements in effect on October 15, 1974 Such a special permit would be valid for 36 months after issuance, and within such 36-month period, upon completion of specified educational requirements, a regular permit would be issued.
Existing law provides for an increase in the revenue limits of school districts and community college districts by a vote of the electors of the district
This bill would specify that when the boundaries of a school district or community college district are coterminous with the boundaries of a city and county, the revenue limit of such districts shall be adjusted to reflect changes in the property tax revenues available to the district or expenditures required of the district which have been approved by a vote of the electors pursuant to the charter of the city and county
This bill would also provide for the adjustment of the maximum tax rates notwithstanding the fact that certain deadlines may have passed
Existing law grants the homeowners' property tax exemption in the amount of $7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption
This bill would increase the amount of such appropriation by authorizing an increased rate of property tax
This bill would take effect immediately as an urgency statute.

Ch 733 (AB 1692) McAlister Property taxation assessment appeals boards
Under existing law the board of supervisors of a county may increase or decrease the number of assessment appeals boards effective on the first Monday in June
This bill would authorize the board of supervisors to increase the number of assessment appeals boards effective from the first Monday in October and would specify that for such additional appeals boards each term of office of each member of the board shall expire on a different calendar year

Ch 734 (AB 2524) Burke School district elections
Current law provides a procedure whereby a new elementary, high school, or community college district may be formed from the territory of existing districts after voter approval
This bill would require the county superintendent of schools to prepare a statement of official information and statistics relating to the proposed new school district, to include, among other things, a statement regarding the revenue limit of the new district, as specified This bill would require the county superintendent to compute a revenue limit for the proposed new school district which shall appear on the ballot for voter approval of the measure
This bill would also require the county superintendent to have prepared and distribut-

ed a statement setting forth arguments for and against the measure.

This bill would provide that there shall be no reimbursement for any state-mandated local program pursuant to Section 2231, Revenue and Taxation Code, for a specified reason

This bill would take effect immediately as an urgency statute.

Ch 735 (AB 353) Montoya. Industrial homework

The existing law prohibits the manufacturing by industrial homework of articles of wearing apparel for use by children 10 years of age or under, among other things

This bill would prohibit the manufacture by industrial homework of articles of wearing apparel of any kind, among other things.

The existing law requires the Division of Industrial Welfare to hold a public hearing before issuing an order requiring all employers in an industry to discontinue manufacture by industrial homework

This bill would require the division to hold a public hearing after issuing an order requiring all employers in an industry to discontinue manufacture by industrial homework, and to send written notice to all businesses and ~~employees~~ [employers] * adversely affected by such order

The existing law provides that if the division finds that undue hardship will ensue to homeworkers in an industry who because of advanced age or other disability are unable to adjust to factory employment, the prohibitory order may permit limited distribution of industrial homework under specified conditions

This bill would repeal the provisions authorizing the division to permit limited distribution of industrial homework when undue hardship will ensue to specified homeworkers due to the prohibitory order.

The existing law provides that the fee for an industrial homework license shall be $50 for the first year, with a renewal fee of from $50 to $150, depending on the number of industrial homeworkers employed during the preceding year

This bill would provide that the fee for an industrial homework license shall be $100 for each industrial homeworker employed, with renewals at the same rate and conditions as the original license

The existing law provides that it is a misdemeanor to employ an industrial homeworker without a valid industrial homework license, which shall be punished by not less than a $100 fine or 10 days in jail, or both, for a first offense, and by not less than a fine of $250 or 30 days in jail, or both, for each subsequent conviction

This bill would provide that the punishment for employing an industrial homeworker without a valid license, or for placing an advertisement for industrial homework not permitted by law, shall be not more than a fine of $1,000 or 30 days in jail, or both, for a first offense, by not more than a fine of $5,000 or 6 months in jail, or both, for a second conviction, and by not more than a fine of $30,000 or 1 year in jail, or both, for a third and all subsequent convictions. In addition, the bill would provide that upon a third conviction, the business license of the manufacturer or owner of the goods produced by illegal industrial homework shall be suspended for a period not to exceed three years. The bill would permit a court to suspend all or a part of the penalty on specified conditions.

The existing law provides that a homeworker's permit to perform industrial homework shall be issued by the division without cost.

This bill would provide that a homeworker's permit to perform industrial homework shall be issued by the division for a fee of $25, but allows the division to waive such fee upon request in cases of financial hardship.

The existing law provides that the punishment for performing industrial homework without a valid homeworker's permit shall be a fine of not more than $10 for the first offense, and not more than $25 for a second offense

This bill would provide that the punishment for performing industrial homework without a valid homeworker's permit shall be a fine of not more than $50 for the first offense, and not more than $100 for the second offense, with such fines to be suspended if the industrial homeworker cooperates with the division in the prosecutions of persons violating the industrial homework law or refrains from future violations.

The existing law provides that no homeworker's permit shall be issued to any person under the age of 16 years except as provided in specified chapters of the Education Code

This bill would provide that no homeworker's permit shall be issued to any person under the age of 16 years

The existing law authorizes the division and the authorized representatives of the Department of Industrial Relations to make inspections and investigations necessary for the enforcement of the industrial homework laws

This bill would, in addition, provide that every law enforcement officer who suspects any violation of the industrial homework laws shall have all the powers of an authorized representative of the Department of Industrial Relations in the investigation of such suspected violation

The existing law provides that the owner or person entitled to possession of articles or materials removed from a home by the division for violation of the industrial homework law may request their return within 30 days

This bill would require any goods which constitute evidence of a violation of industrial homework laws to be confiscated by the division, and upon a determination that they were produced in violation of the industrial homework law, require the division to destroy such goods

This bill would add provisions authorizing the division, to seek a search warrant to enable it to have access to, and to inspect, the premises of any industrial homeworker or distributor

This bill would add provisions authorizing the division to investigate any industry in which the use of industrial homework has been made unlawful, in order to determine compliance with the law

This bill would add provisions permitting the Attorney General to seek appropriate injunctive relief to enforce this bill

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch 736 (AB 398) Deddeh Real property late payment charges

Existing law does not limit the amount of late payment charges on real estate loans other than those loans negotiated by specified real estate licenses

This bill specifies the maximum charge that may be imposed on a late installment payment due on a loan secured by a mortgage or deed of trust on real property containing only a single-family owner-occupied dwelling not involving those loans negotiated by specified real estate licenses It provides that late payment charges are valid on loans specified in this bill if the requirements of this bill and existing law are satisfied It provides loans made by specified lenders are not subject to the provisions of this bill

This bill prohibits late charges from being imposed more than once for the late payment of the same installment and from being imposed on any installment which is paid or tendered in full on or before its due date, or within 10 days thereafter, even though an earlier maturing installment or late charge on an earlier installment may not have been paid in full when due

This bill requires that any payment tendered by the borrower be applied by the lender to the most recent installment due for purposes of determining whether late charges may be imposed

Existing law provides that before a default, delinquency or late payment charge may be assessed by any lender on a delinquent payment of a loan secured by real property, and before the borrower becomes obligated to pay such a charge the borrower shall either be notified in writing and given at least six days from the mailing of such notice to cure the delinquency or be informed by a billing or notice sent for each payment of the date after which such charge will be assessed

This bill extends the period within which the borrower may cure the delinquency without a late charge from 6 days to 10 days

This bill provides that its provisions apply to loans executed on and after January 1, 1976

Ch 737 (AB 1197) Vincent Thomas Paramedics pilot program

Existing statutory law authorizes any general acute care hospital operated by, or contracting with, a county until July 1, 1976, to conduct a prescribed pilot program utilizing mobile intensive care paramedics for the delivery of emergency medical care

to the sick and injured

This bill would delete the authority for a general acute care hospital operated by, or contracting with, a county to conduct the program and would require any authorized program utilizing mobile intensive care paramedics to be conducted by the county A county would be authorized to contract with a general acute care hospital which has the approval of the county health officer to participate in such a program The bill would make technical, conforming changes

Ch 738 (SB 91) Way Administration of justice

(1) Existing law provides for one municipal court in the Visalia Judicial District in the County of Tulare, and provides also for one judge, one clerk, one assistant clerk, two senior clerks, five intermediate clerk-typists, one marshal, one deputy marshal, and one intermediate clerk-typist to serve as clerk to the marshal each with a specified salary schedule The districts of Porterville and Tulare are currently served by justice courts

This bill would repeal existing law concerning Tulare County municipal court districts, and provide for three judicial districts in the County of Tulare, the Porterville and the Tulare-Pixley Judicial Districts each to have one judge and the Visalia Judicial District to have two judges

The bill would also provide for one clerk, one assistant clerk, and four intermediate clerk-typists for the Porterville Judicial District; one clerk, one assistant clerk, two court clerks III, one senior clerk-typist, and nine intermediate clerk-typists for the Visalia Judicial District, one assistant clerk, one court clerk, one senior clerk-typist, and five intermediate clerk-typists in the Tulare-Pixley Judicial District, and one marshal, one deputy marshal, and one intermediate clerk-typist to serve as clerk to the marshal in each municipal court. Each of the above-named officers would be paid according to a specified salary schedule, with certain adjustments to be made to correspond with equivalent classifications in the service of Tulare County

The bill would further provide that if the judge of the superseded Pixley Justice Court does not succeed to an available judgeship he may elect to become a clerk in accordance with existing law

(2) Existing law also specifies per diem and mileage reimbursement to be received by members of the grand juries and trial juries in Tulare County for attendance at grand jury and trial proceedings

This bill would make revisions in such per diem and mileage reimbursement received by members of the grand jury in Tulare County for attendance at grand jury proceedings, and eliminate specific provisions relating to per diem reimbursement for trial jurors while attending trial proceedings

(3) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

(4) The bill would become effective in the Visalia and Porterville Judicial Districts on January 1, 1976, and become operative in the Tulare-Pixley Judicial District when the population of that district exceeds 40,000

Ch 739 (SB 134) Nejedly. Economic poisons assessments

Under the existing law a registrant of economic poisons is required to pay to the Director of Food and Agriculture an amount of not more than $0 008 per dollar of sales for all sales of his registered and labeled economic poisons for use in this state to provide revenue for enforcement of designated provisions relating to pesticides

This bill would limit the maximum assessment fee on sales of registered and labeled economic poison that a registrant is required to pay to the director to be paid on the equivalent percentage of the sales price of the active ingredients, as defined, of an economic poison product, when a fertilizer or paper product is used as a carrier of economic poison, if the director finds that the combination product has such a major component and it is designed, developed, manufactured, and sold primarily for other than an economic poison use, and would require the director to establish such percentage of the sales price

Ch 740 (SB 263) Nejedly Public Employees' Retirement System.

The retirement allowances of state members of the Public Employees' Retirement System who had retired pursuant to the 1/60th formula prior to July 1, 1971, was increased by 15 percent on July 1, 1974

This bill would make the 15-percent increase applicable to allowances paid on and after January 1, 1976, to state members whose retirement pursuant to the 1/60th formula occurred after July 1, 1971

Ch 741 (SB 307) Mills State park, Ocotillo Wells

Existing statutory law makes no provision for the acquisition of property in the vicinity of Ocotillo Wells, in San Diego County, for state park purposes

This bill would authorize the Director of General Services to acquire, on behalf of the state, a fee or lesser interest in real and personal property located in the vicinity of Ocotillo Wells in San Diego County that would be designated by the Director of Parks and Recreation and transferred to the jurisdiction of the Department of Parks and Recreation for administration as a unit of the state park system. The bill would also specify certain procedures to be followed prior to acquisition, the manner in which the property is to be developed, administered, and used, and the contents of an annual report to be made to the State Park and Recreation Commission.

The bill would appropriate $2,200,000 from the Off-Highway Vehicle Fund, according to a specified schedule, to the Department of Parks and Recreation for the purposes of acquiring, developing, and administering the unit However, the bill would prohibit expenditure of those funds until the State Public Works Board determines that the Department of General Services has complied with procedures and criteria established by the Attorney General regarding implied dedication and that the department, in its investigations and appraisals, has not found any prescriptive right or claim, or if such right or claim has been asserted or established, that the department's appraisal reflects the value of such right or claim.

The bill would take effect immediately as an urgency statute

Ch 742 (SB 368) Carpenter Appropriation for coastal wetlands.

No General Fund moneys have been appropriated under existing law for the acquisition of the coastal wetlands in Upper Newport Bay.

This bill would appropriate $3,481,000 from the General Fund to the Department of Fish and Game for the acquisition of the coastal wetlands located in Upper Newport Bay

The bill would specify that such appropriation is intended to be made from the sum of $4,500,000 which was received by California as its share of the settlement of the case of the State of California v Union Oil Company of California and others, and which was deposited in the General Fund

Ch 743 (SB 433) Smith Schools surplus site disposition.

(a) Existing statutory law prohibits the use of proceeds of the sale of surplus real property for other than a school district's capital outlay

This bill would make that prohibition applicable also to school property which a school district disposes of by lease with an option to purchase, but would permit the proceeds of such sale or lease purchase to be deposited in the district's general fund under specified circumstances

(b) Current law does not specify any priorities for the sale of excess school property

This bill would establish a list of priorities and require the sale or lease with an option to purchase of excess property by school districts to be in accordance with such priorities and would prescribe notice procedures in that connection.

(c) Current law does not specifically permit a school district to dispose of its real property by means of a lease-purchase agreement with the purchaser

This bill would permit a school district to dispose of surplus school property by means of sale or a lease-purchase agreement and to deposit the sale or lease proceeds into its general fund if the school district has no anticipated need for additional sites or building construction for five years, and the sale or lease is to a public agency or public corporation

(d) The bill would specify that the failure to comply with the requirements governing the sale of excess school property shall not invalidate the transfer or conveyance of real

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property to a purchaser or encumbrancer for value

(e) The bill provides that no appropriation is made nor any obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to this act

Ch 744 (SB 545) Gregorio Recreational trails acquisition, development

Existing law authorizes the Department of Parks and Recreation to acquire land for, develop, and maintain, recreational trails to and between units of the state park system In 1974, funds were appropriated to the department for the development of hostel facilities in state park system units in various counties, including San Mateo and Santa Cruz Counties, and for the establishment of recreational trails to and between such units The 1974 act which appropriated such funds also provides that acquisitions made pursuant to the act shall be subject to the provisions of the Property Acquisition Law

This bill would specifically authorize the department to acquire rights-of-way for, and to develop, recreational trails in the Santa Cruz Mountains of San Mateo and Santa Cruz Counties between specified units of the state park system, and specify that such acquisitions shall be subject to the provisions of the Property Acquisition Law

This bill would reappropriate, for purposes of the bill, as specified, $500,000 of the funds appropriated in 1974 to the department for hostels in state park units in specified counties and recreational trails between such units

This bill would prohibit expenditure of such moneys for acquisition of real property until the State Public Works Board determines the Department of General Services to be in compliance with procedures and criteria established by the Attorney General re implied dedication The bill requires the Department of General Services to retain materials re implied dedication and to permit inspection thereof by the Attorney General for the purpose of postaudit

Ch 745 (SB 558) Grunsky Courts San Luis Obispo County

Existing law authorizes 3 judges for the superior court and 2 judges for the municipal court in the County of San Luis Obispo

This bill would increase the number of judges of the superior court from 3 to 4 and would increase the number of judges of the municipal court from 2 to 3 in San Luis Obispo County

The bill would appropriate $60,000 from the General Fund to the State Controller for allocation and disbursement to local agencies for costs incurred by the increase in the number of superior court judges. The bill would provide that no other reimbursement or appropriation shall be made for any costs that may be incurred by local agencies by the increase in the number of municipal court judges

Ch 746 (SB 772) Alquist CSUC librarians period of service per fiscal year

Existing statutes do not address themselves specifically to the terms of employment of librarians employed by the Trustees of the California State University and Colleges. The regulations of the trustees designate professional librarians as academic employees and, generally, classify academic employees as 10-month academic employees or 12-month academic employees

This bill would grant to librarians employed on a 12-month basis the right to elect to be employed for 1 or more fiscal years on a 10-month basis, with a specified proportional reduction in compensation

Ch 747 (SB 794) Holden Insurance group health plans

This bill would require health care service plans, group disability insurance policies, and group hospital service plans which provide for conversion rights for employees or members upon termination of employment or membership to provide the same conversion rights to dependent spouses of employees or members upon termination of the marriage

Existing law makes no provision for such matters, but, instead, allows parties to such plans and policies to make such provision therefor as they deem appropriate

Ch 748 (SB 659) Marks Property taxation. imports.

All property in the state is taxable unless an exemption is provided for by the California Constitution or the laws of the United States

The United States Constitution prohibits the imposition of state taxes on imports The original package doctrine is one of the tests applied to determine when foreign imports become subject to state taxation Under such doctrine, foreign imports, while still in their original form or package and in the hands of the original importer, were held immune from state taxation

Under existing law, the courts have held that in certain circumstances cargoes held in cargo containers used in the shipping process were still in the original package and therefore were immune from taxation

This bill would provide that the opening of such containers shall not necessarily, in itself, result in the loss of immunity from taxation for such imports, and provides that such immunity shall not be lost in specified circumstances

This bill would prohibit the reimbursement of local agencies by the state pursuant to Section 2229 of the Revenue and Taxation Code for any loss of revenues caused by the assessment procedure contained in this act The bill would also provide that any revenue received by a local agency from the state by the taxation of goods imported in containers prior to this enactment be retained by the local agency, but such amount shall not be considered in any determination of whether the local agency has incurred a loss of revenue in subsequent years as a result of this act

Ch 749 (SB 833) Smith Tidelands, submerged lands· oil, gas seepage.

Existing law does not require the State Lands Commission to conduct research and investigations into natural and man-made seeps of oil, dry gas, and other hydrocarbon products occurring on tidelands and submerged lands of the state The federal National Sea Grant College and Program Act of 1966 makes funds available to the states on a matching basis for sea grant research projects, including research in ocean engineering, marine minerals, and coastal physical processes Such funds are administered in this state by the Secretary of the Resources Agency

This bill would require the commission to conduct, in cooperation with other appropriate state agencies, such research and investigation, as specified; and, for such purpose, would authorize the commission to contract with private persons, organizations, or public agencies to conduct the research and investigations and to apply to any agency of the federal or state government or private foundation for financing assistance

The bill would require the commission to report the results of the research and investigations to the Legislature by January 1, 1978

Ch 750 (SB 914) Carpenter. Oilspill plans

Under existing law, the Governor is authorized to establish a state oilspill contingency plan to provide for an integrated state procedure to combat the results of major oilspills

This bill would make it a misdemeanor for any person to transport any petroleum product within, or deliver such product upon, the territorial waters of this state, after such product has been transferred at an offshore location, as defined, to a vessel owned or operated by such person from an oil production facility or another vessel which carries petroleum products as its principal cargo, unless an oilspill plan, as specified, applicable to such transfer has been prepared by such person and the oilspill plan has been approved by the Secretary of the Resources Agency or his designee

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 751 (SB 975) Rodda Unemployment compensation· erroneous denial

Under existing law a claim decision may be reconsidered by the department within 15 days of the date of such decision, and the decision may not be reversed by the department for any reason if no appeal has been filed and the 15-day period has expired

This bill would permit the department to reconsider a decision, which declares ineligible or disqualifies a claimant, during the benefit year, extended duration period or extended benefit period

This bill would provide that neither appropriation is made nor obligation created for

the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 752 (SB 979) Rodda Unemployment disability compensation

Existing law specifies that an individual who is disqualified from receiving unemployment compensation because of a trade dispute shall be presumed to be ineligible to receive disability benefits unless such individual establishes that his alleged disability was a result of an accident or required a period of hospitalization and that it was not caused by and did not arise out of the trade dispute and that it would have occurred and would have prevented him from continuing work if the trade dispute had not occurred

This bill would revise such provision, thus enabling a claimant to receive benefits for disability during the trade dispute if claimant could show that the disability was not caused by and did not arise out of the trade dispute

This bill would become operative with respect to days of disability commencing on or after the effective date of the bill

The bill also would make additional changes in Section 2602 of the Unemployment Insurance Code, to be operative only if AB 118 and this bill are both chaptered, and this bill is chaptered after AB 118

Ch 753 (SB 1082) Collier Vehicles collectors of historic and special interest vehicles

Existing provisions of state law, while containing provisions regarding persons engaged in the restoration of vehicles having historical or classic significance, and regarding the keeping of vehicles on private property, do not contain any specific provisions regarding collectors of vehicles of historic or special interest

This bill would specifically permit, except as otherwise provided by local ordinance, a collector, as defined, of vehicles which qualify for the issuance of either horseless carriage license plates or historical vehicle license plates, and of special interest vehicles and parts cars, as defined, to maintain one or more such vehicles, whether currently licensed or unlicensed or whether operable or inoperable, in outdoor storage on private property, if every such vehicle and storage area is maintained in a specified manner

The bill would also make a legislative finding and declaration, and state the intent of the Legislature

Ch 754 (SB 511) Alquist Optometrists, ophthalmic devices

Presently state law does not prescribe quality standards for ophthalmic devices This bill would require the State Department of Health, the State Board of Optometry and the Board of Medical Examiners to prepare quality standards for prescription ophthalmic devices It requires the department and the boards to adopt the standards of the American National Standards Institute, as specified It also prohibits any individual or group dealing in prescription ophthalmic devices from selling, dispensing, or furnishing any prescription ophthalmic device which does not meet the minimum standards set by the boards, and makes it a misdemeanor to violate regulations promulgated pursuant to this act It also provides that if an optometrist, ophthalmologist, or dispensing optician violates such regulation he is subject to disciplinary action by his board

It provides that no state funds shall be used after January 1, 1977, to purchase any prescription ophthalmic device which does not meet the standards promulgated by the boards

It also provides that no payment shall be made under Medi-Cal after January 1, 1977, for a prescription ophthalmic device which does not meet these standards

Existing law provides that no person shall manufacture any drug or device unless he has a valid license from the State Department of Health

This bill would authorize the department to require any manufacturer, wholesaler, or importer of any prescription ophthalmic device in this state to obtain a license

The bill also provides that, notwithstanding Section 2231 of the Revenue and Taxation Code, neither obligation is created nor appropriation made for the reimbursement of any local agency for costs incurred by it pursuant to this act

Ch. 755 (SB 582) Garcia Municipal courts Los Angeles County

Existing law specifies various salary schedules for the marshal and various court attachés and employees appointed by the marshal of the municipal court of Los Angeles

County

This bill would make various revisions in such salary schedules of the marshal and attachés and employees appointed by the marshal of the municipal court of Los Angeles County

The bill also provides that there are no state-mandated local costs requiring reimbursement by the state to local agencies because of a specified reason

Ch 756 (SB 583) Garcia Municipal courts Los Angeles County

Existing law makes provision for salary schedules for clerks, attachés and employees of the various municipal court districts in Los Angeles County

This bill makes revisions in such salary schedules of municipal court clerks, attachés and employees in Los Angeles County

The bill also provides that there are no state-mandated local costs requiring reimbursement by the state to local agencies because of a specified reason

Ch 757 (SB 616) Dunlap Community college construction projects

The Community College Construction Act of 1967 establishes a procedure for the approval and state funding of community college district projects under the general administrative authority of the Chancellor of the California Community Colleges and subject to specified approval by the Department of Finance A community college district is authorized to begin work on, or receive or award bids for, any portion of an approved project prior to the appropriation by the Legislature of the state's share of the funding if the district has demonstrated to the satisfaction of the Board of Governors of the California Community Colleges and the Department of Finance that the capital construction program of the district and the construction dates support the need and that the district has the financial capability to complete the work begun in the event the Legislature makes no appropriation for the project

This bill would direct the Department of Finance to review preliminary plans for the 1975–76 Capital Outlay Program for a project approved and submitted to it by the chancellor under the Community College Construction Act of 1967, and the estimated state and district shares in the funding of the project determined by the chancellor The bill would specify that if the department approves the preliminary plans, such approval shall not preclude future state reimbursement, nor cause preferential consideration to be granted

Ch 758 (SB 721) Roberti. Emergency medical services· advisory committee membership

Under existing law, the Advisory Committee on Emergency Medical Services in the State Department of Health consists of 15 members, including a member who is either a registered nurse or a licensed vocational nurse currently practicing in emergency medical care

This bill would enlarge the membership of the committee to 18 members, by adding one chief of a city or county fire department or fire protection district and by adding two nurses and requiring that one of the three nurses be currently engaged as an emergency nurse

Ch 759 (SB 786) Presley. Arrests pedestrians on freeways

Under existing law, the arresting officer of a person violating specified provisions of the Vehicle Code has the option of giving that person a 10 days' notice to appear or taking that person before the nearest magistrate who has jurisdiction over the alleged offense in the county where the alleged offense took place

This bill would grant a peace officer the same option with respect to a pedestrian who, after being cited for the offense of failing to obey an official traffic control device, is, within 24 hours, again found upon a freeway in violation of such provisions and thereafter refuses to leave the freeway after being lawfully ordered to do so by a peace officer and having been informed that his failure to leave could result in his arrest

The bill would make no appropriation nor reimburse any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch. 760 (SB 907) Dills Vocational education fairs

Current law expresses the intent of the Legislature that every student who graduates from a state-supported educational institution be provided with sufficient marketable skills for legitimate remunerative employment

This bill would make various legislative declarations regarding instruction and training to students and would require the Department of Education to annually encourage school districts to plan programs and activities which utilize the resources of fairs and youth leadership activities as part of the vocational instructional program and career decisionmaking

Ch 761 (SB 1205) Stiern Municipal courts Bakersfield

Existing law specifies various court clerk positions in the Bakersfield Municipal Court, including 3 deputy municipal court clerks IV and 10 deputy municipal court clerks III

This bill would revise such classifications to provide for 4 deputy municipal court clerks IV and 9 deputy municipal court clerks III The bill would also make specified revisions in the organization of the Bakersfield Municipal Court

The bill would specify that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the bill for a specified reason

Ch. 762 (SB 185) Carpenter Animal health technicians

While existing law provides for registration of animal health technicians by the Board of Examiners in Veterinary Medicine, specifies the maximum fee which may be charged for an application to take the examination required as a prerequisite to such registration, and specifies the maximum fee which may be charged for renewal of registration certificates, the law does not provide for a fee for registration

This bill provides that the board has to set a fee of not more than $40 for registration as an animal health technician, and specifies that any charge made for duplication or other services shall be set at the cost of rendering such services

Existing law also specifies certain criteria a person must meet to be eligible to take the examination for registration, including furnishing evidence of graduation from a 2-year curriculum in animal health technology or the equivalent thereof as determined by the board However, a person, within specified time limits, may furnish satisfactory evidence of 3 years equivalent experience under a licensed veterinarian during a 5-year period between January 1, 1972, and January 1, 1977, in lieu of furnishing such evidence of education

This bill extends such 5-year period by specifying a 7-year period between January 1, 1972, and January 1, 1979, as the period within which such experience may serve to except a person from such educational requirements

This bill makes a clarifying change in the law by eliminating inconsistent provisions relative to the appointment of members of the Animal Health Technician Examining Committee by the Governor

This bill also makes changes reflecting the renewal period for registration of such technicians as two years instead of annual

Ch 763 (SB 280) Carpenter Prepayment of loans

Under existing law, prepayments are authorized under real property mortgages or trust deeds securing original obligations of $100,000 or less, but a borrower may obligate himself by an agreement in writing to pay a prepayment penalty or to prohibit a prepayment

This bill would provide an additional prepayment authorization for any loan, regardless of amount, secured by a mortgage or deed of trust for a single-family, owner-occupied dwelling without the authorization on such loans to agree to pay a prepayment charge or to agree to prohibit prepayments, and would provide that a prepayment on such loan could be made in an amount not exceeding 20% of the original principal amount in any 12-month period without a prepayment penalty, and would limit a prepayment charge to any prepayment made within a 12-month period and within 5 years of the date of execution of the mortgage or deed of trust which exceeds 20% of the original amount of the loan The amount of the prepayment charge on such loans could not exceed an amount equal to 6 months advance interest on the amount prepaid

in excess of 20% of the original principal amount This bill would not affect provisions governing prepayments on single-family, owner-occupied real property loans which are negotiated by certain real estate licensees

Existing law exempts from the application of provisions governing loans negotiated by specified real estate licensees, loans secured directly or collaterally by a first trust deed of $16,000 or more or to bona fide loans secured directly or collaterally by any lien junior thereto of $8,000 or more

This bill would delete this exemption as respects those provisions governing loans negotiated by specified real estate licensees relating to prepayment charges

Ch 764 (SB 427) Dills State urban homesteading program

Current law authorizes the Department of Housing and Community Development to accept gifts or grants of money, property, or aid in any form from the federal government, subject to approval by the Department of Finance, and to comply with the terms and conditions thereof, subject to and for the purposes of prescribed provisions Such prescribed provisions empower the Department of Housing and Community Development to provide assistance to local government, private enterprises, colleges and universities, and the Department of Transportation in developing specified types of housing programs, but do not authorize the department to directly conduct a program to provide housing, except experimental or demonstration projects for permanently fixed or mobile housing designed to meet the special needs of agricultural workers and persons displaced by action of state or local public agencies

Under the Zenovich-Moscone-Chacon Housing and Home Finance Act, which will become effective September 26, 1975, the department is empowered to accept federal grants of money or property and to comply with the conditions thereof not contrary to law and is authorized to utilize federal funds for sponsoring or contracting for experimental or demonstration projects for permanently fixed or mobile housing designed to meet the special needs of agricultural workers, persons displaced by action of a local public entity, the handicapped and elderly, Indians and persons and families of low or moderate income Such act, however, vests primary authority for conduct of housing finance programs authorized thereby with the California Housing Finance Agency which it will create

This bill would authorize the department to accept grants of improved real property from the United States Department of Housing and Urban Development and to conduct programs of "urban homesteading" in cities and cities and counties which have consented to the conduct of such a program by a resolution of the governing body thereof. Such "urban homesteading" programs would involve making improved real property available at nominal cost to eligible purchasers for rehabilitation, as prescribed

This bill would empower the department to contract with the United States Department of Housing and Urban Development for technical assistance in administration of the program and to contract with, or solicit assurances from, cities or cities and counties with respect to planning and upgrading of community services in areas designated for such "urban homesteading" programs.

Ch 765 (SB 519) Smith Debts· prohibited acts

(1) Under existing law a licensee or an employee of a licensee licensed under the Collection Agency Act is prohibited from engaging in certain enumerated conduct, and a violation of such provisions may constitute grounds for the denial of a license, the institution of disciplinary proceedings against the licensee, or the institution of a civil action by an injured party against the licensee

This bill would include in the enumerated prohibited conduct the conditioning, in any manner, whether directly or indirectly, the filing, recording, or delivery of an acknowledgment of satisfaction of judgment upon the performance of an act or the payment of any amount by a judgment debtor in excess of that in which the judgment creditor or assignee is entitled pursuant to the judgment

This bill would specify that any licensee or employee who intentionally violates any of the present enumerated prohibited conduct shall be liable to any aggrieved person for all actual damages which such person sustained by reason of such violation, and it would specify that any licensee or employee who intentionally violates the proposed provision would be liable to any aggrieved person for all actual damages which the

person may sustain, but in no event shall this be less than $250 for each violation This bill would also require the court to award reasonable attorney's fees to the prevailing party to such actions.

(2) Under existing law there is no provision which specifically prohibits a judgment creditor or assignee from conditioning delivery of an acknowledgment of satisfaction of judgment upon the performance of an act or the payment in excess of that to which the judgment creditor or assignee is entitled pursuant to the judgment

This bill would prohibit such action by a judgment creditor or assignee, except as provided; and it would specify that a violation of such provision would make the judgment creditor or assignee liable to the judgment debtor or his grantees or heirs for all damages sustained by reason of such action, but in no event shall this be less than $250

This bill would also require the court to award reasonable attorney's fees to the prevailing party in such action and other specified actions.

This bill would also provide that its provisions for damages are not in derogation of any other damages or penalties to which an aggrieved person may be entitled by law.

Ch 766 (SB 764) Song Filing fees

Existing law states the fees for filing various documents in the municipal and superior courts

This bill would increase some of the filing fees, would remove various provisions which would reduce several of the filing fees after December 31, 1975, and would reduce some of the filing fees

Ch 767 (SB 851) Roberti. Unemployment Administration Fund

Existing law requires all money in the Unemployment Administration Fund to be expended solely for the purpose of defraying certain administrative costs.

This bill would permit expenditures for any administrative costs under the Unemployment Insurance Code or of the Department of Benefit Payments which are in accordance with a plan or system of accrual cost accounting approved by the U S Department of Labor under which expenditures from the fund are subsequently reimbursed from another fund to which the actual costs of such expenditures are chargeable

Ch 768 (SB 869) Rodda. Unemployment compensation benefits

The existing law provides that an unemployed individual who is in all respects otherwise eligible for unemployment compensation benefits shall not be deemed ineligible for any week in which, for not exceeding two working days, he cannot reasonably be expected to work because there has been a death in his immediate family.

This bill would provide that an unemployed individual who is in all respects otherwise eligible for unemployment compensation benefits shall not be deemed ineligible for any week in which, for not exceeding two working days, he cannot reasonably be expected to work because there has been a death in his immediate family in California, or, for not exceeding four working days, he cannot reasonably be expected to work because there has been a death in his immediate family outside of California.

Ch 769 (SB 895) Holmdahl. Municipal utility districts

This bill would delete an obsolete provision and renumber another provision of the Municipal Utility District Act

Ch. 770 (SB 946) Mills State Lands Commission and Division of State Lands

Under existing law, the State Lands Commission and the Division of State Lands are in the Department of Conservation, which department is in the Resources Agency

This bill would transfer the commission and division from the department to the Resources Agency

This bill would make additional changes in Section 607 of the Public Resources Code, proposed by AB 400, to be operative only if this bill and AB 400 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 400.

Ch. 771 (SB 984) Alquist. Chiropractic fees

Under existing law the Board of Chiropractic Examiners may set the application fee for a license to practice as a chiropractor at not less than twenty-five dollars ($25) and not more than thirty-five dollars ($35) and may set the license renewal fee at not less

than ten dollars ($10) and not more than twenty-five dollars ($25)

This bill would require that the application fee and the renewal fee both be fifty dollars ($50)

The bill would take effect immediately as an urgency statute

Ch 772 (SB 993) Robbins Contractors

Under existing law the Registrar of Contractors must suspend or revoke a contractor's license if he finds that the contractor has willfully violated any state or local law relating to the issuance of building permits.

This bill would create an exception from such requirement where the willful violation consists of failure to obtain a city or county permit for repair, maintenance, and adjustment of equipment where such repair, maintenance, or adjustment is valued at less than $500 for labor or materials, or where the repair of parts or component parts of mechanical equipment consists of replacing such part or component part of mechanical equipment in need of repair with the identical part or component part

Ch 773 (SB 1009) Nejedly Geothermal Resources Board· membership

There presently exists in the Department of Conservation the Geothermal Resources Board, consisting of the Directors of Conservation and Water Resources, the Executive Officer of the State Lands Commission, the Chairman of the State Water Resources Control Board, the President of the Public Utilities Commission, the State Geologist, and the State Oil and Gas Supervisor

This bill would add the Director of Fish and Game to the membership of the board

Ch 774 (SB 1212) Petris Property and evidence criminal cases

Existing law provides procedures for the delivery of stolen or embezzled property to the owner upon order of a magistrate This bill would, in addition, authorize a clerk or person in charge of a police or sheriff's department property section to deliver such property to the owner pursuant to specified procedures

Under existing law the sale of unclaimed stolen or embezzled property in the custody of officials may take place after six months, or in the case of bicycles, three months, while evidence in criminal cases may be sold after two years This bill would provide for the sale of evidence in criminal cases after six months

Ch 775 (AB 224) Murphy State parks· School Street Adobe repairs

No state funding for repairs to the School Street Adobe in the City of Santa Cruz for the state park system is provided under existing law

This bill would appropriate $10,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for such repairs

Ch 776 (AB 882) Egeland School employees sick leave

Existing law provides that any classified employee of any school district who has been an employee for a year or more and who terminates for the sole purpose of employment with another district and accepts such employment within 30 days of termination shall have his earned sick leave transferred with him It also provides that all or any part of the previous service, not separated by a break in service greater than 30 days, may upon agreement by the employing district be carried over for seniority purposes, except for personnel reduction purposes

This bill would transfer the earned sick leave of any classified employee with a year or more of service who terminates for reasons other than action initiated by the employer for cause and who subsequently accepts employment with another school district within one year of such termination In cases where an employee was terminated for cause, such a transfer may be made if agreed to by the new employing school district or county superintendent of schools The bill would include any classified employee of any county superintendent of schools within such provision, and would increase from 30 days to one year the maximum permitted break in service in connection with a transfer of seniority

The bill would provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 777 (AB 1078) Vicencia Vehicles. buses equipping with crime alarm lights

Existing law does not permit the equipping of a bus with a system of crime alarm lights

This bill would permit the equipping of any bus operated by a public agency, or under the authority of a certificate of public convenience and necessity issued by the Public Utilities Commission, with a system of crime alarm lights, as specified The bill would prescribe requirements with respect to the installation of such lights, the actuation thereof, and the manner in which such lights are to flash The bill would require that such lights be approved by the Department of the California Highway Patrol

The bill would specify that such lights shall be activated only when a crime is in progress on board the bus or has recently been committed on board the bus

Ch 778 (AB 1585) Dixon County retirement systems actuarial valuation

The existing law requires an actuarial valuation of a county retirement system under the County Employees' Retirement Law of 1937 within one year after it is initially established and periodically thereafter at not more than 5-year intervals

This bill would instead require the periodic actuarial valuations at intervals of not more than 3 years

Also, this bill would provide that no appropriation is made, and that there shall be no reimbursement of local government for a specified reason

Ch 779 (AB 1856) Suitt State lands oil, gas leases

(1) Under existing law, the State Lands Commission may utilize any of several procedures for receiving royalties in leasing state lands, including tide and submerged lands, for the extraction and removal of oil and gas deposits

This bill would, as another alternative, authorize the commission to utilize a procedure whereby it would receive, in lieu of royalties, a percentage of net profits plus an annual rental of not less than $1 for each acre of land subject to the lease.

Ch 780 (AB 2132) MacDonald Commercial fishing licensing fees

Under existing law, (1) a person engaged in the cultivation of oysters, except as specified, is required to be licensed to do so, and is required to pay a licensing fee, (2) the Fish and Game Commission may grant the privilege to specified persons to cultivate oysters on unallotted state water bottoms under specified conditions, and (3) in addition to any other fees, a person operating under such allotment is required to pay a privilege tax of 2 cents per gallon, or fraction thereof, of shucked oysters harvested by such person from such allotted state water bottoms until July 1, 1976 when such privilege tax is reduced indefinitely to 1 cent per gallon, or fraction thereof, of such oysters

This bill would make such privilege tax 2 cents per gallon, or fraction thereof, indefinitely

Existing law provides that (1) licensing fees, of $150 for fish canners and processors, $50 for wholesale fish dealers and preservers, and $100 for brokers or importers, as specified, of fish, mollusks, and crustaceans, are required to be paid to the Department of Fish and Game prior to engaging in such activities, (2) that the department is required to report annually to the Legislature on the use made of revenues derived from such licensing fees, and (3) that as of July 1, 1976, such licensing fees change, respectively, to $75, $25, and $25, and the department's duty to make such report is removed

The bill would provide that such licensing fees would remain at their present level indefinitely

Ch 781 (SB 857) Russell Insurance incorporated insurers investments

The existing law authorizes domestic incorporated insurers to invest in notes or bonds secured by mortgage or other first lien upon unincumbered real property under specified circumstances

This bill would expressly authorize, subject to certain conditions, such investment where the loan is insured by a mortgage guaranty insurer where the unguaranteed portion of the loan, plus the amount of the lien of any public bond, assessment, or tax assessed upon the property loaned upon, does not exceed 75 percent of the market value of such real property, or of such real property together with improvements which are taken as security at the date of investment

Ch 782 (SB 1119) Roberti Alcoholic beverages licenses administrative hearings

(1) Under existing law the time for holding hearings on protests to the granting of licenses to engage in the sale of alcoholic beverages is set subject to the availability of the staff of the State Office of Administrative Hearings

This bill would require that such hearing must be conducted not more than 60 days after receipt of the protest

(2) Also, under existing law, the Alcoholic Beverage Control Appeals Board is directed to enter its orders on appeals within 60 days after the filing of an appeal

This bill would request the board to comply with that provision

Ch 783 (AB 1120) Papan Special Education Admission Committee meetings parental presence

Existing statutes provide for representation of the parent or guardian of the pupil under consideration in admission committee proceedings for programs for educationally handicapped pupils, physically handicapped pupils, and mentally retarded pupils but do not provide for the presence of the parent or guardian at the proceedings

This bill would grant the right to the parent or guardian of the pupil under consideration to be present at all meetings of an admission committee for programs for educationally handicapped pupils, physically handicapped pupils, and mentally retarded pupils concerning only such pupil and to a 48-hour prior written notice of such meetings.

This bill would prohibit any reimbursement pursuant to this bill because the aggregate of minor savings and minor costs would not result in significant identifiable cost changes

Ch 784 (AB 1987) Z'berg Department of Fish and Game diving insurance for employees

Under existing law, the Department of Fish and Game is specifically authorized by statute to procure insurance for, among other things, the department's employees against injury or death in the course of the performance of designated special duties

The bill would, in addition, specifically authorize the department to procure insurance for its employees against injury or death in the course of the performance of their duties arising from diving, including SCUBA or deep sea diving

Ch 785 (AB 1988) Z'berg Fish and game suction and vacuum dredge permits

Existing law provides (1) a person, prior to using a vacuum or suction dredge on any stream, river, or lake in California, must submit an application to the Department of Fish and Game for a permit to use such dredge, (2) such application must specify the type and size of equipment to be used and the location of the site of such proposed use, (3) the department must issue such permit if the department finds the use would not be harmful to fish; (4) a person who operates such equipment without securing a permit, or a person who secures a permit but operates such equipment other than in a place or manner authorized by such permit, is guilty of a misdemeanor; and (5) no provision for a fee for such permit

The bill would (1) delete the requirement that such applicant must specify the location of the proposed use of such equipment, and instead provides that the applicant must furnish such other information as the department may in its discretion require, (2) clarify the departments present authority regarding such dredge permits to provide specifically that the department may designate the waters, or areas, maximum size of such dredges, and the times of year when such dredge may be used, (3) provide for a fee for such permits of $5 when the department determines an onsite investigation of the proposed project is not necessary and $75 when the department determines such investigation is necessary, and (4) make technical, nonsubstantive changes

Ch 786 (AB 2131) MacDonald Fish and game taking marine mammals

Existing law provides that (1) seals and sea lions, among others, may not be shot from powerboats, sailboats, motor vehicles, or airplanes, or otherwise taken unless such sea lions or seals are damaging the nets, tackle, or fish of a fisherman while engaged in fishing, (2) the Department of Fish and Game has the authority, when advisable, to reduce the size of sea lion herds by humane methods, and (3) the Fish and Game Commission has the authority to permit the taking of seals or sea lions for scientific or exhibition purposes

The bill would (1) remove all of the above provisions, (2) define "marine mammals" to mean sea otters, whales, dolphins, porpoises, seals, and sea lions, (3) provide that "marine mammals" may not be shot from such boats, or from a motor vehicle or plane, (4) prohibit the taking of any "marine mammal" except in accordance with the federal Marine Mammal Protection Act of 1972 (Chapter 31 (commencing with Section 1361) of Title 16 of the United States Code), and Title 50 of the Code of Federal Regulations, and (5) provide that when federal law provides California has jurisdiction over "marine mammals," the commission may adopt regulations governing such mammals and the taking thereof

Ch 787 (SB 48) Roberti Parks and recreation

There is no existing law providing funds for the acquisition of the proposed Pan Pacific Park for the state park system

This bill would do the following.

(a) Amend and supplement the Budget Act of 1974 to appropriate $3,000,000, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, to the Department of Parks and Recreation for the acquisition of Pan Pacific Park for the state park system, provided that none of such funds shall be available for expenditure unless and until such project is recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency, and provided further that such acquisition shall be accomplished with the cooperation of the County of Los Angeles

(b) Reappropriate $3,000,000, or so much thereof as is necessary, to the department, from funds appropriated to the Bagley Conservation Fund by Item 383.5 of the Budget Act of 1974, for such project, provided that there are not sufficient moneys in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to carry out the above provisions, and provided further that such acquisition shall be accomplished with the cooperation of the county

(c) Appropriate $3,000,000 † from the General Fund to the department for such project, provided that there are not sufficient moneys in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 or in the Bagley Conservation Fund to carry out the above provisions, and provided further, that moneys expended under such appropriation shall be reimbursed from the proceeds of state bonds issued pursuant to AB 1722 of the 1975–76 Regular Session if such bill is enacted and the bonds are approved by the voters, and provided further, that such acquisition shall be accomplished with the cooperation of the county

(d) Require such acquisition to be subject to the provisions of the Property Acquisition Law

The bill would take effect immediately as an urgency statute

Ch 788 (SB 829) Rains Public Employees' Retirement System

Existing Public Employees' Retirement Law permits members to receive service credit as public service for various absences upon payment of contributions.

This bill would permit a person who is a state member, other than a school member, on and after January 1, 1975, to also receive credit not exceeding 2 years for time while on approved leave for further education if the member pays employer and employee contributions and interest

Ch 789 (AB 1559) Wornum Athletic programs sex discrimination

Existing law does not expressly regulate female participation in school athletic programs, but declares legislative intent that opportunities for participation in interschool athletic programs in public high schools be provided on as equal a basis as is practicable to male and female students

This bill would express legislative intent concerning participation in athletic programs by female and male students, and declare that such programs be provided on an equitable basis to all students

The bill would require school district governing boards in apportioning public funds to apportion amounts for athletic programs to insure that equitable amounts will be allocated for all students, except as prescribed

The bill would prohibit the use of public funds in connection with any amateur athletic programs conducted under the auspices of a school district governing board or student organization which discriminates on the basis of sex does not provide facilities and opportunities for participation by both sexes on an equitable basis as prescribed

† Appropriation deleted by action of the Governor

Ch 790 (AB 92) McAlister Insurance unfair competition

Existing law enumerates 13 categories of insurer conduct which are defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance

This bill would add two additional categories of insurer conduct to such list, that of directly advising a claimant not to obtain the services of an attorney, and misleading a claimant as to the applicable statute of limitations

Ch 791 (AB 340) Fenton Farm labor vehicles driver training

Existing law requires, commencing July 1, 1975, a farm labor vehicle driver to have in his possession a certificate issued by the Department of Motor Vehicles In order to obtain such a certificate, an applicant must present evidence that he has successfully completed a driver training course approved by the Department of Motor Vehicles, the Department of Education, and the Department of the California Highway Patrol

This bill would make the requirement regarding possession of the certificate applicable commencing September 1, 1975, instead of July 1, 1975

This bill would require the Department of Education to develop a course for the training of farm labor vehicle drivers and to train necessary personnel to conduct the course This bill would appropriate $40,000 from the Driver Training Penalty Assessment Fund to the General Fund and from the General Fund to the Department of Education for such purposes

This bill would also require the Department of Education and the Department of Motor Vehicles to report to the Legislature by December 1, 1976, regarding specified matters pertaining to the training of farm labor vehicle drivers

This bill would take effect immediately as an urgency statute

Ch 792 (AB 401) Chel Insurance life insurance assignments

Existing law does not provide for the sending by insurers to assignees of life insurance policies of notices of default in premium payments by the insureds

This bill would require life insurers to give specified written notice to certain assignees of life insurance policies if the insureds have failed or refused to pay premium therefor before the commencement of the policy's grace period or before the notice is mailed The insurers would be permitted to make a specified charge for such notices

Ch 793 (AB 407) Berman Obscene matter persons exempt from prosecution

Present law makes any person who sells, distributes, prints, publishes, prepares, or brings into the state obscene matter, or who exhibits obscene matter to others guilty of a misdemeanor Already exempt from prosecution respecting exhibitions of obscene matter are motion picture operators and projectionists acting within the scope of employment when employed by a person licensed by a city or county and who have no financial interest in the place of employment

This bill would extend such exemption to any other person so employed but would require such other persons to qualify for the exemption to also have no control, directly or indirectly, over the exhibition of the obscene matter

Ch 794 (AB 776) Kapiloff Mobilehomes notice of violations

(1) Under existing law, the Department of Housing and Community Development or a city or county which has assumed responsibility for enforcement of the law relating to mobilehome parks has authority to enter and inspect all mobilehome parks, and all accommodations, equipment, or paraphernalia used in connection therewith Notice of any violations of such law must be given to the person holding the permit to operate the mobilehome park and any violation must be corrected within a certain period of time or the permit to operate the mobilehome park may be suspended Any willful violation of the mobilehome parks law or of any rules and regulations issued thereunder is a misdemeanor

This bill would require the enforcement agency responsible for entering and inspecting a mobilehome park to notify the owner or occupant, whose name appears in the register kept by the person owning or operating a mobilehome park, of any violation applicable to a mobilehome, accessory structure, or other appurtenance owned, occupied, or under such person's control The bill would require that the notification

include a statement that any willful violation of such provisions is a misdemeanor under Section 18700 of the Health and Safety Code

(2) Under existing law, the annual permit fee for a mobilehome park is $25, plus $2 per lot until January 1, 1976, and $1 per lot on and after January 1, 1976, except for a temporary trailer park which has no additional lot fee

The bill would increase the lot charge for the annual permit fee on and after January 1, 1976, from $1 to $2.

Ch 795 (AB 778) Vasconcellos Preschool programs scholarships

Current state law does not provide any scholarship program for the training of persons to hold positions in various preschool programs, although federal law does provide for such scholarships

This bill would appropriate $199,303 to the Department of Education from the General Fund in order to fund such scholarship programs if federal funds are no longer made available The program would be administered by the department under guidelines which incorporate the federal law The maximum amount of each scholarship would be $350 and no more than 1,200 persons could receive scholarships in the 1975–76 fiscal year

This bill would take effect immediately as an urgency statute

Ch 796 (AB 825) Dixon Classified employees appointments

Under existing law, certain school districts which have adopted the merit system with respect to school classified employees are required to make appointments in the classified service from the first two applicants on the eligibility list while others are required to make appointments in the classified service from the first three applicants on the eligibility list No requirement is provided that examination results be rounded to the nearest whole percent

This bill would require final scores on examinations for classes designated as technical, professional, administrative, or executive by the personnel commission of the district to be rounded to the nearest whole percent for all eligibles and consider all such eligibles having the same percentage score to have the same rank

Ch 797 (AB 872) Burke Public officers

Existing law does not subject members of the Fair Political Practices Commission to the same financial disclosure requirements as Members of the Legislature

This bill subjects members of the commission to such financial disclosure requirements In addition, this bill makes it unlawful for a member of the commission to accept a gift of $10 or more per month from a lobbyist, state candidate, state officer, certain state employees, and specified city and county officers and candidates for such city and county offices

The bill makes additional changes in Section 87200 of the Government Code, proposed by AB 959 to be operative only if AB 959 and this bill are both chaptered, and this bill is chaptered after AB 959.

To take effect immediately, urgency statute

Ch 798 (AB 980) Dixon Schools restricted classified employees

Under existing law, persons serving in certain federally and state-funded positions not requiring certification qualifications created by a governing board of a school district that are restricted to certain persons such as low-income groups are a part of the classified service and are designated as "restricted" employees with all the rights of classified employees except as otherwise specifically provided

This bill would include "restricted" classified employees who serve as instructional aides or who assist school-staff personnel responsible for school-community relations, within provisions rendering restricted employees ineligible for promotional examinations due to vacancies in the classified service and provisions specifying that they shall not be required to take initial examinations for employment

In addition, this bill would provide that such "restricted" classified employees are not subject to merit systems upon first employment and until qualifying examinations have been passed

Ch 799 (AB 1019) Sieroty Arrest discoverable materials

Existing law does not require the prosecuting attorney in all criminal cases triable in the superior, municipal, and justice courts to deliver or make accessible to the defendant or his counsel copies of those police, arrest, and crime reports which are discoverable by the defense

This bill would, upon the first court appearance of counsel, or upon a determination by a magistrate that the defendant can represent himself, require the prosecuting attorney within two calendar days in all criminal cases triable in the superior, municipal, and justice courts, with specified exceptions, to deliver or make accessible to the defendant or his counsel copies of such discoverable materials

This bill also specifies the intent of the Legislature not to limit or impair any discovery rights in a criminal case

Ch 800 (AB 1095) McAlister Schools employer-employee relations

The existing law prohibits public school employers and employee organizations from interfering with, intimidating, restraining, coercing, or discriminating against public school employees because of their exercise of their rights relating to participation in the activities of employee organizations

This bill would, in addition, prohibit any public school employer from requiring, requesting, or suggesting that any person limit or restrict such rights as a condition of initial or continuing employment

Ch 801 (AB 1478) Vasconcellos Postsecondary education study of EOP grants

Under current law provision is made for providing educational opportunity grants to students attending the University of California, the California State University and Colleges, and the California Community Colleges

This bill would require the California Postsecondary Education Commission, in consultation with the State Scholarship and Loan Commission, to conduct a study of educational opportunity grant programs provided students attending the University of California, the California State University and Colleges, and the California Community Colleges

This bill would appropriate $20,000 from the General Fund to the commission for the purposes of making the study

Ch 802 (SB 1213) Smith Schools sex discrimination athletic participation—facilities

Existing statutes express state policy of conducting elementary and secondary school and community college classes and courses without regard to sex of the enrolled students and require that participation in a particular physical education activity or sport, if required of pupils of one sex, be available to pupils of each sex, and express legislative intent that opportunities for participation in interschool athletic programs in public high schools and in intercollegiate athletic programs, including those in the community colleges, be provided on an equal as practicable basis to male and female students but authorize related costs to vary according to the type of sport

This bill adds provisions which express legislative findings and intent and which prohibit use of any public funds re any school district or student organization athletic program which does not provide equal opportunity to both sexes for participation and for use of facilities

This bill would also provide that nothing in the bill shall be construed as requiring a school district to require competition between male and female students in school-sponsored athletic programs

Ch 803 (AB 1786) Suitt Mobilehomes mobilehome park law administration expiration dates

Under existing law, provisions transferred by Chapter 1103 of the Statutes of 1973 from the part in the Health and Safety Code relating to mobilehomes to the part relating to mobilehome parks are effective only until January 1, 1976, and on such date are restored to their status existing prior to the enactment of Chapter 1103 of the Statutes of 1973 Such provisions deal with occupancy and structural standards and enforcement procedures

This bill would make the transfer of such provisions from the part relating to mobilehomes to the part relating to mobilehome parks permanent and delete the provisions restoring such provisions to their status existing prior to the enactment of Chapter 1103 of the Statutes of 1973

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any state-mandated local program costs incurred by it under the bill

Ch 804 (AB 1790) Ralph State agencies purchases

(1) The existing law requires, with certain specified exceptions, that every purchase of supplies or equipment in excess of $25 for any state agency shall be made by or under the supervision of the Department of General Services

This bill would increase the monetary amount from $25 to $100 with respect to such provisions

(2) The existing law requires, subject to certain specified exceptions, that all contracts and purchases of supplies in an amount of $1,000 or more shall be made or entered into with the lowest responsible bidder meeting specifications

This bill would change the monetary amount from $1,000 to $5,000 with respect to those contracts and purchases of supplies which are subject to such bidding requirements

In addition, this bill would permit the Department of General Services to impose such bidding requirements for specific types or classes of materials, supplies, or equipment where the contract or purchase is less than $5,000 but not less than $1,000 Where the agency or vendor is of the opinion that the method of procurement prescribed by the department for purchases of such materials, supplies, or equipment in amounts less than $5,000 would not serve the interest of the state, the agency or vendor may request a hearing before the Board of Control and the board shall determine which method of procurement best serves the interests of the state

(3) The existing law requires, except in cases of emergency, that whenever the Department of General Services purchases supplies or equipment in excess of $1,000 all vendors who have notified the department in writing that they desire to bid on such supplies and equipment, and who have prequalified in accordance with specified provisions, shall be furnished with specified information and that such specified information shall be publicly posted

This bill would require such information to be supplied and posted in those instances where the purchase of supplies or equipment is in excess of $5,000 rather than $1,000 or where the department has required, pursuant to specified provisions, that contracts or purchases in amounts less than $5,000 be made or entered into with the lowest bidder

(4) The existing law requires that whenever a purchase in excess of $1,000 is made pursuant to specified provisions, without the taking of bids, the Department of General Services report to the Board of Control the fact of such purchase together with a written statement of the facts which required the purchase of the supplies or equipment without the taking of bids

This bill would require such reports when the purchase without the taking of bids exceeds $5,000, rather than $1,000

Ch 805 (AB 1791) Calvo Municipal courts Santa Clara County

(1) Existing law specifies the salaries for municipal court personnel in the judicial districts of Santa Clara County

This bill would increase the salaries for municipal court personnel in the judicial districts of Santa Clara County

(2) Existing law makes provision for a municipal court clerk in each municipal court district in Santa Clara County

This bill would authorize, with the approval of the Board of Supervisors of Santa Clara County, the judge or a majority of the judges of any two municipal court districts in Santa Clara County, or, if there be an even number of judges in a district, the senior judge of such district, to appoint one clerk to act as clerk for both judicial districts

The bill also specifies duties for the new clerk position and prescribes its compensation

(3) The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

Ch 806 (AB 2011) Craven Teachers' Retirement System, state beneficiaries

Existing State Teachers' Retirement Law limits the designation of corporations, trusts, eleemosynary or parochial institutions or public entities as beneficiaries for receipt of benefits

This bill would permit such entities to be designated as a beneficiary for family allowances paid under the State Teachers' Retirement System

Ch 807 (AB 2149) Chel Use fuel taxes low-emission vehicle fuel

Existing Use Fuel Tax Law imposes a tax on the use of liquefied petroleum gas or natural gas in liquid form

This bill would impose a tax, at a specified annual flat rate, on the owners or operators of vehicles which are propelled by a system which uses liquefied petroleum gas, liquid natural gas, or compressed natural gas in lieu of the general use fuel tax

The revenues of the imposition of the use fuel tax are continuously appropriated for various purposes, and by increasing the revenues by imposing an additional registration fee, this bill would alter these existing appropriations

Further, this bill would appropriate $60,000 from the Motor Vehicle Fuel Account to the State Board of Equalization for the 1975–76 fiscal year to prepare to administer and to administer the provisions of this act

This bill would take effect immediately as a tax levy and would become operative January 1, 1976

Ch 808 (AB 2478) Beverly Property taxation exemptions Civil Air Patrol

Under existing law, the property of an organization incorporated by an act of Congress whose purposes are to provide facilities to assist in local and national emergencies and provide aviation education and training, and which meets certain other requirements, is deemed to be within the welfare exemption from property taxes

This bill would, instead, exempt the personal property of such an organization from property taxation, absent satisfaction of certain requirements mandated by existing law The exemption would remain in effect to and including the lien date in 1980, unless a statute chaptered on or before March 1, 1980, extends the exemption

The bill also provides for the application of the enactment to taxes for the 1975–76 fiscal year and provides for the refund and cancellation of any taxes imposed or collected for that year

The bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for specified reasons

The bill would take effect immediately as an urgency statute

Ch 809 (AB 2365) Lancaster School employee retirement

Existing State Teachers' Retirement Law defines "compensation" and "salary" for retirement purposes and provides for the exclusion of certain money paid to or on behalf of employees This bill would also exclude money not available for payment of salaries and which is used to purchase annuity contracts or for other insurance programs

Existing Public Employees' Retirement Law defines "compensation" for retirement purposes and provides for the exclusion of certain money paid to or on behalf of employees This bill would also exclude money not available for payment of salaries and which is used to purchase annuity contracts or for other insurance programs

This bill would take effect immediately as an urgency statute

Ch 810 (AB 2256) Vincent Thomas Tangible personal property reports

Existing law requires every secondhand dealer, as defined, to report all identifiable secondhand tangible personal property purchased, taken in trade or in pawn, accepted for sale or consignment, or accepted for auctioning to the chief of police or to the sheriff, as specified, within a designated time following its acquisition

This bill would require every dealer of business machines, as defined, to report all used business machines which he has purchased, taken in trade accepted for sale or consignment, or which he has repaired, to the chief of police or to the sheriff in accordance with the provisions of existing law applicable to secondhand dealers

This bill would exempt from the reporting requirement a dealer servicing or repairing

a machine in the possession of the owner to whom that dealer sold that machine when it was new

Ch 811 (SB 92) Wedworth Mobile intensive care paramedics

(1) Existing statutory law authorizes any general acute care hospital operated by, or contracting with, a county until July 1, 1976, to conduct a prescribed pilot program utilizing mobile intensive care paramedics for the delivery of emergency medical care to the sick and injured

This bill would delete the authority for a general acute care hospital operated by, or contracting with, a county to conduct the program and would require any authorized program utilizing mobile intensive care paramedics to be conducted by the county A county would be authorized to contract with a general acute care hospital which has the approval of the county health officer to participate in such a program

The bill would make technical, conforming changes

(2) Under existing law, the county health officer of the county certifying a mobile intensive care paramedic may waive all or any portion of the required training program, if the applicant passes the performance and written examinations required for certification or the appropriate portion of the performance examination

This bill would permit such a waiver only if the applicant passes the performance and written examinations required for certification

Ch 812 (AB 1088) Ralph Alcoholic beverages advertising signs

Under existing law, no sign which advertises any alcoholic beverage and exceeds in area 720 square inches may be used on the exterior of, or adjacent to, any building in which there are premises licensed to sell alcoholic beverages at retail for consumption on the premises

This bill repeals such restriction

Ch 813 (AB 1164) Calvo Regional park district law revision

(1) Existing statutory law permits the formation of a regional park district by three or more municipalities, plus contiguous parcels of city or county territory, regardless of their populations

This bill would permit the formation of a regional park, park and open space, or open-space district by one or more cities, plus contiguous parcels of city or county territory, in total having a population of at least 50,000 Conforming changes would be made in the law relating to such districts to reflect this name change

(2) No provision is presently made for naming a regional district either a park, park and open space, or open-space district

This bill would provide for the consideration and determination of a district name at a specified public hearing prior to formation and would permit a district name to be changed subsequent to formation according to specified procedures

(3) Under existing statutory law, district directors hold office until the first Monday after the January 1 next following the next general election

This bill would provide, in the case of a newly formed district, that its directors hold office until the first Monday after the January 1 next following the first general election held at least eleven months after the election at which the district was formed

(4) Existing statutory law provides for the initial staggering of directors' terms based upon the number of votes received by each

This bill would provide, with respect to districts formed after December 31, 1974, for the initial allocation by lot of two- and four-year directors' terms

(5) Existing statutory law requires the selection of a secretary and a treasurer from the membership of the district board of directors

This bill would permit a district board to select one or more administrative secretaries or clerks to perform the duties of secretary or treasurer, or both, instead of designating such officers from its membership

(6) No provision is made in existing statutory law for staggering directors' terms whenever new election wards in a regional district are created

This bill would provide for the determination by lot of staggered terms for the directors to be first elected in newly created wards, prior to the appointment of directors to such wards which appointed directors would then hold office only until the next general

election

(7) Existing statutory law authorizes a district, other than the East Bay Regional Park District, to incur indebtedness in an amount not to exceed the anticipated income for a two-year period to be derived from a tax having a maximum rate of ten cents per $100 of the assessed value of all real and personal property in the district.

This bill would increase such authorized amount of indebtedness to the anticipated tax income of a four-year period

(8) Existing statutory law authorizes the district controller to pay claims against the district by warrant only

This bill would permit the controller to use checks as well as warrants and would further permit him to pay employee salaries and benefits and other recurring claims after annual authorization by the district board for payment of such claims

Ch 814 (AB 1750) Brown Pilots pilotage rates

(1) Existing law prescribes the powers and duties of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, and of pilots for such bays Existing law prescribes pilotage rates and requires pilots to pay to the board a percentage of pilotage fees in compensation of the board for its services.

This bill would increase pilotage rates, as specified, and exclude those amounts received which are attributable to such increase from the portion of pilotage fees required to be paid to the board The bill would declare legislative intent regarding the use of such amounts by pilots for increased operating and boat building expenses The bill would delete obsolete provisions

Ch 815 (SB 163) Dunlap Grand juror fees.

Existing law provides that in Solano County grand jurors shall receive $5 for each day's attendance

This bill would increase such amount to $10 for each day of attendance by grand jurors

The bill also provides that no appropriation is made nor shall any reimbursement be made for costs incurred by local governmental entities under the bill for a specified reason

Ch 816 (SB 182) Stull Schools and community colleges· pupil records

(1) Existing law prohibits access to any written records concerning any particular pupil enrolled in any public, private, or parochial school providing instruction in any of grades kindergarten through 12 to any person except under judicial process unless the person comes within specified classes, but permits school authorities to provide specified types of information

The bill would repeal the existing law and would enact provisions which would, among other things, require school districts and schools to provide specified notices to parents at specified times

The bill would specify that parents have an absolute right to access to any and all pupil records related to their children, and would require the adoption of procedures for granting requests by parents for inspection and review of a pupil's records. The bill would establish a procedure for a parent to challenge the content of any pupil record, including meetings with the district superintendent or his designee and determination by the governing board in closed session. The bill would authorize a district superintendent or governing board to convene a hearing panel, in accordance with specified procedures, to assist in making determinations for such purposes

The bill would require school districts to adopt a policy identifying categories of directory information, as defined, which may be released to specified persons The bill would require access to pupil records to be permitted to specified officials, and would authorize information from education records to be released to specified persons, agencies, and organizations

(2) Existing law prohibits access to any written records concerning any particular pupil enrolled in any public or private community college, college, or university to any person unless the person comes within specified classes, but permits such colleges and universities to provide specified types of information

The bill would repeal the existing law and enact provisions substantially similar to those in item (1) above, with certain exceptions, to be applicable to student records at

public community colleges, but affording such rights to the students, rather than to their parents

(3) The bill would make numerous related changes

This bill would make additional changes in Sec 967, Education Code, proposed by AB 1770, to be operative only if this bill and AB 1770 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 1770

The bill would provide that there shall be no reimbursement of any state-mandated local costs because this act merely affirms for the state that which has been declared existing law or regulation through action by the federal government

Ch 817 (SB 281) Petris Municipal utility district directors election by wards

Presently, the directors of a municipal utility district formed prior to January 1, 1974, and containing 1,000,000 or more population are required to be nominated from a particular ward but are elected at large

This bill would require such directors to be both nominated and elected by wards.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 818 (SB 297) Cusanovich Contractor's license revocation

Under existing statutory law, a contractor's license which has been revoked is prohibited from being reinstated or reissued by the Contractors' State License Board unless, among other things, there is a proper showing that all loss caused by the act or omission for which the license was revoked, including debts which have been discharged in a bankruptcy proceeding, have been fully satisfied The recent California Supreme Court decision of Grimes v Hoschler (12 Cal 3d 305), however, held that statutory provisions of this nature that conflict with the Federal Bankruptcy Act are unconstitutional

This bill would prohibit the Contractors' State License Board from denying the issuance, reissuance, or reinstatement of a license under such statutory provisions where such debts have been adjudicated in a bankruptcy proceeding

Existing statutory law also specifies that avoidance or settlement in bankruptcy, or by composition, arrangement, or reorganization with creditors under federal law, or by other means, by a licensee under the Contractors License Law of the lawful obligations of such licensee incurred as a contractor for less than the full amount of such obligations constitutes a cause for disciplinary action

This bill would prohibit any disciplinary action against a licensee for avoiding or settling in bankruptcy, or by composition, arrangement, or reorganization with creditors under federal law, any lawful obligations of such licensee incurred as a contractor for less than the full amount of such obligation

Ch 819 (SB 386) Robbins Juvenile court law

Present law specifies the various purposes of the juvenile court law including such goals as the securing for each minor under the jurisdiction of the juvenile court such care and guidance, preferably in his own home, as will serve the spiritual, emotional, mental, and physical welfare of the minor and the best interests of the state

This bill would also specify that the protection of the public from the consequences of criminal activity is also a goal of the juvenile court law, and requires probation officers, peace officers, and juvenile courts to take into account such protection of the public in their determinations under the juvenile court law

Ch 820 (SB 395) Beilenson Contraceptives for minors

Existing law provides an exception from the provisions permitting a minor's disaffirmance of contracts where an unmarried pregnant minor gives consent to the furnishing of hospital, medical, and surgical care related to her pregnancy Existing law also provides that the consent of the parent or parents of such minor shall not be necessary in order to authorize such care

This bill would revise those provisions by permitting an unmarried minor to give consent to the furnishing of hospital, medical, and surgical care related to the prevention or treatment of pregnancy without the necessity of parental consent It would, however, exclude sterilization from such authorization

Ch 821 (SB 637) Holden School holidays and observances

Current law requires all public schools and educational institutions to observe with suitable exercises Lincoln's and Washington's birthdays, the anniversary of the adoption of the Constitution, Conservation, Bird, and Arbor Day; Susan B Anthony Day; and Black American Day

This bill would require all public schools and educational institutions to observe January 15th, the anniversary of the birth of Dr. Martin Luther King, Jr., with suitable exercises commemorating the history of the civil rights movement in the United States, and particularly the role of Dr Martin Luther King, Jr.

The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch 822 (SB 654) Wedworth Local agencies· deferred compensation fund investments

The existing law makes no express provision which makes life insurance policies eligible securities for investment of funds held by local agencies pursuant to deferred compensation plans

This bill would make life insurance policies eligible securities for the investment of funds held by local agencies pursuant to deferred compensation plans.

Ch 823 (SB 726) Holmdahl County superintendents of schools maximum tax rates

Existing law prescribes the manner for computing the maximum tax rates for the operation, maintenance, and housing of the county office of (1) fiscally independent county superintendent offices and (2) county superintendent offices which become fiscally independent on and after July 1, 1974 This bill would, where on or after July 1, 1975, certain powers and duties of a county board of supervisors are transferred to a county board of education, prescribe the manner for computing the maximum tax rate for the operation, maintenance, and housing of the county office

Existing law provides that the county superintendent of schools shall have a maximum tax rate available for the purpose, among others, of the operation, maintenance, and housing of the county office This bill would include within such purpose, any costs associated with the operation of the county board of education and the county committee on school district organization

Existing law prescribes the manner in which the maximum tax rate for the county superintendent of schools for the juvenile hall program shall be determined. This bill would, where on or after July 1, 1975, certain powers and duties of a county board of supervisors are transferred to a county board of education, prescribe the manner in which the maximum tax rate for the county superintendent of schools for the juvenile hall program shall be determined, for the first budget year for which such transfer of authority is effective

Ch 824 (SB 790) Behr Insurance merger of mutual insurers

Existing law does not contain any provision expressly relating to the merger, consolidation, reinsurance, or transfer of assets and liabilities of general mutual insurers

This bill would provide express provisions for the merger, consolidation, reinsurance, and transfer of assets and liabilities of general mutual insurers

Ch 825 (SB 824) Smith Layaway practices

Existing law does not regulate a retail seller's layaway practices, as such

This bill specifies various obligations of a retail seller which permits layaways to be made, among which is the provision to the consumer of a written statement of the terms and conditions of the layaway agreement, including the amount of deposit for goods placed on layaway, the length of time of the layaway period, the total purchase price and a separate listing of any handling or processing charges

The bill would also provide that any waiver by the buyer of provisions of the act, except as specified, shall be unenforceable, that the remedies provided by the bill are cumulative, and that the provisions of the act would not limit or reduce legal obligations imposed therefor by installment sales law

Ch 826 (SB 828) Alquist Physical Therapy Practice Act administration

(1) Under existing law the Board of Medical Examiners is responsible for enforcing and administering the various provisions of the Physical Therapy Practice Act, including, but not limited to, the authority to approve schools of physical therapy and to establish certain fees

This bill would provide that the Physical Therapy Examining Committee, rather than the Board of Medical Examiners, would be responsible for enforcing and administering the various provisions of the Physical Therapy Practice Act, including, but not limited to, the authority to approve schools of physical therapy and to establish certain fees

(2) Under existing law the Board of Medical Examiners is authorized to issue, suspend, and revoke licenses to practice physical therapy

This bill would require, rather than authorize, upon the recommendation and direction of the Physical Therapy Examining Committee, the Board of Medical Examiners to issue, suspend, and revoke licenses to practice physical therapy

(3) Under existing law the Physical Therapy Examining Committee is required to hear specified matters assigned to the committee by the Board of Medical Examiners

This bill would delete the requirement that such matters be assigned to the committee by the Board of Medical Examiners

This bill would also require the Physical Therapy Examining Committee to adopt rules and regulations for purpose of administering the Physical Therapy Practice Act

Ch 827 (SB 899) Song. False reports by peace officers

Existing law does not provide a penalty for the filing of false reports, generally, by peace officers, but makes it a misdemeanor for an officer authorized by law to make or give as true any certificate or writing containing statements which he knows to be false, or for any person to falsely report to specified authorities the commission of a crime, and makes it a felony to prepare a false writing with intent to produce it or allow it to be produced as true upon any trial, proceeding, or inquiry

This bill would make it a misdemeanor for a peace officer to make certain false statements in a report filed with his employing agency regarding the commission or investigation of any crime

This bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no appropriation pursuant to that section nor any appropriation by this bill for a specified reason

Ch 828 (SB 1046) Way California Central Valley Project revenue bonds

(1) Existing law prohibits the interest rate on revenue bonds of the Central Valley Project from exceeding 7½ percent per annum

This bill would increase such limit on the bond interest rate to 8½ percent per annum

(2) Existing law permits Central Valley Project revenue bonds to be sold below par or face value, but the sale price cannot be less than that which yields the purchaser up to 7½ percent with the sale price to include accrued interest to the date of delivery

This bill would limit the sale price to a value not less than 94 percent of the par or face value of the revenue bonds, including the accrued interest to the date of delivery

(3) Existing law makes no provision for the department to borrow money in anticipation of the sale of duly authorized revenue bonds

This bill would permit the department, in its discretion, to borrow money in anticipation of the sale of duly authorized revenue bonds and to issue bond anticipation bonds for that purpose Such anticipation bonds are renewable, limited to 5 years' maturity from the original issue date, may be issued at public or private sale, and at interest rates and maturity as the department may determine, and limited in total amount outstanding and to be issued to the aggregate amount of the authorized revenue bonds less the amount of authorized revenue bonds previously sold The bill would also provide for repayment of principal and interest on the anticipation bonds from revenues and proceeds of the next sale of the authorized revenue bonds and payment of interest from proceeds of the anticipation bonds

(4) Existing law provides that costs and expenses, including debt service, of the department prior to and during construction and for a period of one year after completion may be paid from the construction fund

This bill would, notwithstanding anything contained in the provisions relating to the

Central Valley Project, permit the department to provide in the proceedings authorizing issuance of bonds that revenues received during the period of construction and for one year after completion, may be used to pay the costs and expenses of the department, including payment of interest due and payable

Ch 829 (SB 1084) Ayala School board trustee areas San Bernardino County

Existing law expressly permits, but does not mandate, establishment of trustee areas in school districts for the election of governing board members

This bill would provide for the voters within any San Bernardino County unified school district which has an average daily attendance of 30,000 or more and the governing board of which is not elected by trustee area to vote on the method of electing governing board members at the next governing board election. The bill would provide for the formation of trustee areas in accordance with specified procedures if the voters approve a method requiring the establishment of trustee areas

In addition, this bill specifies the legislative findings and declaration concerning the need for a special, rather than general, act

The bill would further provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 830 (SB 1116) Stiern Water storage districts elections, supplementary assessments

Existing law requires that the general water storage district election be held on the first Tuesday in February of each odd-numbered year and provides that directors elected at the general election shall take office at noon of the first Tuesday in March next following their election

This bill would require, instead, that the general election be held on the first Tuesday after the first Monday in March of each odd-numbered year and would provide that the directors so elected shall take office at the commencement of the meeting of the board following their election Conforming changes would be made in provisions of law relating to classification of terms of first directors and the organizational meeting of the board The bill would also make technical changes in Section 40501 of the Water Code, relating to appointment of directors

Existing law requires that regular meetings of the board be held on the first Tuesday of each month

This bill would require that regular meetings be held monthly, without, however, specifying a particular day

Existing law provides for supplementary assessments in water storage districts for an additional sum to provide for completion of a project, or a unit of the project, when the original assessment is insufficient for completion

This bill would provide for supplementary assessments to provide for completion of a combination of units of the project, in addition to completion of the project or a unit of the project

Existing law also provides unpaid assessments bear an interest rate of 7% per year

This bill would increase the interest rate on unpaid assessments to 8%

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by the act for a specified reason

Ch 831 (SB 1209) Kennick Barbers

Existing law provides that a person is qualified to receive a certificate of registration to practice barbering if, among other things, he has served as a registered apprentice for 15 months under the direct supervision of a registered barber, or has served as a registered apprentice for 12 months in an apprenticeship program approved by the Board of Barber Examiners and established under specified provisions of the Labor Code He must also pass an examination conducted by the board

This bill provides that registered apprentices who have served as registered apprentices for 12 months in an apprenticeship program approved by the board and established under the specified provisions of the Labor Code and who pay an amount equal to the examination fee need not pass an examination conducted by the board in order to be

qualified to receive a certificate as a registered barber

Existing law provides that an applicant for a certificate of registration to practice as a registered barber who fails to pass a satisfactory examination conducted by the board, shall continue to practice as an apprentice for at least 6 months, but for no more than 12 months, under the immediate personal supervision and employment of a registered barber

This bill would delete that provision.

Ch 832 (AB 369) Bill Greene Vocational education, federal funds

Current state law has no provision which designates one or more state or private agencies to serve as the accrediting agencies for private vocational schools for the purposes of receiving federal funds

This bill would authorize the Superintendent of Public Instruction to apply to the U S Office of Education for recognition as an accrediting agency for private vocational schools under his or her jurisdiction for the purpose of receiving federal funds

This bill would also authorize the superintendent to charge a fee for services performed by him or her in connection with the accrediting function

Ch 833 (AB 857) Papan Passenger transportation rates

Present law does not require that the Public Utilities Commission consider the effect upon public transit systems on transportation planning of rates for passenger transportation services of a railroad or passenger stage corporation

This bill would require the commission, in setting passenger transportation rates for railroads and passenger stage corporations, to include in its order approving any increase in such rates specific and detailed written consideration of the effect of such rates on the acceptance of such services by the public and how such public acceptance will affect public transit systems as proposed in regional transportation plans

Ch 834 (AB 858) Papan Passenger transportation rate increases

There is no requirement of present law that the Public Utilities Commission notify any public agency or person or corporation providing passenger transportation services of any rate increase proposed by a railroad or passenger stage corporation for its passenger transportation services

This bill would require the commission to notify every state and local agency and corporation operating a passenger transit system before approving any rate increase for passenger transportation by any railroad or passenger stage corporation within the territory served by such passenger transit system, and to request that the state or local public agency or corporation prepare an analysis of the effect of the proposed rate increase on transportation problems within the transit system's territory It would further require the commission to include in its order approving any passenger transportation rate increase specific and detailed written consideration of the points raised in each analysis received by the commission pursuant to this bill

Ch 835 (AB 1110) Garamendi Cystic fibrosis: adult treatment

Under existing law, the State Department of Health is required to establish and administer, under the crippled children services program, a program of services for persons under the age of 21 years with the disease of cystic fibrosis

This bill would require the department to conduct a program of care and treatment for those persons suffering from cystic fibrosis who are 21 or more years of age The bill would require the department to establish uniform standards of financial eligibility for the services provided pursuant to the program.

The bill would specify that all costs of the program shall be borne by the state except for any repayment made by individuals receiving services under the program

This bill would reappropriate $126,000 from the unencumbered balance of the appropriation made in 1974 for support of specified hemophilia services programs, to be allocated to the State Department of Health ($111,000) for the purposes of the bill and to the State Controller ($15,000) for allocation and disbursement to local agencies for state-mandated local program costs incurred by them under the bill

Ch 836 (AB 1170) Berman Contempt of court sentence

There is no requirement under existing law that persons sentenced under an order of contempt in a judicial proceeding be granted a stay of execution pending judicial review

This bill would require such a stay when the order is against an attorney or a person acting under his direction, the contempt was committed in the preparation and conduct of a judicial action or proceeding, and review is sought by means of an application for extraordinary relief on specified grounds

The changes that would be made by the bill would not be applicable to an order of contempt based upon misconduct involving an attorney's duty to maintain respect towards the courts and judicial officers.

Ch 837 (AB 1500) Calvo Financial institutions

There is no existing law which requires that the depositor of a time deposit in a bank, or fixed-term savings account certificate with a savings and loan association be notified prior to such date of the maturity date of the account

This bill requires banks and savings and loan associations to notify a depositor of a time deposit or fixed-term savings account certificate, in writing, of the maturity date of the account, not more than 60 days or less than 10 days prior to the maturity date. This bill also requires that specified information with respect to such accounts be furnished the depositor.

This bill would specify legislative intent that banks and associations not be precluded from supplying depositors with additional notices as to maturity date.

Ch. 838 (AB 1558) Mori CSUC athletic programs

The existing statutes do not specifically address themselves to the conduct of California State University and Colleges athletic programs with respect to male students and female students, but do express legislative intent that opportunities for participation in intercollegiate athletic programs, including those at campuses of the California State University and Colleges, be provided on an equal as practicable basis to male and female students, while authorizing related costs to vary according to the type of sports.

This bill would express legislative intent re participation in state university and college athletic programs, and declare that such programs provide as nearly equal opportunities for male and female students as is practicable.

This bill would require the Trustees of the California State University and Colleges, from the total amount of funds available for athletics from the General Fund, to ensure that reasonable amounts will be allocated to male and female students, except as prescribed

In addition, this bill would require the trustees to report annually on the progress made in providing comparable incentives and encouragements to females to engage in athletics

Ch. 839 (AB 1616) Keene. Commercial fishing: abalone.

Under existing law, until March 1, 1976, abalone may only be taken for commercial purposes under a revocable permit issued by the Department of Fish and Game for a fee set by statute at $100, and the department is required to report to the Legislature each year, at a specified time, of the use made of the revenues derived from such license fee

The bill would eliminate the time limitation on the duration of the $100 amount for such fee and the duty of the department to report on the use of the funds derived from such fees

Ch 840 (AB 1803) Vicencia Petroleum

No provision of existing law governs the quality or specifications of substances known as "coolants"

This bill makes coolants subject to the provisions governing antifreeze including registration with the Division of Measurement Standards in the Department of Food and Agriculture

Presently the fee for registration of an antifreeze is $50, and the penalty for failure to timely renew the permit is $10

This bill raises the fees to $100 and $25, respectively

This bill declares that neither appropriation is made nor obligation created for reimbursement to any local agency for any costs incurred pursuant to this act for specified reasons.

Ch. 841 (AB 1857) Gualco State employees deduction from salaries and wages

(1) The existing law permits state officers and employees to authorize deductions to be made from their salaries or wages for the payment of premiums on any basic health plan provided for pursuant to specified provisions of the law

This bill would permit state officers and employees to authorize deductions from their salaries or wages for the payment of any health plan provided for pursuant to specified provisions of the law.

(2) The existing law authorizes the Controller to decline to make deductions for an employee organization sponsored insurance or membership benefit program if it is determined that it would not be administratively feasible or practical to make such deductions

In lieu of such provisions, this bill would require the Controller and other appropriate officers in administering payroll deductions to decline to make deductions when it is determined that it would not be administratively feasible or practical to make such deductions

(3) The existing law permits state officers and employees to authorize deductions to be made from their salaries or wages for payment of premiums on any insurance policy or payments for any other membership benefit program sponsored by an employee organization, as defined by specified provisions of the law, and recognized by specified provisions of the law

This bill would revise the provisions of the law which define the term "employee organizations" and designate those which are recognized for the purpose of such provisions.

(4) The existing law contains no express provisions requiring the Controller and other appropriate officers in administering payroll deductions to obtain confirmation of Board of Control approval with respect to deductions for premiums on any insurance policy payments or any other membership benefit program sponsored by an employee organization as defined and recognized pursuant to specified provisions of the law

This bill would require the Controller and other appropriate officer in administering such payroll deductions to obtain confirmation of Board of Control approval of such deductions and to provide for cancellations of such deductions in the absence of continuing adherence to standards prescribed for Board of Control approval

(5) The existing law requires the Board of Control to approve deductions for premiums on any insurance policy or payments for any other membership benefit program sponsored by an employee organization as defined and recognized by specified provisions of the law taking into consideration specified standards

This bill would revise such provisions to require the Board of Control to approve such deductions only if specified standards are met, except that insurance or benefit programs furnished as a result of a collective bargaining agreement would be exempted from designated membership participation standards In addition, such approval would remain in effect only if such standards continue to be fulfilled

Ch 842 (AB 2072) Ingalls Vehicle dealers: price disclosure requirements

Existing law specifies various acts which if committed by a vehicle dealer, transporter, manufacturer, or distributor, constitute a violation of the Vehicle Code, which offense constitutes a misdemeanor and specifies grounds for which the Department of Motor Vehicles may suspend or revoke the license issued to a vehicle dealer, transporter, manufacturer, or distributor.

This bill would include among such acts, entering on the price disclosure label, with respect to a foreign-made vehicle, a transportation charge which exceeds the actual cost of transporting the vehicle to the point where the dealer accepts delivery.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch 843 (AB 2136) Tucker Unemployment insurance

The existing law specifies that the Department of Benefit Payments may for good cause reconsider any computation of disability benefits prior to the filing of an appeal therefrom

This bill would specify instead that the Department of Benefit Payments may for good cause reconsider any computation or recomputation within one year from the beginning date of the disability period, except that no recomputation may be considered with respect to any issue considered or under consideration in an appeal taken from a denial of recomputation This bill would also specify that the Department of Benefit Payments shall promptly notify the claimant of the recomputation and the claimant may protest the accuracy of such recomputation

This bill would make additional changes in Section 2707 4 of the Unemployment Insurance Code, to be operative only if AB 1639 and this bill are both chaptered, and this bill is chaptered after AB 1639

This bill would also make various other technical changes

Ch. 844 (SB 193) Roberti Driving schools accreditation

Existing statutory law permits courts to order persons convicted of traffic violations to attend a "school for traffic violators" Additionally, any person convicted of driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug or convicted of driving under the influence of any drug or while addicted to the use of any drug may be punished by a minimum fine of $150, rather than $250, if he consents to participate in a driver improvement program, as designated by the court

This bill would require the Department of Motor Vehicles, in cooperation with the Department of Education, to establish accreditation standards for the instruction of such traffic violators by both licensed driving schools and schools for traffic violators, and for the instruction offered in driver improvement programs to persons convicted of such "driving under the influence" offenses in accordance with specified guidelines, for the purpose of preparing a list of accredited schools and programs Application procedures for schools and programs desiring accreditation and requirements for maintaining accreditation would be specified The bill would also specify that a court may order attendance at a school for traffic violators or a licensed driving school and would permit any person so ordered to choose the school for traffic violators or licensed driving school he will attend

The bill, if enacted, would become operative on July 1, 1976.

Ch 845 (SB 800) Stull Schools vocational education

Existing law prescribes the duties and responsibilities of the California Advisory Council on Vocational Education and Technical Training

This bill would require the council to prepare and submit to appropriate public agencies, as required pursuant to law, a statement describing its consultation with the State Board of Education, the California Postsecondary Education Commission, and the Board of Governors of the California Community Colleges

This bill would specify the content of an annual evaluation report on vocational education programs and would require such report to be submitted through the California Postsecondary Education Commission, among others

This bill would require the council to perform specified functions relating to certain programs under the California Postsecondary Education Commission and would require the commission to accept the council's recommendations or to return such recommendations with its reasons, if any, for rejection

This bill would make technical changes in the background qualifications prescribed for one of the council members

Ch 846 (SB 324) Kennick. Public Employees' Retirement System contributions

Existing Public Employees' Retirement Law permits the Board of Administration of the Public Employees' Retirement System to credit interest earnings in excess of that regularly credited to contributions to employer reserves, rather than the residual reserve

This bill would eliminate such authority

Ch 847 (SB 560) Smith Consumer credit contracts. contingent obligors

Existing law contains no provisions requiring that credit contracts contain notices concerning the liability of persons signing such contracts who are not to receive property, money, or services which are the subject matter of such contracts

This bill would require every creditor who obtains the signature of more than one person on a consumer credit contract entered into on or after the effective date of this bill to deliver to each person unless such persons are married to each other, before or contemporaneously with the signing of the contract, a notice in both English and Spanish specifying that each respective party who signs such a contract becomes responsible for the debt created by the contract even if such person is not to receive any property, services, or money pursuant to such contract and can be sued for payment although the person who receives such property, services, or money is able to pay The bill would specify the format and size of such notice whether included in the contract or as a separate statement. This bill would require that such notice be signed and dated by any person receiving the required notice only after all blank spaces in the consumer credit contract have been filled in This bill would require that each person given notice be given a copy of the contract and any notice on a separate statement, if any, signed by such person and any other document affecting the obligations arising from the contract

This bill would also preclude any action by a creditor or his assignee against [any person,] * however designated, on a consumer credit contract who does not in fact receive money, property, or services which are the subject matter of the contract where such contract fails to contain the above notice in the required form

This bill would define "consumer credit contract" and "creditor" for purposes of the bill's provisions

This bill would apply to any person who enters into or arranges for consumer credit contracts in the ordinary course of business.

This bill would make the creditor's use of a substantially similar notice which is permitted or required by federal law or regulation a means of complying with the bill

This bill would become operative on April 1, 1976

Ch. 848 (SB 1230) Berryhill Licensed guides.

Existing law requires that (1) specified persons, including, but not limited to, persons who engage in the business of guiding or assisting clients to hunt and fish, to have guide licenses, and (2) such licensed guides or their employees or assistants must not guide or assist clients unless such guides, assistants, or employees, possess an unexpired first-aid certificate issued by the American Red Cross or the United States Bureau of Mines

The bill would delete the above requirement of possessing such a certificate, and instead require that a licensed guide must instruct his assistants or employees in the action to be taken if a client is injured, and specify that such instruction includes, but is not limited to, the procedure for notification of public or private agencies or individuals who are capable of providing emergency medical services or rescue service.

This bill would take effect immediately as an urgency statute

Ch. 849 (AB 690) Perino. San Joaquin County Flood Control and Water Conservation District· commission membership

Under existing law the board of supervisors of the San Joaquin County Flood Control and Water Conservation District are required to appoint a commission to which the board may delegate any or all of its powers. The commission consists of 7 members, four of whom are required to be freeholders of the unincorporated territory of the County of San Joaquin.

This bill would require the board to establish the commission by ordinance and the commission would consist of not more than 13 members, none of whom would be required to be freeholders of the unincorporated territory of the County of San Joaquin

This bill would further provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for specified reasons

Ch 850 (AB 706) Sieroty Real property acceleration clauses

Existing law makes invalid any clause in any deed of trust or mortgage on specified residential property or in any obligation secured by any deed of trust or mortgage on specified property that provides for the acceleration of the due date of the obligation upon the sale, conveyance, alienation, lease, succession, assignment, or other property subject to the deed of trust or mortgage unless the acceleration clause is set forth in its entirety in both the deed of trust or mortgage and the note or other document evidencing the secured obligation The provisions of existing law apply to all deeds of trust and mortgages on specified residential property and all obligation secured by such property executed on or after July 1, 1972

This bill would preclude the acceleration by the obligee of the maturity date of the principal and accrued interest on any loan secured by a mortgage or deed of trust on residential real property, as defined, solely for one or more specified transfers in the title to such property This bill would make any waiver of the bill's provisions by an obligee void and unenforceable and would provide that its provisions apply to all loans secured by deeds of trust or mortgages on residential real property executed or refinanced on or after January 1, 1976

This bill would specify that it is not intended to affect the application of any other provision or principle of law to any type of acceleration provision other than those specifically described in this bill

Ch 851 (AB 916) McAlister California Indian education centers

Existing law provides in accordance with specified procedures for the establishment of 10 California Indian education centers to serve as educational resource centers in Indian communities to Indian students, parents, and the public schools

This bill would appropriate $173,000 in augmentation of Chapter 1425 of the Statutes of 1974 and the Budget Act of 1975 for the purposes of carrying out the provisions of law providing for such centers

Ch. 852 (AB 929) Priolo Public property surplus· use for public park and recreational purposes

Under Article XXVI of the California Constitution, state-imposed motor vehicle tax revenues (i e , gas tax, diesel fuel tax, registration fees, weight fees, and driver's license fees), with specified exceptions, may only be used for public highway purposes and for exclusive public mass transit guideway purposes

This bill would, contingent upon the adoption of ACA 41, authorize the use of land acquired by a local agency for highway purposes through expenditures of such revenues to be used for public park and recreational purposes by a local agency, or transferred to another local agency for use for such purposes, in a specified manner for a certain period of time, if the land is no longer necessary for highway purposes, and if the local agency having jurisdiction over such land determines that the use of such land for park and recreational purposes is the highest and best use of the land

Ch 853 (AB 1195) Papan State parks land acquisition

There is no existing law providing funds for the acquisition of beach lands in the City of Pacifica for the state park system Under existing law, the Department of Parks and Recreation may enter into agreements with local agencies for the care, maintenance, and control of state park system units

Under the federal "Land and Water Conservation Fund Act of 1965," the state may receive grants for recreational purposes

This bill would appropriate $250,000 from the Collier Park Preservation Fund to the department for the acquisition of such beach lands for the state park system, provided that the County of San Mateo contributes 25% of the total cost of acquisition and provided that such funds shall not be expended on the purchase price of any real property until the State Public Works Board has determined that the procedures and criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services, and all material relating to implied dedication shall be retained in the files of the Department of General Services and shall be available for postaudit on a selective basis by the Attorney General The Legislature, by the bill, would express its intent that 50%

of the total costs of acquisition be paid for with grant funds received by the state pursuant to such federal act The bill would require the acquisition to be subject to the provisions of the Property Acquisition Law The bill would require the department to enter into an agreement with the city for the care, maintenance, and control of the beach lands by the city

Ch. 854 (AB 1308) Vicencia Vehicles equipment lights and reflectors

(1) Existing state law requires that certain vehicles be equipped with reflectors, as specified, and prescribes the location for mounting such reflectors

This bill would provide that such required reflectors be so mounted and that additional reflectors of a type approved by the Department of the California Highway Patrol may be mounted at any height

(2) Existing state law requires that every vehicle 80 inches or more in width be equipped during darkness with at least one amber clearance lamp at each side on the front and one red clearance lamp at each side on the rear Existing state law also requires that clearance lamps be mounted to indicate the width and height of such vehicles, except that front clearance lamps on flatbed trucks are permitted to be mounted on the front of the bed if it extends beyond the side of the cab. In addition, rear clearance lamps may be mounted at any height on a vehicle equipped with rear identification lamps, as specified, when the lamps are mounted at the extreme height

This bill would specify that the amber clearance side lamp shall be mounted on a forward-facing portion of the vehicle and be visible from the front and that the red clearance side lamp shall be mounted on a rearward-facing portion of the vehicle and be visible from the rear. The bill would delete the requirement that vehicles 80 inches or more in width have clearance lamps mounted to indicate the height of the vehicle, the provisions regarding front clearance lamps for flatbed trucks, and the provisions regarding the mounting of rear clearance lamps on vehicles equipped with rear identification lamps

(3) Existing law permits any commercial vehicle and, with certain exception, any other vehicle 80 or more inches in width, to be equipped with not more than 3 identification lamps mounted in a row on the front or rear, which lamps are not to exceed 3 inches in diameter, and are to be equipped with bulbs not in excess of 6 candlepower Under existing law, identification lamps on such vehicles manufactured on or after January 1, 1968, may exhibit only amber light to the front and red light to the rear and such lights are required to be installed as close as practicable to the vertical centerline in a horizontal row with centers not less than 6 inches nor more than 12 inches apart

This bill would delete the provisions limiting the number of such identification lamps to 3 and requiring the lamps to be mounted in a row, and prohibiting the lamps from exceeding 3 inches in diameter and from being equipped with bulbs in excess of 6 candlepower The bill would also delete the provision requiring that the identification lamps on such vehicles be installed as close as practicable to the vertical centerline in a horizontal row with centers not less than 6 inches nor more than 12 inches apart.

(4) This bill would also permit lamps approved as side-marker or combination clearance and side-marker lamps to be installed on the sides of vehicles at any location, while requiring that any lamp installed within 24 inches of the rear of the vehicle be red, and any lamp installed at any other location be amber

(5) This bill would make additional changes in Sec. 25351, Vehicle Code, proposed by AB 1462, to be operative only if this bill and AB 1462 are both chaptered and effective January 1, 1976, and this bill is chaptered last.

Ch. 855 (AB 1531) Knox Banks: investments

Existing law permits commercial banks to invest in the bonds or other evidences of indebtedness of the Dominion of Canada, State of Israel, Commonwealth of Puerto Rico, and any state of the United States Some retirement plans, trust funds, and governmental funds are also specifically subject to the same investment limitations as commercial banks

This bill would permit commercial banks and thus these other entities to invest in the bonds or other evidences of indebtedness of the United States of Mexico

Ch 856 (AB 1571) Carpenter Community college health fees

Existing law authorizes the governing board of a community college district, if it requires pupils in attendance in grades 13 and 14 to pay a health services fee of up to $10 for the regular school year, to decide the amount of the fee, if any, that a part-time student is required to pay

This bill would specifically include as a part-time student for such purposes a summer school student or evening student, and would direct the governing board to prorate the amount of such fee, rather than decide the amount of the fee

Ch 857 (AB 1610) Montova Coroners records

The existing law requires the coroner to retain the official file for each deceased person for three years before photocopying its contents and destroying the file

This bill would, instead, allow the coroner to photocopy the contents of the file and destroy it after the completion of the coroner's investigation and closing of the particular case involved

Ch 858 (AB 1735) Murphy Waterway management plans

Existing law requires the Resources Agency and affected local agencies to prepare detailed waterway management plans for certain designated waters

This bill would add the San Lorenzo River and its tributaries in Santa Cruz County to the list of designated waters

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation by the act for a specified reason

Ch 859 (AB 1991) Arnett Historical resources: archaeology

Under existing law, the State Historical Resources Commission has certain powers and duties with respect to the protection and preservation of historical resources, such as conducting a statewide inventory and maintaining comprehensive records of historical resources, establishing criteria for the recording and preservation of historical resources, and recommending statewide historical resources plans to the Department of Parks and Recreation, including a list of historical resources projects on a priority basis "Historical resources," for such purposes, includes archaeologically significant objects and sites The department has responsibilities with respect to historical resources, including the administration of historical units of the state park system The State Park and Recreation Commission is empowered to classify or reclassify a unit of the state park system, including historical units, and to approve the department's resource management plan and general development plan for the unit

This bill would require the State Historical Resources Commission to develop criteria and methods for determining the significance of archaeological sites, for selecting the most important archaeological sites, and for determining whether the most significant archaeological sites should be preserved intact or excavated and interpreted, and to develop guidelines for the reasonable and feasible collection, storage, and display of archaeological specimens

The bill would specify that historical units of the state park system may include areas to preserve archaeological objects and sites

Ch 860 (AB 2183) Chappie Vehicles auxiliary lamps for off-highway use, lamp color

Existing law specifies the manner in which motor vehicles operated upon a highway may be equipped with auxiliary lamps and makes it an infraction to equip a vehicle with a lamp that is not required or permitted by the Vehicle Code

This bill would permit vehicles to be equipped with a maximum of four lamps of a type approved by the Department of the California Highway Patrol, for use as headlamps while the vehicle is operated or driven off the highway and would require that they be base mounted in a specified manner and wired independently of other lighting circuits and that they be covered and fuses removed whenever the vehicle is operated or driven upon a highway

Existing statutory law also prescribes the color of various lamps and reflectors and, in particular, requires that stop lamps and turn signal lamps show amber to the rear and

permits stop lamps, turn signal lamps, and tail lamps that are visible to the rear to be white when unlighted

This bill would, with respect to vehicles manufactured after January 1, 1974, permit only those stop lamps, turn signal lamps, and tail lamps that are in addition to the minimum required number of such lamps and are visible to the rear to be white or amber when unlighted

Ch 861 (AB 2215) Knox Districts District Reorganization Act

(1) Existing law provides that if a petition, including any supplemental petition, for the reorganization of a district is certified to be sufficient, the executive officer of the local agency formation commission shall set the matter for hearing by the commission and give notice thereof as specified The executive officer is also required to give mailed notice to the chief petitioners, if any, stating that the petition has been found to be sufficient

This bill would revise such requirement to provide that if the petition is certified to be sufficient, and contains all the information and data required and is in the form prescribed by the local agency formation commission, the executive officer thereof shall accept the proposal for filing When the executive officer accepts a proposal for filing, he would issue a certificate of filing to the chief petitioners, if any, in the form prescribed and would give notice of the sufficiency of the petition and the date the proposal would be heard by the commission Following issuance of the certificate of filing, the executive officer would set the proposal for hearing and give notice thereof in the manner prescribed.

(2) The existing law provides that upon filing of a resolution by the legislative body of a district seeking reorganization, the executive officer of the local agency formation commission shall set the matter for hearing by the commission and give notice thereof in the manner specified

This bill would revise such requirement to provide that upon filing of a resolution of the legislative body of a district seeking reorganization, the executive officer of the local agency formation commission shall ascertain whether, except for provisions relating to signers and signatures, the resolution and any supporting documents contain all the information and data required and are in the form prescribed by the commission If the executive officer so finds, he would accept the proposal made therein for filing and issue a certificate of filing to the affected county, city or district making the proposal. The certificate of filing would be in the form prescribed by the executive officer and would give notice of the date the proposal shall be heard by the commission Following issuance of the certificate of filing, the executive officer would proceed to set the proposal for hearing and give notice thereof in the manner specified

(3) Existing law specifies the procedure for a petition for an annexation or detachment from a district

This bill would expand such provisions to cover a reorganization consisting solely of annexations or detachments, or both, and would require in cases of such reorganizations that mailed notice be given to any city whose boundaries would be changed by the proposed change of organization or reorganization The local agency formation commission would be prohibited, without the written consent of such city, from taking any further action on such a petition for ten days following such mailing.

(4) Existing law specifies the terms and conditions upon which a change of organization or reorganization of a district may be made

This bill would add to such list of terms and conditions, the initiation, conduct or completion of proceedings on a proposal made under and pursuant to the Knox-Nisbet Act

(5) Existing law requires any resolution of the board of supervisors ordering a dissolution of a district to contain one or more specified findings.

This bill would add to the findings specified in existing law the fact the board of the district to be dissolved has unanimously consented to the dissolution

Ch 862 (AB 2462) Gualco Filing requirements Subdivision Map Act

Existing law, pursuant to Chapter 24 of the Statutes of 1975, which is presently operative as an urgency statute, provides that a city may, by ordinance, authorize a parcel map to be recorded under the Subdivision Map Act for the purpose of reverting to acreage

land previously subdivided and consisting of four or less contiguous parcels under the same ownership The recording of such a parcel map is also subject to certain other conditions

Chapter 201 of the Statutes of 1975, would further amend such provisions effective January 1, 1976, to make them apply to filing, rather than recording, and to delete cities from its coverage

This bill would change the references to filing rather than recording, as provided in Chapter 201, Statutes of 1975, and in addition would include cities within the coverage of such provisions as is presently provided pursuant to Chapter 24

This bill would take effect immediately as an urgency statute and become operative January 1, 1976

Ch 863 (AB 2463) Ingalls University of California biomedical education

This act would appropriate (a) $108,000 from the General Fund for support of a University of California biomedical education program at its Riverside campus; (b) $200,000 from the Health Sciences Facilities Construction Program Fund in augmentation of Item 396.2 (1) of the Budget Act of 1975

This bill would go into immediate effect as an urgency statute

Ch 864 (SB 371) Behr Municipal water districts water sales during shortage

Existing statutory law permits a municipal water district to restrict the use of its water during a threatened or existing water shortage Other statutory provisions permit such a district to sell its surplus water to any person, public corporation or agency, or other consumer outside the district

This bill would authorize the Marin Municipal Water District, whenever a threatened or existing water shortage has been found, to sell or otherwise dispose of up to 1% of the total district supply of water for purposes of human consumption, sanitation, or fire protection to such consumers outside the district who were, at the time of the finding, then receiving water from the district for such purpose, notwithstanding the district's prior finding that such water as was supplied outside the district was surplus, excepting that no water may be delivered outside the district to the prejudice to users inside the district

The bill would also declare the findings of the Legislature that a special statute is necessary for such purposes as a general statute cannot be made applicable

Ch 865 (SB 497) Marks Unemployment insurance trade disputes

Existing law provides that the determination of whether or not a person is eligible for receipt of unemployment compensation disability benefits, and the amount of such benefits, depends upon the amount of wages paid to the person in covered employment during his "disability base period " The disability base period, if an individual does not have an unexpired unemployment compensation benefit year, is, very generally, the four calendar quarters ending six months prior to the quarter in which the person's benefit year began. Periods of unemployment during the disability base period, from whatever cause other than physical disability, do not extend the person's disability base period

This bill would extend the disability base period by one quarter for each quarter of the person's normal disability base period during which he performed no services in covered employment for 60 or more days as a result of a trade dispute

Ch 866 (SB 1044) Stiern Biologic registration· authority of Director of Food and Agriculture

Under existing provisions of state law, no person, on and after July 1, 1975, may sell, offer for sale, or use any biologic unless it is registered by the Director of Food and Agriculture pursuant to specified provisions of the Food and Agricultural Code. Existing law also prescribes requirements for the registration of biologics

This bill would authorize the director, if he finds that biologics do not conform to such registration requirements or that the continued use thereof constitutes an immediate danger to persons or animals, to, after notice, suspend the registration of such biologics or license of an establishment producing such biologics pending a hearing and final decision

The bill would also authorize the director, if he finds that a serial or serials, as defined, of a registered biologic, do not meet the registration requirements, to order such serial or serials to be held where found or elsewhere until he has determined that the products may be safely released for the purpose intended The bill would authorize the director to order the destruction of any products under such a hold order if the products cannot be made to meet the registration requirements

Ch 867 (SB 1153) Presley Searches public postsecondary education—student dormitory rooms

Existing statutes do not define the right of privacy of students in public postsecondary educational institutions nor do they specify the effect of a violation of those rights by school officials with respect to the use of evidence obtained by means of a violation

This bill would prohibit the use of evidence seized in violation of certain constitutional rights relating to privacy by specified school officials of public postsecondary schools in administrative disciplinary proceedings It would render void as contrary to public policy provisions contained in agreements relating to the letting or use of dormitory rooms by which students waive their constitutional right to privacy and related rights It would also make inadmissible in such proceedings evidence seized after a nonconsensual entry not in violation of constitutional rights into a dormitory room where the evidence seized is not directly related to the purpose for which such entry was made

The bill contains a legislative finding and declaration that students in school as well as out of school are "persons" under the Constitution and that they are entitled to constitutional guarantees of the right to privacy It also contains a statement of legislative intent to the effect that the purpose of the bill is to protect the rights of privacy and related rights of persons renting or leasing rooms in student dormitories

Ch 868 (SB 1257) Carpenter Director of Fish and Game director of joint exercise of powers entity

Existing law authorizes the Director of the Department of Fish and Game to administer that department

This bill would, in addition to the director's present authority, specifically authorize the director, or his designee, to accept the office of director or alternate director of an entity, such as the Newport-Irvine Waste Management Agency, which was formed pursuant to a joint powers agreement to establish and conduct an areawide waste management planning process in accordance with the provisions of Section 208 of the Federal Water Pollution Control Act

The bill would also provide that the office of the director and the office of employment of his designee are not incompatible with the office of director or alternate director of such an entity

This bill would take effect immediately as an urgency statute

Ch 869 (AB 144) Leroy F Greene Lotteries· bingo games for charity.

The California Constitution presently prevents the Legislature from authorizing lotteries and requires it to prohibit the distribution of lottery tickets in the state There are statutory prohibitions against lotteries as well

This bill is companion legislation to Assembly Constitutional Amendment No 3 of the 1975–76 Regular Session, which if passed and adopted by the people would allow local governmental entities to allow certain bingo games for charity organizations This bill would become operative only if Assembly Constitutional Amendment No 3 is adopted by the people

This legislation makes changes in the statutory law to allow bingo games, as defined, conducted in a city, county, or city and county when authorized by local ordinance and conducted for a nonprofit charitable organization, and specifies the conditions under which a bingo game may be operated The bill allows the local governmental unit to charge a fee limited to the cost of licensing such games

This bill makes it a misdemeanor for any person to receive either a wage or salary, or to make a profit from the conduct of any such bingo game It also authorizes injunctive relief and the imposition of a fine on any person making such a profit

This bill declares that there are no state-mandated costs in this act that require reimbursement of local agencies pursuant to Section 2231 of the Revenue and Taxation Code

Ch 870 (AB 190) Z'berg Unemployment benefits legislative employees

Existing law makes no provision for unemployment insurance coverage of certain legislative employees This bill would provide unemployment insurance coverage for specified legislative employees who are otherwise qualified and who receive specified notice of layoff for lack of work with effective date on or after March 1, 1975 It would limit to 26 weeks the length of time unemployment insurance benefits are to be paid and prohibit drawing disability benefits based on state wages

The bill would also provide that if the inclusion of state wages and wages in employment paid during the base period of a legislative employee do not result in a claim for a maximum benefit amount and a maximum weekly benefit amount under the unemployment insurance law, the claim will be recomputed on the basis of state wages paid to or owing but unpaid to the legislative employee during his state base period and wages in employment paid to him during that portion of his base period that is included in his state base period The bill would provide that such employee shall be entitled to an award for his claim for the higher of the benefit amounts so computed

The bill requires the state to pay into Unemployment Fund an amount equal to the additional cost to such fund to the benefits paid to state employees and provides a method for computing such "additional cost "

Ch 871 (AB 326) Chacon Bilingual office employees

Under current law governing boards of school districts are authorized to employ various categories of employees

This bill would express the legislative intent regarding the educational disadvantage to pupils whose parents or guardians speak a single primary language other than English, when a substantial number of such pupils is enrolled in a public school which do not have in its employ bilingual employees

This bill would require the governing boards of school districts to employ bilingual persons to work in the administrative office of each school when at least 15 percent of the pupils enrolled in the school speak a single primary language other than English and would prescribe rules for the recruitment and duties of such employees

This bill would specify that school districts are not required to replace existing classified personnel or to employ additional classified personnel except that this act shall be adhered to in the case of the addition of classified personnel or replacement of classified personnel

The bill would provide that no appropriation is made by this act pursuant to Section 2231 of the Revenue and Taxation Code because the duties, obligations, or responsibilities imposed by this act on local government are minor and will not cause any financial burden to local government

Ch 872 (AB 375) Duffy Healing arts· dentists

Under existing law the Board of Dental Examiners is required to waive the written portion of the examination for any person who has successfully passed the National Board of Dental Examiners' examination This bill would provide that the Board of Dental Examiners may require an applicant for licensure under the Dental Practice Act to successfully complete the National Board of Dental Examiners' examination

Existing law provides that the Board of Dental Examiners shall certify as either a registered dental assistant, a registered dental assistant in extended functions or a registered dental hygienist, a person who meets specified requirements and who performs satisfactorily on an examination required by the board The bill would provide that the board shall issue a license to such persons rather than a certificate and the bill makes related changes

Existing law authorizes the board to require continuing education for holders of licenses to practice dentistry and, upon recommendation of the Committee in Dental Auxiliaries, the board is required to establish continuing education requirements for persons licensed or certified as a dental auxiliary

This bill would combine such provisions and would authorize the board to require continuing education for holders of any license under the Dental Practice Act

Ch 873 (AB 536) Ralph Child development programs

The existing statutes require the Superintendent of Public Instruction to establish standards for qualification of child development facilities as places of instruction and on-the-job training in preschool and day care services for persons fulfilling requirements for teaching credentials and permits, subject to specified approvals, and authorize the conducting of such instruction and training, pursuant to a specified contract, at qualified child development facilities

This bill would broaden the purpose of such permitted instruction and training from preschool and day care services to preschool and child development services and would broaden the recipients of such instruction and training to include persons enrolled in child development courses

Ch 874 (AB 590) Berman Attorneys

Under existing law the Board of Governors of the State Bar consists of 15 members

This bill increases the number of the members of the board to 21 The additional six members are to be members of the public who have never been members of the State Bar or admitted to practice before any court in the United States

The bill also provides for nonattorney membership on other committees of the State Bar, including the examining committee

While existing law is silent as to whether board meetings may be open or closed to the public, the bill requires every meeting of the board to be open to the public except those meetings relating to (a) consultation with counsel concerning pending or prospective litigation, (b) involuntary enrollment of active members as inactive members due to mental infirmity or illness or addiction to intoxicants or drugs, (c) qualifications of judicial appointees, nominees, or candidates, (d) appointment, employment or dismissal of an employee, consultant, or officer of the State Bar or to hear complaints or charges brought against such employee, consultant, or officer unless such person requests a public hearing, (e) disciplinary investigations and proceedings and reinstatement proceedings, (f) appeals to the board from decisions of the Board of Legal Specialization refusing to certify or recertify an applicant or suspending or revoking a specialist's certificate, (g) appointments to or removals from committees, boards, or other entities, or (h) joint meetings with certain judicial agencies

Ch 875 (AB 665) Montoya Agriculture board consumer council

The existing law provides for 13 members, with certain prescribed qualifications, on the State Board of Food and Agriculture, and requires 2 members to be appointed from the state at large, 7 members to be from different congressional districts or counties, and 2 members to be from the public and to have an interest, and knowledge of, the environment This bill would require the 2 members at large and the 7 members from different congressional districts or counties to be representatives of the agricultural industry, would increase the membership of the board by adding 2 members of the public, appointed by the Governor, who have no direct financial interest in the production or handling of agricultural products, but who have an interest in, and knowledge of, consumer affairs, would make related changes, and would prevent the 2 public members of the board who are required to have an interest in, and knowledge of, the environment from having a direct financial interest in the production or handling of agricultural products

Under the existing law, the board is required to confer with, and advise, the Governor and the Director of Food and Agriculture as to how the agricultural industry may best be served by the Department of Food and Agriculture This bill would, in addition, require the board to confer with, and advise, the Governor and the director as to how the consumer of agricultural products may best be served

The existing law provides for 7 members on the Consumer Advisory Council, 2 to represent business, one to represent labor, 2 to represent voluntary consumer agencies, and 2 to be public members This bill would require one of the business representatives on the council to have a direct interest in the production or handling of an agricultural commodity

Ch 876 (AB 709) Sieroty Insurance life insurance payments

Existing law does not regulate the time of payment of proceeds of or under life insurance policies

This bill would require life insurers to pay a specified rate of interest, computed from the date of the insured's death, on proceeds of, or payments under, policies of life insurance which are payable and unpaid 30 days after the insured's death occurring on or after January 1, 1976 Certain exceptions to such requirement would be provided The insurers would be required to notify beneficiaries that interest will be paid on the proceeds of, or payments under, such policy if payment is not so made

Ch 877 (AB 756) Boatwright Sexual offenses

Under existing law as amended by Chapter 71 of the Statutes of 1975, any person who participates in an act of sodomy or oral copulation with another person who is under 18 years of age is punishable by imprisonment in the state prison for not more than 15 years or in a county jail for not more than one year

This bill would make the maximum state prison term 5 rather than 15 years, and would make it a felony for a person over 21 to commit sodomy or oral copulation with a person under 16

Ch 878 (AB 935) Mobley Fire protection districts special zones

The Fire Protection District Law of 1961 presently provides procedures for a district board, by resolution, to initiate proceedings for creation of a special fire protection zone in the district or for the annexation of territory to, or the detachment of territory from, an established special fire protection zone in the district for specified purposes The resolution initiating such proceeding is required to set a date for a public hearing and notice of the hearing is required to be given by the publication of a copy of the resolution in the manner prescribed for the publication of notices in provisions of the District Organization Law

This bill would require that notice of the hearing also be given to the affected property owners by the mailing or delivering of a copy of the resolution to all property owners within the boundaries of the area affected, at least 3 weeks prior to the hearing, or by posting a copy of the resolution on all the open streets within the boundaries of the area affected in a prescribed manner

This bill would provide that there would be no reimbursement for state-mandated local program costs incurred by local governmental agencies under the bill for specified reason

Ch 879 (AB 1041) Priolo Subdivisions Real Estate Commissioner's report

Existing law requires subdividers, prior to offering subdivided land for sale or lease, to submit a notice of intention to the Real Estate Commissioner, containing specified information Such information is included in the commissioner's report on the subdivision which must be given to prospective purchasers

This bill would require the location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within two statute miles of the subdivision, and related noise and safety zones and associated land use regulations of the county airport land use commission, to be set forth in the notice of intention

Ch 880 (AB 1098) Miller. State highways· Route 61

Under existing law, the California Highway Commission, within broad limitation, adopts the location for state highways

This bill would prohibit the construction of any portion of [State Highway] Route 61 [as a freeway] * north of Hegenberger Road, except for a direct connection across San Leandro Bay to Route 17 at the 66th Avenue Interchange

Ch 881 (AB 1147) Craven State reserve land acquisition

There is no existing law providing funds for the acquisition of lands adjacent to Torrey Pines State Reserve as an addition to Torrey Pines State Reserve

This bill would appropriate $250,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for the acquisition of such lands for such purpose, provided, that such funds shall not be expended on the purchase price of any real property until the State Public Works Board has determined that the procedures and

criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services, and all material relating to implied dedication shall be retained in the files of the Department of General Services and shall be available for postaudit on a selective basis by the Attorney General The bill would require the acquisition to be subject to the provisions of the Property Acquisition Law

The bill would take effect immediately as an urgency statute

Ch 882 (AB 1221) Rosenthal Elections listing of deputy registrars

Under existing law the county clerk is not specifically required to keep and maintain a current file listing all persons appointed or deputized by the clerk to register voters

This bill would require the county clerk to keep and maintain a current file listing all persons appointed or deputized by the clerk to register voters, which file shall be open to public inspection, and it would require the file to include the party affiliation, if any, of persons so listed

This bill would provide that neither an appropriation is made nor an obligation created for the reimbursement of local agencies for any costs incurred by them pursuant to this act for a specified reason

Ch 883 (AB 1324) Leroy F Greene Arrest records public agency licensees

Existing law prohibits public or private employers from asking questions regarding arrest records on an initial employment application form Existing law does not prohibit a public agency from asking such questions on an application for a license, certificate or registration

This bill would make it a misdemeanor for a public agency to ask for or require an applicant on an initial application form for a license, certificate or registration to reveal an arrest record that did not result in a conviction or plea of nolo contendere

This bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act

Ch 884 (AB 1405) Campbell. California water districts· elections

Under existing law voting procedures within California water districts are required to be changed from that of landowner voting to resident voting, upon petition by not less than 25 of the resident registered voters in the district who constitute not less than 25% of the total resident registered voters in the district, and if the secretary of the district has certified to the district board that at least 50% of the assessable area within the district is devoted to and developed for residential, industrial, or nonagricultural commercial use Existing law makes no provision for changing individual improvement districts within a water district from landowner voting to resident voting

This bill would require a change of voting procedures from landowner voting to resident voting in elections respecting the issuance of bonds or warrants of a water district or for an improvement district thereof if on the date the election is called at least 50% of the assessable area in the water district or improvement district is zoned for residential, industrial, or nonagricultural commercial use and there are 12 or more voters residing in the district or improvement district Such an election would be required to be conducted pursuant to specified provisions of the Uniform District Elections Law, except that notice of the election would be required to be given once a week for two successive weeks at no specified time prior to the election instead of being given 10 days' prior to the date fixed for the general election, with such information being included in the sample ballot mailed at that time

This bill would provide that neither appropriation is made nor obligation created for reimbursement of local agencies for costs incurred by them pursuant to the bill

The bill would take effect immediately as an urgency statute

Ch 885 (AB 1641) Murphy Schoolteachers temporary employees

The law presently authorizes school districts to employ certificated employees and to classify such persons as "temporary employees" if such employment is for a period of not less than one semester and is for the purpose of replacing a regular employee who has been granted a leave of absence or is experiencing a long-term illness

This bill would permit a school district to employ a certificated employee for less than

one semester because of an absence created by another employee's leave of absence or long-term illness, and classify the person so employed as a "temporary employee," if such person's employment begins prior to March 15th of the second semester

Existing law also requires that any person employed for one complete school year as a temporary employee, if reemployed for the following school year in a position requiring certification qualifications, be classified by the governing board as a probationary employee

This bill would require such classification only if the person is reemployed for the following school year in a vacant position, as defined, requiring certification qualifications

Ch 886 (AB 1716) Alatorre Arroyo Seco parklands

Under existing law, there is a rebuttable presumption that property appropriated for public use as a park has been appropriated for the best and most necessary public use

This bill would enact the Arroyo Seco Parklands Preservation Law of 1975 to prohibit, with 2 specified exceptions, the taking or encroachment of parklands in, and adjacent to, the Arroyo Seco for any state highway purpose

Ch 887 (AB 1769) Hart Counties workers' compensation

Existing law contains no specific authorization for a county or a public agency for which the board of supervisors acts as a governing board, which is wholly or partially self-insured under the workers' compensation laws, or wholly or partially self-insured against public liability, to contract for investigative, administrative, and claims adjustment services relating to workers' compensation and public liability claims

This bill would authorize such contracts, under specified terms and conditions, as well as authorizing the board of supervisors to authorize the county's auditor or auditor-controller to provide any or all of such services in addition to, or in lieu of, such a contract

This bill would take effect immediately as an urgency statute

Ch 888 (AB 1804) Mobley Water quality control boards

Existing law provides for a petition to the State Water Resources Control Board to review regional water quality control board action or failure to act in specified actions

This bill would expressly add state board review of regional board actions or failure to act in discharge permit actions pursuant to the Federal Water Pollution Control Act

Ch 889 (AB 1895) Siegler Unemployment compensation. jurors.

Under existing law, there is no statutory provision which permits an individual serving on a grand or petit jury to be eligible to receive unemployment compensation benefits

This bill would specify that persons serving on a grand or petit jury who are otherwise eligible for unemployment benefits shall not be deemed unavailable for work because such person is serving as a juror

Existing law provides that an individual is unemployed for purpose of unemployment compensation benefits, in any week during which he meets specified conditions

This bill would, in addition, provide that an individual is unemployed in any week during which he performs full-time work for 5 days as a juror if the wages payable to him with respect to that week are less than his weekly benefit amount

This bill would provide that there are no state-mandated local costs that require reimbursement by this bill for specified purposes

Ch 890 (AB 1813) Hart Unemployment compensation· unemployment insurance benefit offsets

Existing law permits offsetting disability insurance benefit overpayments against unemployment insurance benefits to which the same individual is entitled

This bill would remove the authorization to offset disability insurance overpayments against unemployment insurance benefits

Ch 891 (AB 2003) Hayden Occupational licenses application, issuance, and unlawful acts

Existing law specifies various grounds for which the Department of Motor Vehicles may refuse to issue a license and special plates to a new motor vehicle manufacturer,

manufacturer branch, distributor, distributor branch, transporter, or dealer and specifies various acts, the commission of which by such a person when licensed constitute grounds for suspension or revocation of his license

This bill would include in the grounds for refusal to issue a license the authority for the department to determine that an applicant has outstanding an unsatisfied final judgment rendered in connection with the purchase, sale, or lease of any vehicle

The bill would also provide that a person whose application was denied may not reapply for at least a year, unless the denial was because of an unsatisfied judgment, and in such case, the applicant may reapply as soon as the judgment is satisfied

Further, the bill would include in the acts affording grounds for suspending or revoking a license any willful violation by a person licensed under these provisions of law of the terms and conditions of any written warranty as set forth in the Song-Beverly Consumer Warranty Act and in other specified provisions of the Civil Code relating to mobilehome warranties.

The bill would become operative July 1, 1976

Ch 892 (AB 2099) Torres. Contracts in Spanish

Existing statutory law requires any contract or agreement, which is entered into after July 1, 1976, by a person engaged in a trade or business, who uses the Spanish language orally or in writing in the course of entering into certain enumerated contracts or agreements, to furnish upon the request of any party to such contracts or agreements prior to the execution thereof, an unexecuted Spanish-language translation of the contract or agreement

This bill would include, in those enumerated contracts or agreements which require the furnishing of an unexecuted copy in the Spanish-language translation under existing law, a contract or agreement, which contains a statement of fees or charges, entered into with an attorney, for the purpose of obtaining legal services

~~Existing law requires the Department of Consumer Affairs to prepare a schedule of fees for translation form approvals.~~

~~This bill would require, the Department of Consumer Affairs to undertake such duty immediately.~~ *

Ch 893 (AB 2114) Wornum Municipal water districts: powers

Existing law permits municipal water districts to acquire, control, distribute, store, spread, sink, treat, purify, reclaim, recapture, and salvage water

This bill would, in addition, specifically permit municipal water districts to undertake a water conservation program and to require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed

Ch 894 (AB 2129) Knox Local agencies investment of funds

The existing law specifying securities eligible for the investment of the funds of local agencies, among which are specified types of bonds, notes, certificates of indebtedness, warrants and other obligations issued by designated entities, becomes inoperative and is repealed on January 1, 1976 at which time other specified provisions designating eligible securities for the investment of local agency funds, which do not authorize investment in such specified types of bonds, notes, certificates of indebtedness, warrants and other obligations issued by designated entities, become operative

This bill would delete the provisions which would repeal and make inoperative the existing law and would repeal provisions making other specified provisions operative on January 1, 1976

This bill would also exclude from the bonds which are securities eligible for the investment of the funds of local agencies under the existing law bonds which provide for or are issued pursuant to a law which may contemplate a subsequent legislative appropriation as an assurance of the solvency of a department, board, agency, or authority but which does not constitute a valid and binding obligation for which the full faith and credit of a state or the Commonwealth of Puerto Rico are pledged

This bill would expressly authorize the investment of the funds of local agencies in bonds and notes of the California Housing Finance Agency issued pursuant to specified provisions of the law

Ch 895 (AB 2152) McVittie Savings and loan associations

Existing law does not prohibit a savings and loan association from making loans to an officer, director or employee of a substantial stockholder of the association

This bill prohibits such loans

Existing law provides that a reasonable price, not to exceed $100 a day may be fixed by the Savings and Loan Commissioner for the services rendered by the commissioner's appraisers or independent appraisers in connection with extraordinary or special appraisals made of an association

This bill deletes the limitation of $100 a day on such fees, and provides that the fees shall be sufficient to cover the appraisal costs incurred

Existing law provides that the provisions of the Corporations Code governing the compensation of dissenting shareholders shall apply only to shareholders of a savings and loan association being merged into a surviving association

This bill provides that the same provisions apply where a merger is approved by written consent of the stockholders

Ch 896 (AB 2166) Greene Professional engineers and land surveyors.

Present law provides for the licensing and regulation of chemical, civil, electrical, industrial, mechanical, metallurgical, and petroleum engineers, as well as other engineering disciplines deemed necessary to be regulated by the State Board of Registration for Professional Engineers

This bill would generally revise these licensing and regulating provisions by, among other things, deleting certain obsolete language concerning appointments to the Board of Registration for Professional Engineers, deleting the provision which permitted certain persons who filed by a specified date to be registered as mechanical or electrical engineers or to be registered as industrial engineers, deleting the authority of the board to impose disciplinary action upon a professional engineer who has been convicted of a crime involving moral turpitude, deleting the authority of the board to impose disciplinary action upon a registered professional engineer who has not a good moral character, deleting good moral character as a prerequisite to issuance of a new certificate of registration as a professional engineer to the holder of a certificate which has expired, and permitting the board, rather than the Department of Consumer Affairs, to make the refunds authorized by law

Ch 897 (AB 2474) Knox Local agencies bonds

Existing law contains provisions which authorize certain local agencies to issue bonds and refunding bonds These provisions of existing law impose various conditions upon the issuance of bonds

This bill would impose the following additional conditions regardless of the authority for the issuance of bonds

(1) The proceedings of any local agency authorizing the issuance of bonds would be prohibited from requiring the deposit of more than such federal securities as may be sufficient, taking into account both the principal amount of such securities and the interest to become due thereon, to implement the refunding of such bonds, and federal securities and the interest thereon would be required to be used to satisfy any requirement of cash, money, specie, lawful money, or other requirement in any such proceeding,

(2) The proceedings of any local agency authorizing the issuance of any refunding bonds would be required to mandate that the bonds to be refunded with the proceeds of such refunding bonds be called at the first date on which such bonds may legally be called,

(3) Any federal securities acquired by a local agency with the proceeds of refunding bonds which are to be deposited for the security of or call and redemption of bonds issued by such local agency would be required to be acquired directly from the issuer thereof or from any governmental fiscal agent therefor, and

(4) Any refunding bond proceeds would be authorized to be invested or reinvested only in federal securities, as defined by the bill, to the extent that such federal securities are available for acquisition

The bill would make certain legislative findings and declarations in this regard, and would take effect immediately as an urgency statute

Ch 898 (SB 704) Behr Tidelands County of Marin

Under existing law, certain parcels of tidelands and submerged lands have been granted in trust to the County of Marin for certain purposes and upon express conditions

This bill would grant an additional described parcel of lands in trust to the county, and provide that such lands shall be used only for park, recreation, or open-space uses and revert to the state unless substantially improved, restored, preserved, or maintained by the county within 10 years from January 1, 1976, in accordance with a plan approved by the State Lands Commission The bill would revise the provisions restricting the county to using the tidelands and submerged lands granted to it for certain purposes and would subject such lands to specified terms and conditions, particularly with respect to the use of revenues therefrom

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of the city for costs incurred by it pursuant to the bill

Ch 899 (SB 924) Ayala County Employees Retirement Law benefits

Existing County Employees Retirement Law of 1937 permits counties which have terminated federal social security coverage to adopt a 2% at 55 retirement formula

This bill would prescribe a contribution rate and a non-service-connected disability retirement pension for members subject to such retirement formula and would provide that there shall be no reimbursement nor appropriation to local agencies for a specified reason

Ch 900 (SB 944) Dunlap Courts

Existing law provides for justice courts in the Cities of Napa and Saint Helena in Napa County

This bill would classify and provide compensation for municipal court employees in a newly created municipal court established in the Napa-Saint Helena Judicial District, known as the Napa-Saint Helena Municipal Court

The bill would also provide for two municipal court judges in the Napa-Saint Helena Judicial District

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

The bill would become operative only if the board of supervisors of the County of Napa enacts an ordinance consolidating the Napa and Saint Helena Judicial Districts

Ch 901 (AB 597) MacDonald State beach development

Item 350(m) of the Budget Act of 1973 appropriated $199,928 from the Bagley Conservation Fund to the Department of Parks and Recreation for development at San Buenaventura State Beach

Item 383 5 of the Budget Act of 1974 appropriated certain State Lands Commission revenues to the Bagley Conservation Fund and made such moneys available for reappropriation to the department for specific projects.

This bill would reappropriate $528,000 from the Bagley Conservation Fund to the department for such development, of which $343,000 would be reappropriated pursuant to Item 383 5 of the Budget Act of 1974 and $185,000 would be reappropriated from moneys appropriated pursuant to Item 350(m) of the Budget Act of 1973

Ch 902 (AB 1336) Rosenthal Prenatal testing, amniocentesis

Under existing law, the State Department of Health is required to maintain a program of maternal and child health which may include provision of educational, preventative, diagnostic, and treatment services directed toward reducing infant mortality and improving the health of mothers and children Blood specimen tests of pregnant women are required to be taken for laboratory analysis for a determination of rhesus (Rh) blood type in specified cases

This bill would require the State Department of Health to designate and fund a three-year pilot program in at least two medical centers for prenatal testing, by means of amniocentesis, for genetic disorders in specified pregnancies

This bill would require the department to make a report to the Legislature upon completion of the pilot program

This bill would appropriate $120,000 to the State Department of Health for carrying

out such pilot program

Ch 903 (AB 2473) Garamendi State Department of Health appropriation

This bill would appropriate $69,000 to the Health Care Deposit Fund for payment to the San Joaquin Foundation for Medical Care for administrative services performed on behalf of medical beneficiaries for the period January 31, 1975, to March 25, 1975

This bill would take effect immediately as an urgency statute

Ch 904 (SB 299) Moscone Sealing records

Existing law provides for the sealing of records in cases of minors arrested for certain misdemeanors and in certain other instances where a defendant has successfully completed probation

This bill would provide that whenever a person is acquitted of a charge and it appears to the judge that the person was factually innocent of the charge, the judge may, upon a motion by any party or the court, order the records in the case sealed The judge would give the defendant a copy of the order and the defendant may state that he was not arrested and that he was found innocent of the charge

Existing law requires the court to furnish a disposition report to the law enforcement agency responsible for the investigation of the crime Such a disposition report includes certain orders to seal records

This bill would require the court to also furnish reports that records have been sealed under the provisions of this bill

Existing law requires the Bureau of Criminal Identification to notify certain agencies when it receives a report that certain records have been sealed

This bill would require that bureau to notify such agencies when it receives a report that records have been sealed under the provisions of this bill

~~This bill would extend the provisions to any person and to any offense where there was an arrest without a conviction and to records held in this state of arrests occurring in other states, would allow such sealed records to be inspected by authorized persons during the pendency of any subsequent civil action or proceeding based upon the same conduct, transaction or occurrence, including but not limited to defamation and invasion of privacy actions but would delete the specific provision allowing inspection in defamation actions.~~ *

Ch 905 (SB 505) Alquist Inundation maps appropriations

Existing law requires that certain agencies submit to the Office of Emergency Services an inundation map showing potential areas of flooding upon the failure of a dam owned by any of such agencies

This bill would appropriate $415,515 07 for disbursement to a specified group of such agencies to reimburse such agencies for costs incurred in the preparation of such dam failure inundation maps

The bill would also require that the funds to be reimbursed pursuant to such provisions be paid by the State Controller, as prescribed

Ch 906 (SB 927) Mills Historical buildings

Under existing law, there are Public Resources Code provisions providing for the preservation of historical resources and qualified historical property, but there are no historical building code provisions

This bill would enact the State Historical Building Code which would provide alternative building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historical buildings or structures

The bill would authorize the building department of every city or county to apply regular building code regulations, alternative building code regulations, or any combination thereof, in permitting repairs, alterations, and additions to historical buildings or structures

The bill would authorize state agencies to apply the State Building Standards Code, alternative building regulations, or any combination thereof, in permitting repairs, alterations, and additions to historical buildings or structures

The bill would authorize specified state agencies to adopt alternative rules, regulations and standards with respect to qualified historical buildings or structures within their

jurisdiction and would require such state agencies and local building authorities to administer and enforce the State Historical Building Code within their respective jurisdictions

The bill would establish a State Historical Buildings Code Advisory Board within the Office of Architecture and Construction with specified membership and duties

The bill would provide that neither appropriation would be made nor obligation created for the reimbursement of any local agency for any state-mandated local program costs incurred by it pursuant to the bill

The bill would appropriate $50,000 to the Office of Architecture and Construction to carry out the purposes of the bill However, the General Fund would be reimbursed to the extent that revenues are generated from sale of publications under the bill

Ch 907 (SB 949) Ayala False advertising

Under existing law it is a misdemeanor for any person, firm, corporation or association, or any employee thereof, with intent to dispose of property to make or cause to be made in any newspaper or other publication, or any advertising device, any statement concerning such property, or concerning any circumstance or matter of fact connected with the proposed disposition thereof, which is untrue or misleading, and which is known or should be known to be untrue or misleading, or to make or cause to be made any such statement as part of a plan or scheme with intent not to sell such property so advertised

This bill in addition, would prohibit advertising, soliciting, or representing a product for sale or purchase if it is intended to entice a consumer into a transaction different from that originally represented

The bill also provides that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes

Ch 908 (SB 955) Roberti Employees employee records

The existing law does not require an employer to permit an employee to inspect records and personnel files concerning the employee

This bill would require every employer, at reasonable times upon request of an employee, to permit that employee to inspect specified personnel files concerning that employee

Ch 909 (SB 1171) Petris Veterans' farm and home loans

(1) Under existing law certain preferences for eligibility and qualification of veterans are specified for purposes of securing veterans' farm and home loans

This bill would require the Department of Veterans Affairs to establish a maximum income limit for third-preference veterans whenever it appears that there will be a shortage of loanable funds for such veterans

(2) Existing law specifies that the purchase price of a home to the department shall not exceed $25,000

This bill would increase such amount to $35,000 when the purchaser does not have assets to purchase the home without borrowing more than $30,000, and when the department has not consented to subordination, as specified, otherwise the bill would increase such amount to $30,000

(3) This bill would also require the department to report to the Legislature on specified dates concerning the utilization of veterans farm and home loan funds by lower income veterans

Ch 910 (SB 1304) Kennick Department of General Services appropriation

This bill would appropriate $354,000 to the Department of General Services for basic architectural and engineering services related to the construction of a new state office building at Long Beach

The bill would require State Public Works Board approval of any proposed services

The bill would take effect immediately as an urgency statute

Ch 911 (AB 732) Knox Weed and refuse abatement liens

Present law states that the cost to a city of abating weeds, rubbish, refuse, or dirt in front of or upon a parcel of land constitutes a special assessment against that parcel and, after the assessment is made and confirmed, it is a lien on the parcel.

Present law further requires the assessment to be added to the next regular tax bill levied against the parcel for municipal services, and if the county assessor and tax collector assess property and collect taxes for the city, the law requires a certified copy of the report of the abatement cost to be filed with the county auditor

This bill would prevent the special assessment for the abatement cost from becoming a lien until recordation of the order confirming the assessment with the county recorder of the county in which the property is situated

The bill would also require that abatement costs, as confirmed by the legislative body of the city, be transferred to the unsecured roll for collection and not attach as a lien to real property that has been transferred or conveyed to a bona fide purchaser for value or to property to which a lien of a bona fide encumbrancer for value has been created and attached prior to the date on which the first installment of the taxes would become delinquent

Existing law provides that public utility district and irrigation district charges which have been added to an assessment are a lien on the land

This bill provides exceptions to such charges becoming liens where the real property involved has been transferred to a bona fide purchaser for value or a bona fide encumbrancer prior to the date the first installment of such charges would become delinquent, and provides alternate procedures to be followed in such cases by the public utility district or water district to effect collection of such charges

The bill would apply to the transfer or conveyance of real property made on or after January 1, 1976.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, no obligation is created nor appropriation made pursuant to this bill because of a specified reason

Ch 912 (AB 804) Berman CSUC grievance-disciplinary procedures

Existing statutes do not address themselves specifically to grievance procedures for academic employees of the Trustees of the California State University and Colleges, however, the trustees, pursuant to their general statutory powers re administering the system and governing employees, have adopted administrative regulations which delegate to the chancellor the duty to prescribe rules of procedure for grievance proceedings for academic personnel. Existing statutes provide grounds and procedures for the dismissal, demotion, and suspension of employees of the trustees, and afford affected employees the right to a hearing by the State Personnel Board

This bill would require the Trustees of the California State University and Colleges to establish grievance and disciplinary action procedures for academic employees whereby grievances and disciplinary actions shall be heard before a faculty hearing committee which is required to make recommendations to state university and college presidents, each party to the dispute having specific procedural rights This bill would provide for arbitration if a state university or college president and faculty committee's decisions are in disagreement

This bill would specify that in the case of a grievance or disciplinary hearing which is subject to a State Personnel Board hearing, the academic employee shall have a choice of the foregoing procedures or those prescribed by Secs 24306 to 24309, inclusive, and Sec 24311 1, Education Code, but that the prescribed grievance procedure is exclusive with respect to grievances not subject to a State Personnel Board hearing

This bill would define "grievance"

Ch 913 (AB 991) Ingalls Prepaid health plans

Existing law makes no provision with respect to the provision of mental health services by prepaid health plans

This bill requires that each prepaid health plan shall provide the services of a psychologist and psychiatrist when the prepaid health plan contract requires the provision of mental health services It also provides that mental health services shall be provided so that an enrollee may be seen initially by either a physician or psychologist

Ch 914 (AB 1060) Berman School districts employment practices—females.

Existing statutes require school districts to provide for female certificated employees such leaves of absence, as the districts deem appropriate, for pregnancy and childbirth convalescence and to adopt specified regulations

This bill would revise the powers of governing boards of school districts with respect to leaves of absences for pregnancy and childbirth convalescence for female certificated employees to cover pregnancy, miscarriage, childbirth, and recovery therefrom, provide that the length thereof, the date of commencement thereof, and the date of resumption of duties shall be determined by the employee and her physician, make disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom, temporary disabilities for all job-related purposes and require treatment as such by any school district under any available health or temporary disability insurance or sick leave plan, require application of written and unwritten school district employment policies and practices to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities, require reporting of such absence in the same manner as sick leave, delete the prohibition against a statutory construction depriving any employee of other sick leave rights for absences due to illness or injury resulting from pregnancy, delete the requirement that such leaves are in addition to any other leave provided for by law, and require a statutory construction of these provisions as requiring governing board to grant such leave with pay only when it is necessary to do so in order that leaves of absence for disabilities caused or contributed to by pregnancy, miscarriage, or childbirth be treated the same as leaves for illness, injury, or disability

Existing statutes also provide for certain salary deductions during certain periods of absence of certificated employees on account of illness or accident and require that certificated employees be entitled to specified leaves of absence for illness or injury

This bill would make various technical changes therein and would add thereto, a provision affording any employee the right to utilize such leaves and salary deduction benefit for absences necessitated by pregnancy, miscarriage, childbirth, and recovery therefrom

Existing state fair employment practices statutes do not specifically proscribe actions of governing boards of school districts relating to females and policies having a disparate impact on employees of one sex

This bill would add to the state fair employment practices statutes, provisions which would make it an unlawful employment practice for a governing board of any school district (1) because of pregnancy of any female person, to refuse to hire or employ her or to refuse to select her for a training program leading to employment, or to bar or to discharge her from employment or from training programs or to discriminate against her in compensation or in terms, conditions, or privileges of employment, or (2) to terminate any employee temporarily disabled, pursuant to an employment policy under which insufficient or no leave is available, if the policy has a disparate impact on employees of one sex and is not justified by necessity of the public schools

This bill would also provide that there are no state-mandated local costs therein which require reimbursement pursuant to Sec 2231, Revenue and Taxation Code, because this bill would merely affirm for the state that which has been declared existing law or regulation through action by the federal government

This bill would make additional changes in Sec 13468, Education Code, proposed by AB 1201, to be operative only if this bill and AB 1201 are both chaptered and become effective January 1, 1976, and this bill is chaptered after AB 1201

Ch 915 (AB 1259) Keysor Public office campaign reports

Existing law contained in the Political Reform Act of 1974 requires that campaign reports and statements of candidates for and persons holding the office of superior court judge, legislator, and member of the State Board of Equalization shall be filed in each county which in whole or part is included in the district as well as with the Secretary of State This bill requires instead of a filing in each county of the district, that such reports and statements shall be filed with the clerk of the most populous county included in whole or part within the district and with the clerk of the county in which the candidate or officeholder resides This bill requires a filing with the Registrar-Recorder of Los Angeles for a committee domiciled outside of the state

This bill makes the same changes in filing requirements as above for a candidate for and persons holding any other elective office which is voted upon in more than one county and for committees supporting such candidates and for committees supporting or opposing measures to be voted upon in more than one county, but not statewide

Existing law treats candidates for county central committees as other candidates for the purposes of filing campaign statements This bill makes special provisions for such candidates

Existing law imposes penalties without exception for the late filing of statements and reports or copies thereof required by the Political Reform Act of 1974

This bill imposes penalties for the late filing of original statements and reports only This bill also provides for a waiver of liability by the filing officer for late filing under certain circumstances This bill contains penalty provisions applicable where noncompliance continues after notice of the filing requirements have been sent

Existing law regarding expenditures for mass mailings requires such mailings to be sent by first or third class bulk rate mail or metered mail and further requires that a copy of a mass mailing in support of or in opposition to a state candidate or measure be sent to the Fair Political Practices Commission This bill deletes the reference to first or third class bulk rate mail and adds, as an alternative, to such specified mailing requirements, a mailing identified as to the sender in a specified manner This bill also requires that a copy of a mass mailing in support of or in opposition to a state candidate or measure be sent to the commission on the same day it is mailed to the public

This bill also makes minor, clarifying, nonsubstantive changes in the provisions relating to campaign statements and financial disclosure

Existing law requires an agency not in existence on April 1, 1975 to adopt a conflict of interest code within 6 months after it comes into existence This bill makes this provision applicable instead to agencies not in existence on April 1, 1976

This bill provides for no reimbursement to local government because the duties, obligations, or responsibilities imposed by this bill are minor in nature and will not cause a financial burden to local government

This bill is an urgency statute and will take effect immediately and its provisions will be operative as of January 7, 1975

Ch 916 (AB 1291) McVittie City public projects

Existing law requires when the expenditure for a public project exceeds $3,500, that it be contracted for and let to the lowest responsible bidder after notice

This bill would instead require, when such expenditure exceeds $5,000, that it be contracted for and let to the lowest responsible bidder after notice

Ch 917 (AB 1418) Lanterman Community care facilities family homes evaluation lists

(1) Under existing law, the State Department of Health is required to adopt rules and regulations to carry out the California Community Care Facilities Act

This bill would require the State Department of Health to establish separate regulations under the California Community Care Facilities Act for family homes providing 24-hour care for six or fewer foster children and to consult with foster parent organizations in adopting and amending such regulations

(2) Under the California Community Care Facilities Act, every licensed community care facility is required to be inspected and evaluated for quality of care by representatives designated by the Director of Health The director is required to publish and make available, not less than 4 times a year, a list of all licensed community care facilities, the services for which each facility is certified, and the relative evaluation rating of each community care facility

This bill would exclude the listing of community care facilities that are family homes providing 24-hour care for 6 or fewer children from the list relating to services and evaluations published and made available by the director

This bill would require that the list or lists of covered community care facilities be published and made available at least annually, rather than not less than 4 times a year, and that a list or lists containing changes in facility ratings be published and made available periodically as determined by the director

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

Ch 918 (AB 1545) Badham. Vessels registration

Under existing law, every vessel using the waters of this state which is not required to have a valid marine document issued by the federal Bureau of Customs is required to be numbered by submitting an application to the State Department of Motor Vehicles which then issues a certificate of ownership to the legal owner and a certificate of number to the owner, or both to the owner if there is no separate legal owner When the title or interest of any owner or legal owner in or to such a vessel passes to another, other than by a voluntary transfer, the new owner or legal owner may obtain a transfer of ownership upon application to the department by a prescribed procedure and the department is required to give notice by mail to the owner and legal owner, and 5 days after the notice, to transfer the ownership and issue new certificates

This bill would delete the requirement of such notice in the case of involuntary transfers involving the taking of possession by a secured party under a security agreement

Under existing law, upon the death of an owner or legal owner of such vessel without the decedent leaving other property necessitating probate, the surviving spouse or other heir, unless the vessel is otherwise bequeathed, and if the value of the vessel is $3,000 or less, may secure a transfer of ownership of the title or interest of the deceased upon presenting to the department the appropriate certificate of ownership and certificate of number and other specified documents

This bill would delete the dollar value of the vessel and would permit such a transfer to be made in the same manner if the total value of the decedent's property in the state, does not exceed $10,000, the value specified in the Probate Code for an estate consisting entirely of personal property which may be distributed through summary probate procedures.

Ch 919 (AB 1688) Gualco Schoolteachers specialist credentials

Currently, the law prescribes certain prerequisites for the issuance of a specialist instruction credential

This bill would permit the Commission for Teacher Preparation and Licensing to issue specified special education specialist credentials to an applicant who has a specified valid regular California teaching credential and who received specified specialized advanced training, which was commenced on or after the 1964–65 school year, or who acquired such specified training and specified experience in the specialization, commencing on or after September 1, 1970

This bill would require application for such credentials to be made by September 15, 1977

Ch 920 (AB 1700) Maddy Recall county and municipal officers

Existing law provides that county, municipal, and specified district officers may be recalled at any time after the officer has held office six months

This bill would substitute a 90-day period of holding office as a restriction upon the commencement of a recall unless a notice of intention to circulate a recall petition has been filed against such holder within the preceding six months

Existing law also provides that a recall may not be commenced against a municipal officer unless no recall petition has been filed against such officer within the preceding six months

This bill would revise the above restriction to provide that no recall petition could be filed unless the holder of the office has held it for at least 90 days and no notice of intention to circulate a recall petition has been filed against such holder within the preceding six months

Ch 921 (AB 1714) Goggin State lands structures, obstructions

Under existing law, the State Lands Commission is generally empowered to control structures on swamps, overflowed, marsh, tide, and submerged lands of the state and to require any person extracting oil or gas or other minerals from lands under the commission's jurisdiction to remove beach and underwater obstructions The commission is authorized to promulgate rules and regulations for the removal of structures and beach and underwater obstructions

This bill would authorize the commission to remove or cause to be removed any

manmade structures or obstructions from ungranted lands under its jurisdiction if the commission determines that removal is appropriate and the Attorney General advises that there is no legal recourse to compel other responsible parties to effect such removal.

Ch 922 (AB 2034) Chappie State Highway Account administration and maintenance expenditures

(1) Under existing law, expenditures from the State Highway Account in the State Transportation Fund for the administration and maintenance of state highways for the current fiscal year may not exceed the net revenues derived from 1½ cents per gallon of the motor vehicle fuel tax and the use fuel tax, but the maximum would decrease to the net revenues derived from 1⅛ cents per gallon of such taxes on and after July 1, 1975.

This bill would increase the maximum to 1⅝ cents during the 1975–76 fiscal year, thereby delaying the decrease until July 1, 1976

(2) Under existing law, research expenses are considered to be administrative expenses of the Department of Transportation

The bill would exclude, for the purposes of (1) above, research as a category of administration, so that expenditures for research would not be included within the limitation set forth therein

(3) Under existing law, the maximum allowable annual expenditure from the account for landscaping and functional planting maintenance costs on state highways and for toll bridge maintenance costs is $20,000,000

The bill would increase the maximum allowable annual expenditure to $25,000,000

(4) The bill would take effect immediately as an urgency statute and would become operative on its effective date or on July 1, 1975, whichever is later

Ch 923 (AB 2061) Siegler Appliance labeling

Existing law does not generally require that serial numbers be placed on appliances

This bill would prohibit the sale by a manufacturer in this state of any appliance, as defined, unless there is embossed or permanently stamped or cast on the frame thereof, or imprinted or stamped upon a plate which is permanently affixed to such appliance, a serial number unique to the particular appliance

The bill would further require the manufacturer to provide a description of the appliance including the location of the model and serial numbers with instructions to the final purchaser to record and retain such numbers in the space provided.

The bill provides that such provisions shall be operative on April 1, 1977

Ch 924 (AB 2326) Egeland Public assistance aid to needy children

Existing statutory law contains no provision regarding an obligation of support by the parents of a minor child to a child born of such minor child

This bill provides that the father or mother of a minor child shall not be liable for the support of a child of such minor child

This bill revises the "Aid to Families with Dependent Children Law" relative to eligibility for aid, responsibility of noncustodial spouses of children receiving aid, and the administration and funding thereof

The purpose of the revision is to make California law in compliance with federal law; and would include the following changes

Existing law requires that 21 25 percent of the moneys received or collected from noncustodial parents be returned to the counties from the Support Enforcement Incentive Fund

This bill would increase the amount returned based on federal and state funds to a percentage of 33 75 from October 1, 1975, through June 30, 1976, and 27 75 percent after July 1, 1976

Existing law makes no provision for an incentive fund for payments to California counties and other states for moneys received or collected from noncustodial parents residing outside California

This bill would require that payments be made from the Interstate Collection Incentive Fund to California counties and other states for moneys received or collected from noncustodial parents residing outside California The equivalent percentage required to

be paid is the same as that required from the Support Enforcement Incentive Fund

This bill would authorize the Department of Benefit Payments to establish the administrative support positions necessary to implement the provisions of law The positions will be 75 percent federally funded and 25 percent state funded

Existing law provides that the state shall pay 50 percent of the nonfederal administrative costs of administering the payment of aid grants This bill would retain that provision with the exception of activities related to collection of support from noncustodial parents and the determination of paternity

Existing law does not require the furnishing of social security numbers, cooperation by the custodial parent in securing support from the noncustodial parent, or the assignment of support rights to the county, as conditions for eligibility under Aid to Families with Dependent Children

This bill would impose the above requirements

Existing law does not prohibit payment by the noncustodial parent directly to the custodial parent

This bill would require that money collected from noncustodial parents for the support of a needy child, with respect to whom an assignment has been made, shall be paid directly to the district attorney or his designee and shall not be paid directly to the family, and provision is made for transmission to the county department providing aid

Existing law makes it the duty of the district attorney to enforce the support liability

This bill designates the Department of Benefit Payments as the single organizational unity whose duty it shall be to administer the State Plan for securing child support and determining paternity The bill requires the director to report not later than February 1, 1976, and annually thereafter to the Legislature on the administration of the State Plan for securing support and determining paternity State Plan functions shall be performed by other agencies as required by law, by delegation of the department, or by cooperative agreements The Director of Benefit Payments shall notify the Attorney General of the failure of a public agency to comply with the State Plan, and the Attorney General shall take appropriate action to secure compliance Provision is made in the bill for sanctions by withholding of state or federal funds, including incentive funds, or appropriate action by the Attorney General, to secure compliance with certain provisions of law relative to failure to comply with cooperative agreements and applicable merit system standards

Existing law does not require each county to maintain a single organizational unit in the office of the district attorney which is responsible for enforcing the obligation of parents to support their children and determining paternity in the case of a child born out of wedlock

This bill would require that such an organizational unit be established in the district attorney's office in each county, and would make other changes The bill would require in any action brought by the district attorney for the support of minor children, that the issues be limited to the question of child support and paternity, if applicable The bill does not prevent the parties from bringing an independent action under the Family Law Act to litigate the issue of support, in which case, the court shall make an independent determination on the issue of support which shall supersede a previous court order on the issue of support The bill would give the district attorney, in the absence of a court order, the power to enter into an agreement with the noncustodial parent, based on the noncustodial parent's reasonable ability to pay (as defined), for the entry of a judgment determining periodic child support payments and paternity, if applicable The district attorney shall notify the obligor of the right to seek a modification of the judgment upon a showing of changed circumstances

Existing law provides that refusal of a custodial parent to cooperate with law enforcement officers shall result in the child's disqualification for aid

This bill requires that protective payments be made for the benefit of the child if the custodial relative refuses to cooperate with the county welfare department or the district attorney in determining paternity or obtaining payments or property due such child The bill requires the Department of Benefit Payments to establish a list of acts, in accordance with federal law, which constitute a failure to cooperate The applicant

or recipient shall be considered to be cooperating if they cooperate to the best of their ability or have good cause for refusal to cooperate

It would also specify that public social service benefits, as defined, and designated social security benefits may not be employed to satisfy as support obligation

This bill would make specified provisions during such time that federal law ceases to provide for a disregard of a certain portion of child support payments presently provided

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred pursuant to the act, because certain appropriations are made and the bill contains a revenue source which may be utilized by local governments to cover the cost of the mandate

This bill is an urgency statute, to take effect immediately

Ch 925 (SB 327) Gregorio Office of Alcohol Program Management. alcoholism research center

Existing law does not specifically authorize the Office of Alcohol Program Management to contract with the Regents of the University of California or with a private university or universities to establish and maintain a research center for the study of the primary causes of alcoholism

This bill would authorize the Office of Alcohol Program Management to contract with the Regents of the University of California or a private university or universities located within California for the specific purpose of establishing research centers on a campus or campuses of the University of California or the private university for the study of the primary biomedical or social causes of alcoholism

This bill would also appropriate a sum not to exceed $1,000,000 † from moneys made available pursuant to the provisions of SB 204 to the Office of Alcohol Program Management for purposes of funding this bill

Ch 926 (SB 1023) Zenovich Mental health

Under the current law the psychiatrist appointed by the court in a proceeding to judicially commit a suspected mentally disordered sex offender is entitled to a court set fee not to exceed $75 per day in addition to actual traveling expenses

This bill would provide instead for fees not exceeding $150 per day prorated for services rendered for less than a full day

The bill also appropriates $50,000 † from the General Fund to the State Controller to reimburse local agencies for costs incurred for such purposes

Ch 927 (SB 525) Schrade State parks land acquisition and property restoration and reconstruction

There is no existing law providing funds for the acquisition of lands as an addition to the Border Field Area in the County of San Diego for the state park system or providing funds for the restoration of the Woodland Opera House if it is donated to the state

Proposed expenditures by the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund for state park system acquisition projects are required by law to be contained as separate items in the Budget Bill

This bill would, notwithstanding such provisions, appropriate $3,300,000‡ from such account to the Department of Parks and Recreation to be expended according to a prescribed schedule and subject to specified conditions, for (1) the acquisition of lands for addition to the Border Field Area for the state park system and (2) for restoration and related new construction of the Woodland Opera House if it is donated to the state and accepted into the state park system

The bill would take effect immediately as an urgency statute

Ch 928 (SB 548) Berryhill Workers' compensation

The existing law excludes several categories of persons from the definition of employee for purposes of workers' compensation insurance coverage and has been construed to cover employees while engaged in recreational activities under specified circumstances

† Appropriation deleted by action of the Governor

‡ Appropriation reduced to $3,000,000 by action of the Governor

This bill would exclude from workers' compensation insurance coverage, persons employed by a ski lift operator at a snow ski area who are not performing prescribed duties, while participating in recreational activities on their own initiative.

The bill also would make additional changes in Section 3352 of the Labor Code, to be operative only if AB 469 and this bill are both chaptered, and this bill is chaptered after AB 469

Ch 929 (SB 757) Stiern Court commissioners Kern County

Existing law prescribes various salary levels for court commissioners of the Kern County Superior Court

This bill would make revisions in such salary levels for court commissioners of the Kern County Superior Court

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

Ch 930 (AB 673) Miller Public school employment

Under existing law, provision is made for a reduction in state apportionments to school districts, other than community college districts, if any such district has a percentage of administrative employees in specified ratios greater than the total number of teachers

This bill would exclude both teachers and administrative employees from such percentage computations if they are serving in positions completely supported by categorical grants from any source and are in programs which require specific teacher administrator ratios, or are completely supported by federal funds

This bill would take effect immediately as an urgency statute

Ch 931 (AB 693) Montoya Juveniles

Present law gives the probation officer discretion as to whether he deems it necessary that proceedings in the juvenile court should be commenced with regard to declaring a minor a ward of the juvenile court

This bill would require a probation officer to file a petition to commence such proceedings in any case where there is probable cause to believe that a minor who is or was in the county has committed an aggravated assault or battery upon a public school employee during the course of such employee's school-related duties

It also would provide that no appropriation is made for the reimbursement of any local agency for costs incurred by the act because (1) the act is in response to a request of a local entity desiring authority to act to carry out the program specified by the bill, and (2) the duties, obligations, or responsibilities imposed by bill are minor and will not cause a financial burden

Ch 932 (AB 1009) Papan County Employees Retirement Law member contributions

Existing County Employees Retirement Law of 1937 requires the normal rates of contribution of miscellaneous members and the computation of retirement allowances to be based on sex, among other things.

This bill would permit the board of supervisors and the governing body of districts to provide that the contribution of all members shall be based on age and the male mortality table and would require in such case that the method of computing retirement allowances for females to be applicable to all miscellaneous members in such districts and counties

The bill would provide for a specified reason that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 933 (AB 1486) Chel Cities public project contracts

Existing law requires that city public projects, as defined, which exceed specified maximum cost levels be submitted to competitive bidding procedures

This bill would exempt from such provisions the use of funds in connection with the Comprehensive Employment and Training Act of 1973, if project employees are compensated at least the same prevailing wage rate and with the same benefits determined by the city pursuant to prescribed provisions relating to wages on public works, and if each such project as defined does not exceed $25,000 This bill would remain in effect

only until January 1, 1977, unless a later enacted statute which is chaptered before January 1, 1977, deletes or extends such date

The bill would make certain legislative findings regarding such exemption

Ch 934 (AB 1492) Wornum Airport land use commissions

Under present law, a public agency proposing an action or regulation inconsistent with an airport land use plan may overrule the airport land use commission by a ⅘ vote of its governing body

This bill would reduce from ⅘ to a majority the vote by the governing body of a public agency in Marin County required to overrule the Marin County Airport Land Use Commission

Ch 935 (AB 1835) Deddeh County Employees' Retirement Law of 1937

Existing law permits members of the County Employees' Retirement Law to discontinue member contributions after 30 years service under specified conditions

This bill would permit members of the County Employees' Retirement System of 1937 to include service as an employee of the state, a contracting agency under the Public Employees' Retirement System, of another county having a retirement system established under the County Employees' Retirement Law of 1937, or other specified public agencies in qualifying for the discontinuance of member contributions after 30 years

The bill states that there is no reimbursement made to local agencies because of a specified reason

Ch 936 (AB 1917) Thurman Courts official reporters compensation

(1) Existing law specifies salaries for official reporters for the superior courts in Stanislaus and Merced Counties and for pro tempore official reporters in Merced County

This bill would increase the salaries for official reporters in those counties, and would increase the salaries for pro tempore official reporters in Merced County The bill would also specify various duties for regular full-time court reporters in Merced County

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Merced and Stanislaus Counties, and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of each county and the Legislature

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting only certain counties

This bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch 937 (AB 2065) Duffy Practice of medicine

Existing law provides for the issuance of a physicians and surgeons certificate authorizing the practice of medicine by the Board of Medical Examiners to a person who, among other things, has graduated from an approved medical school, passes a written examination in specified medical subjects and passes an examination designed to test their clinical competence

This bill would require the board to permit any person, meeting specified requirements, to take the oral examination for a physician's and surgeon's certificate based on a foreign certificate which was issued five or more years from date of filing notwithstanding certain other requirements and requires the board to issue a reciprocity certificate to such person who successfully passes such examination

The bill provides that the act shall be operative until December 31, 1976

Ch 938 (SB 146) Roberti. Taxation of insurance companies

Under existing constitutional and statutory provisions, insurance companies are required to pay an annual insurance tax, which is in lieu of all other state, county, and municipal taxes with specified exceptions, among which is the requirement that insurance companies pay property taxes on their real estate. However, if a domestic insurer, other than an ocean marine insurer, occupied real property as its home or principal office on January 1, 1970, or if construction had commenced on such office prior to January 1, 1970, such domestic insurer is allowed to deduct from the insurance tax the amount of property taxes paid on such home or principal office. The entire tax on the property is deductible, whether or not the insurer actually occupies the entire premises in which the home or principal office is located

With respect to all other insurers, except ocean marine insurers, the home or principal office deduction is presently limited to the taxes paid on that portion of the home or principal office which the insurer is deemed to occupy, which is determined according to a formula

This bill, contingent upon the approval of the voters of either Senate Constitutional Amendment No 12 or Assembly Constitutional Amendment No. 35, would eliminate the home or principal office deduction from the insurance tax, effective January 1, 1977

Ch 939 (SB 431) Stevens Madrona Marsh public park acquisition

There is no existing law providing funds for a local grant to the City of Torrance for the purchase of Madrona Marsh

This bill would amend and supplement the Budget Act of 1975 to appropriate $900,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for a grant, during the 1975-76, 1976-77, and 1977-78 fiscal years, to the City of Torrance for the purchase of Madrona Marsh, which would be required to be maintained by the city as a wildlife refuge and public park

The bill would also provide that no funds would be available under the item unless and until funds appropriated for the Baldwin Hills Regional Park acquisition if AB 979 is chaptered, are expended and sufficient unencumbered funds are available

Ch 940 (AB 36) Berman Insurance reports by malpractice insurers

Existing law does not provide any date by which insurers issuing specified malpractice insurance must file designated annual reports with the Insurance Commissioner

This bill would require such reports to be filed with the commissioner not later than July 1st of each calendar year, including 1975, and would revise the required contents of such reports

This bill would also specify the intent of the Legislature with regard to the first filing of such reports, and would permit the Insurance Commissioner to require the specified information for prior years

Ch 941 (AB 138) Knox Health care service plans

Under existing law, the Knox-Mills Health Plan Act, every health care service plan is required to register with the Attorney General who has the responsibility of regulating such health care service plans in accordance with the requirements prescribed in such act

This bill would repeal the Knox-Mills Health Plan Act and would enact the Knox-Keene Health Care Service Plan Act of 1975, which would vest in the Commissioner of Corporations the responsibility for regulating health care service plans and specialized health care service plans

A Health Care Service Plan Advisory Committee would be established in the Department of Corporations, consisting of 14 members, which would assist and advise the commissioner with respect to the commissioner's duties under the act

The bill would require licensure of health care service plans by the commissioner, would require disclosure of principal benefits and coverage of the plan and would prohibit major modification of the operation of the plan, or the use of new or materially revised advertisement without review by the commissioner

Any person soliciting subscriptions or enrollments on behalf of a plan would be required to be licensed by the commissioner as a solicitor or solicitor firm

The bill would require every plan to include specified provisions relating to Medi-Cal

benefits, sterilization operations, newborn care, and dependent care

The bill would require every plan to establish and maintain a grievance system approved by the department providing procedures for resolution of grievances and written complaints by enrollees concerning health care services

The bill would prohibit cancellation or nonrenewal of an enrollee, except on specified basis, and any cancellation or failure to renew an enrollment or subscription would be subject, upon complaint, to review by the commissioner

The department would be required to conduct necessary onsite medical surveys of the health delivery system of each plan periodically. The commissioner would be required to conduct an examination of the fiscal and administrative affairs of each plan at least once every five years Every licensed plan would be required to file a report specified by the commissioner and provide annual disclosures of specified information upon request to its subscribers and enrollees and members of the public

The bill would require every plan, with certain exceptions, to maintain an agreement with a subsequent provider, as defined, to pay the costs or provide services if the plan fails or is suspended or revoked and would prohibit a plan or solicitor firm from conducting any activities in contravention of the rules of the commissioner on specified matters

The commissioner would be authorized to suspend or revoke licenses or assess civil penalties and to proceed with other enforcement remedies if the plan violates specified provisions of the act

The bill would authorize health care service plans to employ and contract with licensed professionals

The bill would provide that there would be no reimbursement of nor appropriation by the bill to local agencies for state-mandated local costs incurred by them under the bill as such costs can be handled in the regular budget process

The bill would become operative July 1, 1976, except the Commissioner of Corporations would be specifically authorized to prepare and adopt necessary and appropriate rules and regulations for the purposes of the Knox-Keene Health Care Service Plan Act of 1975 between January 1, 1976, and July 1, 1976 However, such rules and regulations would not have any force or effect until the operative date of the Knox-Keene Health Care Service Plan Act of 1975

Ch 942 (AB 343) Kapiloff Inheritance and gift tax interspousal transfers of property

Under existing state Inheritance Tax Law, none of the community property transferred by a decedent to a surviving spouse in the usual case is subject to inheritance tax Additionally, $5,000 of property of one spouse transferred to the other spouse is exempt from inheritance tax

This bill would subject all of the decedent's ½ interest in community property to inheritance taxation, whether or not it passes to the surviving spouse However, the exemption of property transferred to a decedent's spouse would be increased from $5,000 to $60,000

Under existing law, if one spouse makes a gift to the other spouse of an interest in separate property and the interest given, together with an equal interest retained by the donor, becomes their community property, for purposes of inheritance tax law the equal interests are treated as their separate property

This bill would eliminate that provision, and thus, property so divided would be treated as community property, rather than separate property

Under existing law, ½ the value of a decedent's separate property transferred to the surviving spouse is exempt from inheritance tax

This bill would exclude, rather than exempt, such transfers from inheritance tax and would specify that the exclusion does not apply with respect to separate property which was converted from community property or quasi-community property by the spouses

The Gift Tax Law contains similar provisions to those described in the existing Inheritance Tax Law

This bill would make conforming changes in the Gift Tax Law

Under existing Personal Income Tax Law, the basis of property is, with certain exceptions, the cost of such property, which is then used in determining the amount of capital gain or loss from the disposition of the property In the case of property acquired from a decedent, if it is not disposed of before the decedent's death, it is the fair market value

of the property at the time of its acquisition In the case of decedents dying after April 8, 1953, the surviving spouse's share of the community property is treated as having been acquired or passed from the decedent, if such property was subject to tax under specified provisions of the Inheritance Tax Law

This bill would limit such treatment of the surviving spouse's share of the community property to that held by decedents dying after April 8, 1953 or before January 1, 1976 In the case of decedents dying on or after January 1, 1976, the basis of such property would be determined as follows·

(1) The surviving spouse's share of the community property would be treated as having been acquired by the decedent, if the decedent's half of such property was transferred to someone other than the surviving spouse, thereby making the basis of such property the fair market value thereof at the time it would be treated as passing from the decedent.

(2) In the case of all other decedents dying on or after January 1, 1976, the basis of such property would be the cost of such property

This bill would take effect immediately as a tax levy, but would become operative January 1, 1976

Ch 943 (AB 509) Ingalls Motor vehicles· new car dealers revision of definition.

Existing provisions of the Vehicle Code define a new car dealer as a dealer, as defined in Section 285 of the Vehicle Code, who acquires for resale, new and unregistered motor vehicles, excluding motorcycles, and new and unregistered trucks from manufacturers or distributors thereof Such definition is applicable with respect to the provisions of Chapter 6 (commencing with Section 3000) of Division 2 of the Vehicle Code which relates to the New Motor Vehicle Board and the regulation of new car dealers, manufacturers, manufacturer branches, distributors. distributor branches, or representatives, as defined

This bill would substitute the term "new motor vehicle dealer" for the term "new car dealer," in the definition of terms used in the Vehicle Code, and revise the definition by deleting the motorcycle exclusion, thus making the provisions of Chapter 6 also applicable to persons who are dealers exclusively of motorcycles, except that a dealer who deals exclusively in motorcycles would be excluded from the provisions which provide for membership on the board The bill would also make a nonsubstantive revision of such definition by deleting the special reference to trucks and by deleting certain obsolete provisions

Under existing provisions of the Vehicle Code, the board is authorized to require that fees be paid to the Department of Motor Vehicles for the issuance or renewal of a license to do business as a new car dealer, manufacturer, manufacturer branch, distributor, distributor branch, or representative, and a penalty is imposed for failure to apply for such a license when required Under existing law, manufacturers, distributors, and representatives of motorcycles are specifically exempted from such provisions

This bill would substitute the term "new motor vehicle dealer" for the term "new car dealer" in such provisions regarding fees and late penalties and delete the exemption for motorcycles, thus making such provisions also applicable with respect to motorcycles

The bill would appropriate $43,500 from the Motor Vehicle Account in the State Transportation Fund to the department for purposes of the bill

Ch 944 (AB 521) Egeland Insurance abnormal pregnancy

The existing law has no provisions concerning disability insurance policies, health care service plans, self-insured employee welfare benefit plans, or hospital service contracts which contain limitations of coverage relative to abnormal pregnancy

This bill would provide that no policy of disability insurance, health care service plan, self-insured employee welfare benefit plan, or hospital service contract which provides maternity benefits for a person covered continuously from conception shall be issued, amended, delivered, or renewed on or after July 1, 1976, if it contains any exclusion, reduction, or other limitations as to coverage deductibles, or coinsurance provisions as to involuntary complications of pregnancy with specified inclusions The bill would permit such policies, plans, and contracts to be subject to the same exclusions, deductibles, reductions, and limitations applied generally to all benefits paid, with limited exceptions for health care service plans

This bill would also impose certain requirements on policies, plans, or contracts which specify fixed amounts for surgical procedures involving involuntary complications of pregnancy, or which provide for a fixed amount payable for maternity benefits

This bill would not apply to policies, plans or contracts made subject to an applicable collective-bargaining agreement in effect before July 1, 1976

Ch 945 (AB 526) Keene Recreation trails

The California Recreational Trails Act enacted in 1974 requires the Director of Parks and Recreation to cause to be prepared, and continuously maintained, a California Recreational Trails System Plan, consisting of specified elements In conducting studies of potential trail routes for inclusion in the system, the director is required to give priority to certain designated routes, including trail routes designed principally for boaters along designated waterways

This bill would include the Big River, the Albion River and the Navarro River in Mendocino County within such designated waterways

The bill would require each study of potential trail routes to include an evaluation of the impact of the proposed trail route on adjacent landowners

The bill would require the director, in specifying criteria and standards for the design and construction of trail routes and facilities, to include a specification that a landowner's right to conduct agricultural, timber harvesting, or mining activities on private lands adjacent to, or in the vicinity of, a trail shall not be restricted because of the presence of the trail.

Ch 946 (AB 618) Ingalls Oil and gas

Under existing law, whenever the State Lands Commission exercises a right to take oil, gas, or other hydrocarbons in kind pursuant to any lease, it is required to enter into contracts or agreements for the disposition and sale thereof only with the highest responsible bidder upon competitive bidding

The bill would authorize the State Lands Commission to take any oil, gas, or other hydrocarbons taken in kind, pursuant to any lease or agreement, and exchange it for refined products which shall be allocated to state agencies and to other public agencies, if such exchange and allocation, in the judgment of the State Energy Resources Conservation and Development Commission, is necessary to alleviate fuel shortage condition or will effect a substantial cost saving to the state. The State Lands Commission would be authorized to make and enter into contracts or agreements for exchange of such oil, gas, and other hydrocarbons taken in kind for finished products required for use by state and other public agencies Such contracts would be required to be entered into by competitive bidding It would authorize the State Lands Commission to reject all bids if it determines that they are not in the public interest

This bill would require the State Lands Commission to charge the state or other public agencies allocated refined products the current market price of these products, and provide that the revenues shall be subject to designated terms and conditions

The bill would require that refined products obtained from such exchange contracts or agreements be allocated to state agencies and other public agencies in accordance with regulations adopted by the State Energy Resources Conservation and Development Commission

Ch 947 (AB 704) Sieroty. Retail installment accounts

Existing law makes no provision for the refund of outstanding credit balances to buyers under retail installment accounts

This bill would require a seller under a retail installment account in which the buyer has an outstanding credit balance in excess of $1 to mail or deliver to the buyer at the end of the billing cycle in which such credit balance is created either (a) a refund of such credit, or (b) a statement setting forth the credit balance and at least two additional statements thereafter during the six-month period following creation of the credit balance If such outstanding credit balance exists for a period of 90 days the seller would be required, at his option, to either refund the outstanding credit balance to the buyer or notify the buyer of his right to request and receive a cash refund in the amount of such credit balance in two successive statements covering, respectively, each of the two successive billing cycles following the 90-day period. It would specify the contents of

such notice It would dispense with the second statement if an intervening refund is made by the seller It would prescribe the manner of refunding such balance, the efforts required of the seller in attempting to refund such balance if the refund cannot be made at the buyer's last known address, and the conditions under which such outstanding credit balance is to be either reinstated or retained on the buyer's account.

This bill would also provide for the escheat of outstanding credit balances to the state if they remain unrefundable for 7 years from the date such balances were created in buyers' accounts It would specify when an outstanding credit balance is created

The bill would apply only to credit balances created on or after January 1, 1976

Ch. 948 (AB 711) Sieroty Liens

Under existing law a banker has a general lien, dependent on possession, upon all property over which the banker has control and which belongs to a customer, in the amount owed by the customer to the bank in the course of the bank's business Existing case law also permits banks and savings and loan associations, under a theory of equitable setoff, to withdraw a depositor's funds to pay obligations due the bank, unless because of the source of such funds or deposit, they are exempt from execution and attachment

This bill would provide that a banker may have such a general lien except that, under the bill, a bank would be limited in exercising a setoff for a debt, as defined, which is claimed by the bank to be owed by a customer in that a setoff must not result in an aggregate balance of less than a specified amount for all demand deposit accounts maintained by such customer with the bank.

The bill also would require the bank or savings and loan association, whenever a setoff is exercised, to deliver to the customer a notice containing a statement that a debt or a portion thereof has been setoff against the customer's deposit account, a statement identifying the debt setoff against the account, a statement that, if the customer claims the debt has been paid or is not now owing, or that the funds in the deposit account are exempt from setoff under specified circumstances, the customer may execute and return the notice to the bank or savings and loan association and, in such event, that the bank or savings and loan association may file an action in court to collect the debt, and a customer response form indicating the customer's claim with regard to the debt subject of the setoff

The bill would require, if the response form is received by the bank or savings and loan association not later than 20 days after the date of mailing or personal delivery of the written notice, the amount of the setoff for any debt claimed to be owed to the bank or savings and loan association by a customer, and bank service charges resulting from the setoff, shall be reversed and such amount must be credited to the deposit account

The bill also would provide that the above limitations on the right of setoff do not apply (1) to a deposit account, other than a demand deposit account, in which the bank or savings and loan association has a security interest expressed by a written contract as collateral for the debt owing to the bank by the customer, or (2) when a customer previously has authorized a bank or savings and loan association in writing to debit a deposit account as the agreed method of payment of the debt

The bill would apply only to the exercise by a bank or savings and loan association of a setoff with respect to debts claimed to be owing to it by customers on or after July 1, 1976.

Ch. 949 (AB 861) Egeland Schoolbuses for handicapped pupils.

Recently adopted regulations of the State Board of Education impose certain additional standards with respect to schoolbuses used to transport pupils in wheelchairs Schoolbuses which were in use prior to July 1, 1975, are exempt from such standards

This bill would appropriate $200,000 from the Driver Training Penalty Assessment Fund to the Superintendent of Public Instruction to be used to reimburse school districts and county superintendents of schools for increased costs incurred prior to June 30, 1976, as the result of the reconstruction, alteration, or modification of exempt schoolbuses, so as to comply with such standards

Ch. 950 (AB 939) Garamendi Pharmacy

Existing law does not require a pharmacist to inform a patient orally or in writing when dispensing certain prescription drugs that such drugs pose substantial risks to persons while driving a motor vehicle or which should not be taken in combination with alcoholic beverages

This bill requires a pharmacist when dispensing such drugs to inform a patient that such drugs pose substantial risks to persons while driving a motor vehicle or in combination with alcoholic beverages, whichever is applicable, and provided that such drug is determined by the State Board of Pharmacy to be a drug or drug type for which such warning must be given This bill requires the board to furnish to each pharmacy a list of such drug or drug types

This bill would be operative on July 1, 1976.

Ch. 951 (AB 950) Papan Petroleum. unfair practices

Existing law makes it unlawful to discriminate in price between different purchasers of goods to the injury of a competitor.

This bill would specifically provide that it is unlawful for any refiner, distributor, manufacturer or transporter of motor vehicle fuels or oils to discriminate in price between different purchasers of motor vehicle fuels or oils where the effect of the discrimination is to lessen competition The provisions of this bill would only apply to refiners, distributors, manufacturers, or transporters engaged in business in this state whose total production, gasoline refining or sales volume at the wholesale level is 50,000 barrels a day or more

This bill would allow any person injured by a willful violation of its provisions to recover treble damages plus reasonable attorney's fees.

Ch 952 (AB 1051) Sieroty Common law copyright rights

Existing law does not provide whether common law copyright rights of reproduction are transferred when the owner of such rights transfers a work of art subject of a common law copyright, or whether such rights remain in such owner, in the absence of an agreement between the owner and transferee.

This bill provides that the right of reproduction of a work of fine art, as defined, that is transferred on or after January 1, 1976, subject to rights under common law copyright, remains in the artist who created it or his heir, legatee, or personal representative until it passes into the public domain, unless such right is expressly transferred in writing

It also makes legislative findings and declarations relative to reproductions of works of fine art, and the technological progress in processing reproductions

Ch 953 (AB 1052) Sieroty Consignment works of art

Existing law contains no provisions regulating the exhibition or sale of fine art by an art dealer on behalf of the artist.

This bill would provide that whenever an artist delivers or causes to be delivered a work of fine art of his own creation to an art dealer in this state for the purpose of exhibition or sale, or both, on a commission, fee, or other basis of compensation such a transaction shall constitute a consignment unless there is an outright sale to the art dealer This bill would provide that a consignment makes the art dealer an agent of the artist for the purpose of sale or exhibition of the consigned work of fine art within California, would make the art dealer a trustee of the artist's work and of any proceeds from the sale of such work, and would make the art dealer responsible for the loss of or damage to the work This bill would also provide that the art dealer remains a trustee of the artist's work, notwithstanding its subsequent purchase thereof by the art dealer, until the proceeds from the sale are paid in full to the artist. This bill would also provide that if the work of fine art is resold to a bona fide purchaser before the artist has been paid in full by the art dealer, the proceeds of the resale received by the art dealer constitute funds held in trust by the art dealer for the benefit of the artist to the extent necessary to pay any balance still due the artist

This bill would also provide that any provision of a contract or agreement whereby the artist waives any provision of this bill is void.

This bill would also provide that it shall not apply to a written contract executed prior to the bill's effective date, unless either the parties agree by mutual written consent that

the provisions of this bill shall apply or such contract is extended or renewed after the effective date of the bill This bill provides that it shall prevail over conflicting or inconsistent provisions of the Commercial Code

Ch 954 (AB 1105) Deddeh Teachers' Retirement System, State membership

Existing State Teachers' Retirement Law permits members who accept certain state positions or positions with other school districts or county superintendents of schools requiring membership in another retirement system to elect to discontinue membership within 90 days after entry into state service or service with the other school district or county superintendent of schools

This bill would permit specified members of the State Teachers' Retirement System who are state civil service employees on January 1, 1976, to elect prior to July 1, 1976, to discontinue membership and transfer to the Public Employees' Retirement System

The bill would also add various provisions regarding retirement benefits, survivor and disability benefits and eligibility requirements for members of the State Teachers' Retirement System who elect or decline to elect to become members of the Public Employees' Retirement System pursuant to the bill

This bill would also repeal various conflicting provisions

Ch. 955 (AB 1142) Hayden Initiative and referendum review of initiative measures by the Secretary of State

The existing law makes no provision for the review of initiative measures by the Secretary of State

This bill would require the Secretary of State, upon request of the proponents of an initiative measure which is intended to be submitted to the voters of the state, to review the provisions of the initiative measure after its preparation and before its circulation Such review would be required to consist of analyzing and commenting on the provisions of the measure with respect to form and language clarity and obtaining statement of fiscal impact from the Legislative Analyst

The review would be for the purpose of suggestion only, having no binding effect on the proponents of the initiative measure

In addition, this bill would require the Legislative Analyst to prepare a statement of fiscal impact with respect to the measure and make such statements available to the Secretary of State It would also permit the Legislative Analyst to use the fiscal estimate or opinion prepared by the Department of Finance and the Joint Legislative Budget Committee in the preparation of his fiscal impact statement

Existing law requires the Attorney General in preparing the title to a proposed initiative measure, prior to it being circulated for signature, to include in such title, if appropriate, an estimate of the additional financing required by such measure, if adopted, from state sources Such estimate of costs is required to be prepared jointly by the Department of Finance and the Joint Legislative Budget Committee

This bill would revise such required financial statement. It would require the Attorney General to include in the title of a proposed initiative measure, under specified conditions, the amount of any increase or decrease in both revenues or costs to the state as well as local government if the proposed initiative is adopted

This bill would continue the requirement that the Department of Finance and Joint Legislative Budget Committee jointly prepare such estimates. It would provide, however, that if such entities cannot prepare a reasonable estimate of the net impact of the proposed initiative within 25 days of receipt of the final version of the proposed initiative by the Attorney General that such entities would, instead of preparing such estimates, give their opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative is adopted It would also authorize the Department of Finance and the Joint Legislative Budget Committee to use the fiscal impact report prepared by the Legislative Analyst in the preparation of their joint estimates and opinions

Ch 956 (AB 1656) Gualco Personal income taxes and corporation taxes

Under existing Personal Income Tax Law, taxpayers with adjusted gross incomes of less than $10,000 may elect to compute their taxes under optional tax tables promulgated by regulation by the Franchise Tax Board.

This bill would allow taxpayers with adjusted gross incomes of less than $15,000 or such other amounts as prescribed by regulation promulgated by the board to make such election

Existing California Personal Income Tax Law authorizes a tax credit for individuals with specified low incomes which are subject to California personal income taxes who are residents at the end of the taxable year Certain individuals who are residents only part of the taxable year qualify for such credit if their income subject to California personal income taxes is less than the specified limit, though their total gross income from sources both within and without the state exceed such limit

This bill would define the adjusted gross income of nonresidents for purposes of the credit for low-income persons as including income from both within and without the state, less specified deductions

Further, this bill would eliminate the requirement that taxpayers with capital gain income must compute their eligibility for such tax credit without regard to capital gains income

Under existing bank and corporation tax law, an exempt organization which has been suspended is required to file a new application for exemption when it seeks to be revived

This bill would require such new application only when it is required by the Franchise Tax Board

Existing provisions of law contain specific requirements for banks and financial corporations relating to the prepayment of taxes imposed by the Bank and Corporation Tax Law for the calendar year 1964, and fiscal years beginning in 1964

This bill would repeal such provisions

This bill would take effect immediately as a tax levy, and would be applied to taxable years and income years beginning on or after January 1, 1975

Ch 957 (AB 1758) Lewis Air pollution recodification

Existing law contains provisions regarding air pollution and the authority, duties, and responsibilities of the State Air Resources Board and local air pollution control districts

This bill would repeal and reenact, with various substantive changes, provisions regarding air pollution contained in the Health and Safety Code, and make conforming changes in the Health and Safety Code and in cross-references in provisions in various other codes

This bill provides that no appropriation is made nor any obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 958 (AB 1255) Keene Medi-Cal

Under the current law the Medi-Cal program's basic schedule of benefits covers emergency and essential diagnostic and restorative dental services, except orthodontic, fixed bridgework and in some cases partial dentures, subject to utilization controls The Director of Health is authorized to provide under certain circumstances for fixed artificial dentures

This bill provides that such utilization controls shall not include mandatory examination by any person not licensed as a dentist

Existing law provides that prepaid health plans and pilot programs are not subject to limitations on the basic schedule of benefits

This bill adds a provision that this shall not relieve the Director of Health of his responsibility to provide the basic schedule of benefits

This bill also appropriates $2,000,000 to be used to provide dentures for recipients of the Medi-Cal submitting requests before December 31, 1975

The bill is to take effect immediately as an urgency statute

Ch 959 (SB 1) Moscone Meetings

(1) Existing law permits the Regents of the University of California to meet in executive session when, among other things, the meeting relates to matters involving the appointment, employment, performance, compensation, or dismissal of officers and employees, or involving complaints or charges brought against officers or employees of the university This bill would exclude from this exemption individual regents, other than the president of the university

(2) The existing law requires that any conference committee on the budget shall be open and public It does not expressly require that the meetings of any other conference committee be open and public

This bill would require that the meetings of all conference committees be open and public

(3) Existing law provides that meetings of the Public Utilities Commission shall be open and public in accordance with provisions of law generally requiring open and public meetings of state agencies, but permits executive sessions to deliberate on (1) the institution of enforcement proceedings or litigation, or (2) decisions to be reached in proceedings, tariff filings, permits, general orders or crossing protection fund allocations submitted for decision This bill would delete the present provision permitting executive sessions to deliberate on decisions to be reached in proceedings, tariff filings, permits, general orders or crossing protection fund allocations submitted for decision This bill would specifically require meetings of the commission at which rates of entities under the commissions jurisdiction are changed to be open and public, but would permit executive sessions to consider institution of proceedings, disciplinary action against regulated utilities, or litigation

(4) Existing law permits state and local agencies to hold executive sessions during a regular or special meeting to consider the appointment, employment or dismissal of a public officer or employee or to hear charges against such officer or employee by another officer or employee This bill would restrict this exemption to employees, as defined, of state and local agencies thus making the above matters subject to open and public meetings if public officers are involved

(5) Existing law does not require state agencies to publish agendas or provide copies of documents or summaries thereof, which are to be discussed at a public meeting, to the public prior to public meetings. This bill would require state agencies to make such agendas or documents available, with specified exceptions, and subject to a reasonable fee not to exceed costs of reproduction

(6) Existing law does not require that the legislative body of any state or local agency publicly report at a subsequent public meeting any action taken and the rollcall vote thereon in a prior executive session

This bill would make such a requirement

(7) The existing law makes no express provision authorizing the award of court costs and attorney's fees to a plaintiff in an action brought pursuant to specified provisions relating to open meetings of state agencies and legislative bodies of local agencies

This bill would authorize the award of court costs and reasonable attorney's fees to a plaintiff in an action brought pursuant to such provisions when it is found that a state agency or a local agency has violated or threatened to violate such provisions, and would authorize such an award to a defendant in the action where the court finds it is clearly frivolous and totally lacking in merit

Existing law makes the open meeting law applicable to any advisory commission, advisory committee or advisory body of a local agency, created by charter, ordinance, resolution, or by any similar formal action of a governing body of a local agency

This bill would extend such application to any advisory commission, advisory committee or advisory body of a local agency, created by charter, ordinance, resolution, or by any similar formal action by any member of a local agency governing body as well as the governing body itself

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 960 (AB 1422) Lanterman Mental health

The bill requires the State Department of Health to plan for the development of programs to train psychiatrists and psychologists with forensic skills

Under the current Lanterman-Petris-Short Act (LPS), designated persons may take a suspected dangerous or gravely disabled person to a 72-hour mental health evaluation and treatment facility upon reasonable cause

This bill requires probable, rather than reasonable cause, in order to place a person in such 72-hour facility and provides for civil liability under certain circumstances for intentionally giving a statement which is known to be false

Under current law the 72-hour facility does not have to notify a peace officer who

refers the person to the facility when the patient is detained for less than 72 hours and subject to a criminal charge This bill requires notice to such peace officers and to the county mental health officer, as specified

Under current law the presence of the professional person petitioning the court for postcertification treatment of an imminently dangerous patient may be waived by the patient under certain circumstances

This bill authorizes the court to appoint a psychiatrist or psychologist with forensic skills to examine such patient and testify at the hearing and in such event the presence of the professional person who brought the petition is not required

Under the current LPS Act a conservator may when specified by court order, place his conservatee in an inpatient facility

This bill authorizes such conservator to also require the conservatee to undergo outpatient treatment under certain circumstances

Under the current LPS conservatorship proceedings the proposed conservator who has insufficient funds is not entitled to a court appointed attorney This bill establishes such entitlement

This bill also prohibits the evaluation of a conservatee by any person who has a financial or other beneficial interest in the facility in which the conservatee has been or will be placed

The bill requires the State Department of Health to collect and publish annually certain quantitative information on the operation of the LPS Act

Under current law a facility may request a peace officer in writing to return an escaped patient This bill requires such request to include certain information including the person's name, and degree of dangerousness

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agencies for any costs incurred by it pursuant to the act

Ch 961 (SB 160) Rodda Public educational employer-employee relations

The existing statutes which govern employer-employee relations at the elementary and secondary levels in the public school system, including community colleges, are the Winton Act

The Winton Act provides, among other things, that public school employees shall have the right to form, join and participate in the activities of employee organizations for the purpose of representation on all matters of employer-employee relations The chosen employee organization has the right to represent its members in all matters relating to employment relations with public school employers Representatives of a public school employer are required, upon request, to meet and confer with representatives of certificated and classified employee organizations on all matters relating to employment conditions and employer-employee relations, and with representatives of employee organizations representing certificated employees on procedures relating to educational objectives and aspects of the instructional program

This bill would repeal the Winton Act operative July 1, 1976

This bill would enact provisions to govern employer-employee relations of public school employers (as defined, including community college districts) and public school employees (as defined) through meeting and negotiating (as defined) on matters within the scope of representation

This bill would enact provisions which would

(1) Define various terms

(2) Specify that the scope of representation is limited to wages, hours of employment, specified health and welfare benefits, leave and transfer policies, safety conditions of employment, class size, employee evaluation procedures, and grievance processing procedures

(3) Create a 3-member Educational Employment Relations Board appointed by the Governor with the advice and consent of the Senate Prescribe membership, terms, filling of vacancies, compensation, staffing, powers and duties of the board, including the determination of issues of appropriateness of units and scope of representation, conducting secret representation elections, establishing lists of qualified mediators, arbitrators, and factfinders, conducting related studies and recommending needed legislation, adopting rules and regulations, investigating and determining charges of unfair practices, holding hearings, and issuing and enforcing, in superior court, subpoenas

(4) Grant employees the right to form, join, and participate in employee organizations for the purpose of representation and the right to refuse to join, or participate in employee organizations Prescribe rights, powers, and duties of employees, employee organizations, representatives, and exclusive representatives

(5) Provide for recognition by employers or certification by the board, of exclusive representatives (as defined) for appropriate units and require their meeting and negotiating with employers Prohibit any employee or other employee organization from representing that unit in employment relations with the employer once an exclusive representative has been chosen

(6) Require fair representation. Require presentation of prescribed initial proposals at a public meeting of the employer and prescribe related time schedules and related publicity, public record, and public meeting requirements Prohibit representation of management employees (as defined) and confidential employees (as defined) by an exclusive representative but permit individual representation or by an employee organization composed entirely of such employees but without power to meet and negotiate

(7) Prescribe requirements and procedures for recognition and certification of exclusive representatives, including secret elections, and for declaration and resolution of impasses by mediators and, if that fails, by factfinding panels and specify guiding criteria therefor

(8) Prescribe general criteria for appropriateness of units.

(9) Authorize entry into written agreements covering matters within the scope of representation, including organizational security, and exempt such agreements from a specified policy provision Authorize such agreements to provide for final and binding grievance arbitration of disputes involving interpretation, application, or violation of such agreements and, in absence thereof, authorize submission of such disputes to final and binding arbitration pursuant to rules of the commission Provide for utilization of designated judicial procedures

(10) Make specified acts of employers unlawful, including certain acts against employees because of their exercise of rights afforded hereby, denial of rights of employee organizations, refusal or failure to meet and negotiate in good faith with an exclusive representative, and domination of, interference with, or financial or other support of, any employee organization

(11) Make specified acts of employee organizations unlawful, including certain acts against employers, certain acts against employees because of their exercise of rights afforded hereby, and refusal or failure to meet and negotiate in good faith with the public school employer of employees of which it is the exclusive representative

(12) Make Section 923 of the Labor Code inapplicable to public school employees but prohibit such provision from causing any court or the board to hold invalid any negotiated agreement entered into pursuant to this act

(13) Establish judicial review of unit determinations and unfair practice decisions, under certain conditions

Provide for numerous related matters.

Appropriate $300,000 for support of the Educational Employment Relations Board

Make the provisions relating to creation and certain duties of, and appropriation for, the board operative on January 1, 1976. Make the provisions relating to the organizational rights of employees, the representational rights of employee organizations, and the recognition of exclusive representatives and the related procedures operative on April 1, 1976, and the balance of the added provisions operative on July 1, 1976

This bill would also provide that there are no state-mandated local costs that require reimbursement pursuant to Section 2231, Revenue and Taxation Code because there are no duties, obligations, or responsibilities imposed on local government by this act

Ch 962 (SB 321) Marks Superior court employees San Francisco

Present law sets forth a salary schedule for specified superior court employees in the City and County of San Francisco

This bill would set forth a new schedule, increasing the salaries of such employees and would increase the number of legal research assistants from 3 to 4

The bill would also state that there are no state-mandated local costs requiring reimbursement to local agencies pursuant to Revenue and Taxation Code Section 2231 because of a specified reason

Ch 963 (SB 472) Marks Municipal courts San Francisco

Existing law authorizes various salary schedules for officers, attachés, and employees of the municipal court of the City and County of San Francisco and specifies that rates of compensation of all such personnel with the exception of court commissioners may be adjusted on an interim basis by action of the board of supervisors and a majority of municipal court judges subject to ratification and continuation by the Legislature

This bill would increase such salary schedules for municipal court officers, attachés, and employees by specified amounts, authorize the appointment of additional court personnel, eliminate certain positions, and permit compensation rates for municipal court commissioners to be adjusted on an interim basis by the board of supervisors and a majority vote of municipal court judges subject to ratification and continuation by the Legislature

The bill also states that there are no state-mandated local costs requiring reimbursement to local agencies pursuant to Revenue and Taxation Code Section 2231 because of a specified reason

Ch 964 (AB 169) Foran San Francisco Harbor subsurface minerals

Under existing law, the City and County of San Francisco holds certain harbor lands in trust for purposes of commerce, navigation, and fisheries by virtue of a grant from the state, but the subsurface minerals of such lands have been excepted from the grant and reserved to the state

This bill would require any lease, franchise, or other agreement with respect to a described area of such lands to be entered into by mutual agreement of the State Lands Commission and the city and county, acting by and through the San Francisco Port Commission

The bill would provide that it is not the intent of such provisions to change any existing right of any party in the subject area

The bill would also make a nonsubstantive change

Ch 965 (AB 249) Ralph. Commission of the Californias membership

The existing law provides for a 17-member Commission of the Californias, seven of whom are appointed by the Governor and 10 by the Legislature, and directs the Governor to select the member to serve as chairman of the commission

This bill would increase the membership of the commission to 18 by adding the Lieutenant Governor as a member It would specify that members shall serve at the pleasure of the appointing power for not more than four years but may be reappointed by their appointing power

It would expand the responsibilities of the commission to further and develop economic, educational, and cultural relations with the states and territories of Mexico, and require the commission to report annually to the Legislature and to the Governor.

It would permit the chairman to appoint an advisory committee on California-Mexico relations from California and Mexico, and designate a chairman

It would authorize the commission to accept grants in aid of its purposes

Ch. 966 (AB 336) Murphy Municipal courts· Monterey County

Existing law makes provision for a municipal court embracing the Cities of Carmel and Monterey and for a municipal court embracing the City of Salinas and prescribe various duties, salaries, and also compensation schedules for the officers, employees and attachés of the court

This bill would revise such provisions to create a single statutory scheme for municipal courts in Monterey County The former Carmel-Monterey district would also embrace the Cities of Seaside, Sand City and Del Rey Oaks, while the jurisdiction of the Salinas district would not be changed Various revisions would be made in regard to the organization of such municipal court districts, as well as in the compensation and salary schedules of the officers, attachés and employees of the court

This bill would also provide that no appropriation is made by the bill nor shall any reimbursement be made for any other costs incurred by any local government entity pursuant to the bill for a specified reason

Ch 967 (AB 485) Bannai Invention development services contracts

The existing law does not regulate contracts for invention development services, except to the extent contracts in general are regulated.

This bill, after making a legislative finding and declaration regarding the policy and purpose thereof, establishes a scheme of regulation by requiring each invention development services contract to be in writing and to contain, among other things, a notice that the contract is regulated by law, that it does not create a legally protected interest in the invention, and that the contract may be canceled at any time within a 7-day period by either the invention developer or the customer in writing as specified

The bill requires certain specified terms to be included in each contract for invention development services.

The bill also prohibits an invention developer from charging a fee or requiring any consideration for his services unless such fee or consideration is clearly and conspicuously disclosed in each advertisement of such invention development services It also requires specified disclosures to be made in the first oral communication with a customer or in the first written response to an inquiry by a customer.

The bill also requires every invention developer rendering or offering to render invention development services in this state to maintain a bond of at least $25,000 or a cash deposit in like amount

The bill creates an action for recovery of damages in the amount of $3,000 or 3 times the amount of actual damages sustained, whichever is greater, and, in the court's discretion, reasonable attorney's fees, where a person has been injured by a violation of the bill by an invention developer, or by any false or fraudulent statement, representation, or omission of a material fact by an invention developer, or by failure of an invention developer to make all the disclosures required thereby

The bill requires every invention developer to maintain all records and correspondence relating to performance of each invention development service contract for a period of not less than 3 years after the expiration of each contract

The bill also makes it a misdemeanor for any invention developer to willfully violate any provision thereof, or enter into an invention development contract which omits any duty or disclosure required thereby

The bill also provides that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes

The bill does not apply to any contract entered into prior to the effective date thereof

Ch 968 (AB 837) Mobley. Improvement district formation. notice contents

Existing statutory law specifies the time, place, and manner for the proponent legislative body to give notice of intention regarding the formation of, annexations to, or boundary changes of, improvement districts organized pursuant to the Improvement Act of 1911, the Separation of Grade District Act, and the Municipal Improvement Act of 1913, and of proposed work authorized by the acts

Existing law also requires that the notice contain a statement with respect to hearings regarding objections and appeals against proposed assessments and with respect to the filing of protests.

This bill would require that the notice also contain the name and telephone number of a local department or agency designated by the proponent legislative body to answer inquiries regarding protests, hearing proceedings, and hearing appeals.

The bill would make certain technical nonsubstantive changes

The bill would also provide that there shall be no appropriation and no reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch. 969 (AB 883) Ralph State highways noise abatement: schools.

Under existing law, the Department of Transportation is authorized to undertake a noise reduction program in public and private elementary and secondary schools to reduce, in the classroom, libraries, and multipurpose rooms thereof, the noise level therein to 50 decibels or less on the "A" scale, as defined, resulting from traffic on a state freeway if such rooms were constructed (a) prior to the award of the initial contract for

the construction of the freeway and prior to January 1, 1974, or (b) after December 31, 1973, but prior to the issuance of noise contours for that freeway for the appropriate general plan

This bill would extend such program to include spaces used for pupil personnel services (as defined) in such schools and would include in such program noise resulting from the construction of a state freeway

The bill would require the department to complete such a program prior to commencing the construction of a freeway, if the department determines, prior to the commencement of such construction, that the noise therefrom would exceed 50 decibels on the "A" scale If the determination is made during construction, the temporary or permanent program would have to be completed as soon as practicable thereafter

Ch. 970 (AB 1018) Sieroty Community redevelopment· replacement housing

(1) The Community Redevelopment Law prohibits redevelopment agencies from displacing persons and families of low or moderate income, living in redevelopment project areas, until there are suitable housing units available and ready for occupancy by such persons It is required that permanent housing facilities be made available to such persons within 3 years from the time they are displaced If insufficient suitable housing units are available for such purpose in the city or county in which the redevelopment agency is located, the agency is authorized, to the extent of the deficiency, to direct or cause development, rehabilitation, or construction of replacement housing units anywhere in such city or county

This bill, with respect to redevelopment projects for which a final redevelopment plan is adopted on or after January 1, 1976, and areas added to a project area on or after January 1, 1976, would require redevelopment agencies to develop or cause to be developed a number of replacement dwelling units, as defined, for rental or sale to such persons which is equal to the number of dwelling units for such persons destroyed or removed from the low- and moderate-income housing market as part of the redevelopment project Such replacement dwelling units would be required to be located in the redevelopment project area or within the agency's jurisdiction

(2) Nothing in existing law requires housing developed in redevelopment project areas to be for any particular economic group

This bill would require that at least 30% of all dwelling units developed by an agency in a redevelopment project area subject to the bill be for persons and families of low or moderate income, with at least ½ of such units for very low-income households At least 15% of all such dwelling units developed by a person other than the agency would have to be for persons and families of low or moderate income, with at least 40% of such units for very low-income households.

(3) The bill would authorize any redevelopment agency, by resolution, to make the requirements of the bill applicable to redevelopment projects for which a final redevelopment plan is adopted prior to January 1, 1976

(4) Under current law, redevelopment agencies have no general authorization to directly construct or rehabilitate housing within redevelopment project areas, except with respect to housing which will be publicly owned or which will be for persons and families of low and moderate income displaced by redevelopment Additionally, present law does not authorize an agency to use its funds to provide housing subsidies.

This bill would authorize redevelopment agencies to acquire land, donate land, improve sites, or construct or rehabilitate housing for persons and families of low or moderate income and very low-income households, as defined by the Zenovich-Moscone-Chacon Housing and Home Finance Act, and to provide housing subsidies to, or for the benefit of, such persons in all redevelopment project areas

(5) The bill would specify that the provisions thereof authorizing redevelopment agencies to develop, construct, or rehabilitate housing do not empower such agencies to operate rental housing developments beyond the period reasonably necessary to sell or lease the housing development, except as otherwise authorized by law

Ch 971 (AB 1123) Siegler Food labeling dietary use

(1) Under the Sherman Food, Drug, and Cosmetic Law, the special dietary use restrictions on foods under the Federal Food, Drug, and Cosmetic Act, as amended, are the state regulations, except that the State Department of Health may adopt any special dietary use regulations, whether or not it is in accordance with the federal act, if the department finds that it is necessary to inform purchasers of the value of a food for special dietary use Any food not meeting such special dietary use requirements is misbranded and may not be manufactured, delivered, held, offered for sale, or sold by any person

This bill would add a provision to the Sherman Food, Drug, and Cosmetic Law which would require that the label of a food for special dietary use, by reason of its use as a means of regulating the intake of protein, fat, carbohydrate, or calories for the purposes of controlling body weight or dietary management with respect to disease, bear a statement of the protein, fat, carbohydrates, and calories in the food The bill would provide that a food not complying with such requirements would be misbranded

(2) The Director of the Department of Food and Agriculture is required to establish labeling requirements for milk products and products resembling milk products under the Milk and Milk Products Act of 1947 that are consistent with the Federal Food, Drug, and Cosmetic Act

The bill would add a provision to the Milk and Milk Products Act of 1947 which would require that milk products and products resembling milk products, as defined, except those in glass containers, for special dietary use by humans comply with specified labeling requirements

The bill would provide that no reimbursement would be made to local governmental agencies for state-mandated local program costs incurred under the bill for specified reasons

Ch 972 (AB 1133) Papan Fuel

No provision of existing law requires that a delivery of gasoline to a retailer be temperature-corrected or measured through a meter

This bill would make it unlawful for any distributor or broker to sell any product to a retailer or to any person, when the quantity distributed in any single delivery to a single location is 5,000 or more gallons as, or purporting to be, gasoline, unless the distributor or broker offers to invoice the purchaser for such gasoline on the basis of temperature-corrected gallonage to 60 degrees Fahrenheit for all such deliveries to the purchaser over a period of 12 consecutive months and settles his accounts with the purchaser on the same basis

This bill also would make changes in the Motor Vehicle Fuel License Tax Law to reflect the above changes in law affecting distributor sales to retailers

This bill provides that neither a reimbursement nor an appropriation is made pursuant to this act for a specified reason

Ch 973 (AB 1155) Miller Superior Courts Alameda County

Existing law provides for 25 judges of the superior court in Alameda County

This bill would increase the number of superior court judges in Alameda County from 25 to 28

The bill would also appropriate $180,000 from the General Fund to the State Controller for allocation and disbursements for costs incurred by them pursuant to the provisions of this bill

Ch 974 (AB 1191) Chimbole Crimes cable television

Present law imposes no criminal penalty for any unauthorized connection with a wire, cable, or microwave used for cable television

The bill would make any unauthorized connection with a wire, cable or other component of a franchised cable television system or a television set, for the purpose of making any unauthorized interception of programs carried by such system a misdemeanor punishable by a $200 fine, or imprisonment not exceeding 30 days in county jail

The bill provides that no appropriation is made nor obligation created for reimbursement of any local agencies for costs incurred by them pursuant to the bill

Ch 975 (AB 1347) Papan Transportation: for-hire vessels and highway carriers

(1) The Highway Carriers' Uniform Business License Tax Act requires a license fee to be paid to the Public Utilities Commission by every express corporation, freight forwarder, motor transportation broker, and every person or corporation transporting property for hire over the highways, and permits any person or corporation subject to this requirement and required by any city to pay any excise or license tax, other than an excise or license tax authorized under the Revenue and Taxation Code, for the privilege of doing business in that city to credit the amount of such tax against the fee required to be paid to the commission

This bill would revise the provisions authorizing a credit of the amount of any tax paid to a city for the privilege of doing business therein to specify that only a tax paid to a city for the privilege of doing any transportation business therein may be so credited

(2) Present law requires a permit from the Public Utilities Commission for the operation of for-hire vessels on the inland waters of this state and provides for the regulation by the commission of the operators thereof and the rates charged for transportation services

This bill would, by deleting these provisions, eliminate the requirement for such a permit and the regulation by the commission of these subjects.

Ch 976 (AB 1393) Vasconcellos Public schools special education

This bill would revise a statutory reference contained in the Budget Act of 1975 concerning the apportionment of funds for the Educationally Disadvantaged Youth Program

This bill would go into immediate effect as an urgency statute

Ch 977 (AB 1455) Vasconcellos State boards and commissions: appointment of members

There is no general requirement of law that the Governor and other appointing authorities, in making appointments to state boards and commissions, shall give consideration to making the composition of such agencies broadly representative of the general public, including ethnic minorities and women

This bill would declare the policy of the state that the composition of state boards and commissions shall be broadly reflective of the general public, including ethnic minorities and women, and would require the Governor and other appointing authorities to be responsible for nominating a variety of persons of different backgrounds, abilities, interests, and opinions It would specifically provide that it is not the intent of the Legislature to require the use of formulas or specific ratios in complying with the bill

Ch 978 (AB 1638) Bane Unemployment Insurance Appeals Board precedent decisions

Existing law permits the appeals board to designate certain of its decisions as precedents or to reconsider a previously issued decision solely to determine whether or not a decision shall be designated as a precedent decision.

This bill would require the appeals board to modify a precedent decision upon reversal or declaration of invalidity of such decision by a final judgment of a court of competent jurisdiction

This bill would also specify that any interested person or organization may obtain a judicial declaration as to the validity of any precedent decision by bringing an action for declaratory relief in the superior court

Ch 979 (AB 1639) Bane Unemployment Insurance Appeals Board

Existing law specifies that a claimant and employer may appeal or initiate a further appeal of various determinations concerning unemployment benefits within 10 days from the mailing or service of notice, with an additional 10-day extension for good cause

This bill would extend such period to 20 days with a 20-day extension for good cause The bill would also define "good cause" to include, but not be limited to, mistake, inadvertence, surprise, or excusable neglect

Ch 980 (AB 1702) Maddy. Equipment for polling places

Existing law provides that voting booths be arranged to provide secrecy in voting However, existing law does not necessarily require a screen on voting booths to provide this secrecy

This bill specifies that voting booths be equipped with a screen which will completely conceal the voter's actions so that he may cast his vote in secret

The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act

Ch 981 (AB 1705) Maddy. Elections election materials

Existing law requires all officers who are required by law to designate polling places to furnish such polling place with certain specified items

This bill would require such officers to include in the items furnished to polling places, if a candidate or candidates have qualified to have his or their names counted pursuant to specified provisions, a sufficient number of pencils in the voting booths for the purpose of writing in on the ballot the names of such candidate or candidates.

The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act

Ch 982 (AB 1782) Z'berg Veterans farm and home purchase bonds

This bill would enact the Veterans Bond Act of 1976 which would authorize state bonds in the amount of $500,000,000 for farm, home, and mobilehome purchase aid for veterans, and provide submission of the act to a vote of the people at a special election consolidated with the direct primary election on June 8, 1976

This bill would also provide that there shall be no reimbursement nor appropriation to local government for any costs which may be mandated by the enactment for a specified reason

This bill would take effect immediately as a bill calling an election

Ch 983 (AB 2039) Lanterman State scholarships and educational grants.

Under existing law, the state has established several programs providing scholarships and financial assistance to students attending institutions of postsecondary education These programs are administered by the State Scholarship and Loan Commission. This bill would affect four of the existing programs.

The bill would

(1) Authorize, rather than mandate the use of statewide testing to determine eligibility of applicants under the State Competitive Scholarship Program and require, rather than authorize, the use of other academic criteria, plus results of any required examination, as the basis for determining award winners.

(2) Eliminate the maximum age limitation of 30 years to be eligible for a grant under the Occupational Education and Training Grant Program and the statement of legislative intent that the major effort of such program be directed to applicants who have recently completed high school, and require the commission to recognize as an approved occupational goal for purposes of such grants applicants enrolled in a three-year hospital-based program that trains licensed registered nurses approved by the Board of Registered Nursing.

(3) Require the commission to submit an annual report to the Legislature concerning the programs it administers, and eliminate requirements for special annual reports concerning the College Opportunity Grant Program and the Occupational Education and Training Grant Program

(4) Require the amount of each state competitive graduate fellowship award to be calculated according to the applicant's financial need, rather than the applicant's financial need, independent in his own right

This bill would also appropriate $57,300 to the State Scholarship and Loan Commission for development of Phase II of a Master Plan for the Administration and Coordination of Publicly Funded Student Aid in California, and would require such plan to be submitted to the Legislature by June 30, 1976

Ch 984 (AB 2202) Garamendi Parks local assistance for acquisition, development

The Budget Act of 1975 contains appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for local assistance for parks

This bill would amend and supplement the Budget Act of 1975 by adding a section thereto to appropriate $90,000 to the Department of Parks and Recreation payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for local assistance for the acquisition, development, or both, of specified projects in Amador County The bill would provide that none of such funds shall be available for expenditures unless and until such projects have been submitted to, and reviewed and approved by, the Secretary of the Resources Agency

Ch 985 (SB 124) Roberti Business and industrial development corporations.

This bill would provide for the functioning of a legal entity to be known as a business and industrial development corporation whose purpose is to borrow money from its members, as defined, the Small Business Administration and any other similar federal agencies, and to make loans, at the lowest rate of interest consistent with financial integrity, to persons and firms who have applied for, and been refused, loans through ordinary banking channels

The bill would take effect immediately as an urgency statute

Ch 986 (SB 614) Song Filing fees: civil appeals

Existing law imposes a fee of fifty dollars ($50) for filing each notice of appeal in a civil case and a fee of fifty dollars ($50) for filing a petition for a writ within the original civil jurisdiction of the Supreme Court or of a court of appeal

This bill would permit the Judicial Council to make rules governing the time and method of payment of the required fees and to excuse the payment of those fees in appropriate cases

Ch 987 (SB 671) Mills. Vehicles motorcycles, motor-driven cycles, motorized bicycles

Under existing state law, a motor-driven cycle is defined as any motorcycle, including every motor scooter, with a motor which produces less than 15 gross brake horsepower, and every bicycle with motor attached

Under existing law, motor-driven cycles are subject to registration and specific equipment provisions of the Vehicle Code, and persons who operate such vehicles upon the highway are required to possess a class 4 driver's license or have a class 4 endorsement on a class 1, 2, or 3 driver's license In addition, motor-driven cycles may be prohibited from freeways or portions thereof, and from using vehicular crossings

This bill would exclude motorized bicycles, which the bill would define, from the definition of a motor-driven cycle and would exempt such vehicles from registration The bill would also permit any person having a valid California driver's license to operate a motorized bicycle upon a highway without taking any special examination for the operation of a motorized bicycle, and without having a class 4 endorsement The bill would also provide that motorized bicycles may be prohibited from freeways or portions thereof (and that such prohibition pertaining to bicycles or motor-driven cycles would also include motorized bicycles), and from vehicular crossings The bill would require that motorized bicycles comply with federal motor vehicle safety standards which are applicable to motor-driven cycles, as defined in such federal standards, and would specify that none of the provisions of the Vehicle Code regarding equipment of motorcycles and motor-driven cycles, as defined in the Vehicle Code, shall apply to a motorized bicycle

Existing provisions of law in the Vehicle Code (a) permit cities and counties to regulate the use and operation of bicycles and vehicles on other than state and county highways and (b) prohibit the operation of a motor vehicle on certain hiking, equestrian, and bicycle paths if such prohibition is designated with appropriate signs Other provisions of law in the Bicycle Recreation and Safety Act of 1971 prohibit the operation or parking of vehicles on bicycle paths established pursuant to the act.

This bill would prohibit, notwithstanding such provisions, the operation of a motorized bicycle on bicycle paths or trails, bikeways, equestrian trails, and biking or recreational

trails, unless they are within or adjacent to a roadway or unless the governing body of a city, county, or other public agency having jurisdiction over such a path or trail permits, by ordinance, such operation

Existing provisions of law also contain provisions for the licensing of bicycles by a city or county

This bill would make such bicycle licensing provisions applicable to motorized bicycles

Existing law provides that specified rules of the road and laws relating to accident reports apply to a person riding a bicycle upon a roadway

This bill would include in such provisions a person riding a bicycle upon a paved shoulder.

This bill would incorporate changes in Section 12804 of the Vehicle Code made by Chapter 162 of the Statutes of 1975 and would incorporate additional changes in Section 12804, proposed by SB 244, which would become effective only if SB 244 and this bill are chaptered and become effective January 1, 1976, and this bill is chaptered last

The bill would make related, conforming changes

Ch 988 (SB 887) Carpenter Undocumented vessels identifying numbers

With specified exceptions, current law requires undocumented vessels using the waters of this state to be currently numbered

This bill would additionally require that such undocumented vessels on the waters of this state be currently numbered

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be an appropriation made by this bill, for specified reasons

Ch 989 (SB 933) Petris Property tax senior citizens assistance income

Under the existing Senior Citizens Property Tax Assistance Law, qualified persons 62 years of age or older may make claims for payments of state funds as partial reimbursement of property taxes paid on their homes One qualification is that a claimant's gross household income may not exceed $20,000, or $30,000 in the case of a farmer

This bill would instead preclude assistance to a claimant whose gross household income, after allowance for actual cash expenditures which are reasonable, ordinary and necessary to realize that income, exceeds $20,000

The bill would be applicable to claims for assistance for property tax fiscal years beginning on and after July 1, 1975

Ch. 990 (SB 1072) Cusanovich Small claims court· appeals

Existing law requires that a corporate plaintiff in a small claims court action be represented by an attorney on appeal of a small claims judgment to the superior court.

This bill would authorize a corporate plaintiff to appear and defend an appeal in superior court from a small claims court judgment on its own behalf and without the representation of an attorney

The bill incorporates additional changes in Section 117j, Code of Civil Procedure, proposed by SB 212, to be operative only if SB 212 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 991 (SB 1111) Collier Princeton Ferry

Under existing law, there are no funds appropriated for a study in connection with the Princeton Ferry.

Proposed expenditures by the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund for state park system development projects, including associated feasibility studies, are required by law to be contained as separate items in the Budget Bill

This bill would, notwithstanding such provisions, appropriate $7,500 from such account to the Department of Parks and Recreation to undertake a feasibility study of a project to restore the reaction Princeton Ferry, and to preserve the electrified Princeton Ferry currently in operation, as a historical unit of the state park system and its relation to the River Road and 16-Mile House

Ch 992 (SB 1206) Robbins Public administrator administration of small estates

Under existing law when a public administrator takes possession of an estate and it appears that the total value of such an estate does not exceed $2,000, the public administrator is authorized to apply to the superior court or judge thereof for an order permitting him to summarily sell personal property and to otherwise dispose of the estate, without having to administer the estate

This bill would increase the amount of such estates for which an application may be made by the public administrator to the superior court or judge thereof from $2,000 to $5,000, excluding any motor vehicle owned by the decedent.

This bill would also authorize a public administrator who has possession of an estate in which it appears that the total value of such estate does not exceed $500 to apply such money or any proceeds from the sale of personal property towards the expense of burial or to deposit such money with the county treasurer

This bill would require that the amendments made by this bill apply to all decedents' estates, which are subject to its provisions, regardless of the date of death or the date on which this bill becomes operative

Ch 993 (SB 1172) Gregorio Vehicular noise limits

Existing law prohibits the operation of a motor vehicle or combination of vehicles of a type subject to registration in a manner as to exceed specified noise limits for specified categories of motor vehicles, consisting of (1) any motor vehicle with a manufacturer's gross vehicle weight rating of 6,000 pounds or more and any combination of vehicles towed by such motor vehicle, (2) any motorcycle other than a motor-driven cycle, and (3) any other motor vehicle or combination of vehicles towed by such motor vehicle Different noise limits are specified for the operation of motor vehicles of each category at speeds of 35 mph or less and more than 35 mph.

This bill would revise such speed demarcation to make such noise limits applicable to the operation of motor vehicles of categories (2) and (3) at speeds of 45 mph or less and more than 45 mph

Noise limits applicable to vehicles of category (1) would be retained at speeds of 35 mph or less and more than 35 mph, but such limits would be made applicable to such vehicles with a manufacturer's gross vehicle weight rating of more than 10,000 pounds In this regard, the bill would provide that specified vehicles that do not have a plate or marking bearing the manufacturer's gross vehicle weight rating shall be considered as having such a rating of more than 10,000 pounds, rather than 6,000 pounds or more, if the unladen weight is more than 5,000 pounds

Various technical, nonsubstantive changes would also be made by the bill

Ch 994 (AB 1226) McVittie Certified milk, county commission

(1) The present law provides for a county milk commission of five members, consisting of four physicians and one veterinarian

This bill would provide for the addition of a public member, appointed by the board of supervisors, as the sixth member of the commission

(2) The existing law does not specify where a county milk commission is required to hold its hearings

This bill would require the commission to hold its public hearings in public buildings and to give reasonable public notice of its meetings

(3) The existing law does not provide for per diem for members of the county milk commission

This bill would provide for $25 per diem for members of the commission

(4) The existing law does not prohibit the members of the commission from traveling beyond the boundaries of the state on official business

This bill would require prior approval of the county board of supervisors, before a member of the commission may travel beyond the boundaries of the state on official business

(5) Under the existing law, a county milk commission is required to certify milk, including unpasteurized milk, for any applicant for certification whose milk complies with the rules, regulations, and standards for production, distribution, and sale of milk that it has adopted

This bill would specifically include milk, irrespective of whether it is produced in the

county in which a county milk commission is located or in a contiguous county, within such provisions requiring the commission to certify milk under prescribed conditions, if there is not a milk commission located in such a contiguous county.

(6) This bill would also provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for specified reason

Ch 995 (AB 1267) Egeland Public schools corporal punishment

Current law requires the governing board of a school district to adopt rules and regulations authorizing teachers, principals, and other certificated personnel to administer reasonable corporal or other punishment to pupils when such action is deemed an appropriate corrective measure

Under the provisions of Chapter 1205 of the Statutes of 1974 the administration of corporal punishment to an educationally handicapped pupil, a physically handicapped pupil, or a mentally retarded pupil, as defined pursuant to specified provisions, enrolled in special education classes, without the prior written consent of the pupil's parent or guardian, is prohibited

This bill would prohibit the administration of corporal punishment to any pupil, unless prior written approval of the pupil's parent or guardian is obtained, make such an approval valid for the school year in which it is submitted but authorize withdrawal thereof by the parent or guardian at any time, and would require governing boards that have adopted policies of corporal punishment to notify parents and guardians of pupils that corporal punishment shall not be administered without the prior written approval of the pupil's parent or guardian

This bill would also make related technical changes

Ch 996 (AB 1436) Torres Sexual offenses

(1) Under existing law every person who takes any female person against her will and without her consent, or with her consent procured by fraudulent inducement or misrepresentation, for the purposes of prostitution, is guilty of a felony

This bill would make such provision applicable to male as well as female persons when such persons are taken for the purposes of prostitution

(2) Under existing law every person who takes any female person unlawfully and against her will by certain means, and compels such female person to live with him or to live with another person, in an illicit relation, is guilty of a felony

This bill would make such provision applicable to male as well as female persons

(3) Under existing law every person who purchases, or pays any money or other valuable thing for any female person for the purpose of prostitution, or for the purpose of placing her, for immoral purposes, in any house against her will, is guilty of a felony

This bill would make such provision applicable to male as well as female persons

(4) Under existing law every person who sells any female person or receives any money or other valuable thing for or on account of his placing in custody, for immoral purposes, any female person, whether with or without her consent is guilty of a misdemeanor

This bill would make such provision applicable to male as well as female persons

(5) Existing law specifies the jurisdiction of courts with respect to certain criminal action, including, among others, for inveigling, enticing, or taking away any female for the purpose of concubinage or prostitution

This bill would include in such specified criminal action male as well as female persons

(6) Under existing law every person receiving money for placing a female for purposes of cohabitation is guilty of a felony

This bill would make such provision applicable to male as well as female persons

(7) Under existing law every person abducting a female under 18 for purposes of prostitution is guilty of a felony and subject to a fine

This bill would make such provision applicable to male as well as female persons

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch. 997 (AB 1441) Murphy Firearms

Existing law prohibits the delivery of certain firearms within 5 days of the application for purchase

This bill would make such period 15 rather than 5 days

Ch 998 (AB 1602) Wornum Court reporters compensation

Existing constitutional provisions delegate to the Legislature the duty of prescribing compensation for municipal court employees, including court reporters

This bill would authorize county boards of supervisors, at their discretion, to prescribe compensation for official court reporters and court reporters pro tempore in any superior court or in any municipal court district in such county

This bill will become operative only if Assembly Constitutional Amendment 70 is approved by the voters and in such case it will become operative at the same time as ACA 70

Ch 999 (AB 1699) Maddy Nurses

Existing law prescribes the fees to be charged in connection with the issuance of licenses for registered nurses for (1) a regular renewable license, (2) a temporary license, (3) the renewal of the regular renewable license, and (4) the penalty fee for failure to renew a regular renewable license within the prescribed time

This bill would increase the fees in (1) and (3) above, and would authorize the Board of Registered Nursing to increase the fees in (4) above.

The bill deletes the fee for a temporary license, adds a fee to be fixed by the board for approval of a continuing education program, and adds a fee to be fixed by the board for an examination that may be taken in lieu of a continuing education program

Ch 1000 (AB 1874) Thurman Pest control Dutch elm disease.

The existing law provides for the control and abatement of various pests that cause damage to certain plants and trees

This bill would, in addition, do all of the following

(1) Declare that plants growing in native stands or planted for ornamental purposes shall be considered as part of the agricultural industry for the purpose of any law that provides for the protection of the agricultural industry from pests

(2) Provide that Dutch elm disease is a pest, and require the Director of Food and Agriculture to take all steps necessary to prevent or retard the introduction, establishment, and spread of such disease, including the detection, removal, and destruction of infected elm trees

(3) Appropriate $950,000 to the Department of Food and Agriculture, in augmentation of the 1975–76 support budget of such department, for purposes of carrying out such provision requiring the prevention or retardation of the Dutch elm disease

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

Ch 1001 (SB 847) Holmdahl Notice of trial.

Under existing law in trials in the superior court and the municipal court, proof must be made to the satisfaction of the court that the adverse party has had five days' notice of trial. Existing statutory law, however, does not specify how notice must be given or how proof of giving notice may be made

This bill would extend the notice requirement to 15 days

It would also require that notice of trial be served by mail on all of the parties by the clerk at least 20 days prior to the date set for trial If notice were not served by the clerk, any party, at least 15 days prior to the date set for trial, could serve the notice by mail

The bill would also limit the means by which service of the notice could be proved to an affidavit or certificate of mailing

Ch 1002 (SB 936) Wedworth Public Employees' Retirement System redeposit of contributions

Existing Public Employees' Retirement Law permits members of the Judges' Retirement System, the Legislators' Retirement System, the State Teachers' Retirement System, the University of California Retirement System, or a retirement system established under the County Employees' Retirement Law of 1937 to redeposit withdrawn contributions in the Public Employees' Retirement System for purposes of reciprocal benefits

This bill would permit members of municipal retirement systems to make such redeposits

Existing law requires members of the board of administration to receive $50 for every day of actual attendance at board meetings. This bill would require such payments to be also made for attendance at board committee meetings

Existing law requires costs of administration of the system to be paid from funds appropriated from interest income of the retirement fund and limits the amount of income so appropriated This bill would delete that limitation

Ch 1003 (SB 490) Song Family physician training program

Under existing law, the Health Manpower Policy Commission in connection with the Health and Welfare Agency, among other things, is authorized to set standards for family physician training programs and encourage the growth thereof by means of awarding contracts to accredited medical schools for training of family physicians and primary care physician's assistants

This bill would transfer the duties of the Secretary of the Health and Welfare Agency under the act to the Director of Health, would include programs which train primary care nurse practitioners within the state medical contract program, would revise the membership of the commission, and would make related changes

This bill would require each such program to include a component of the training designed for underserved multicultural communities, lower socioeconomic neighborhoods, or rural communities

This bill would appropriate ~~$896,875~~ [$1,793,750] *† from the General Fund to the Health and Welfare Agency in a specified manner for the purposes of training family physicians and primary care physician's assistants and primary care nurse practitioners

This bill would make various related technical changes

This bill would take effect immediately as an urgency statute

Ch 1004 (SB 278) Deukmejian Probation denial

Existing law provides, except in unusual cases in the interest of justice, for denial of probation to a person convicted of robbery, burglary or arson who unlawfully was armed with a deadly weapon at the time of arrest or perpetration of the crime, or to a person previously convicted of any felony

Existing law also provides, except in unusual cases in the interest of justice, for the denial of probation to a person who is convicted of other specified felonies while unlawfully armed with a deadly weapon, or convicted of a crime in which a deadly weapon is used or attempted to be used or in which great bodily injury is inflicted or convicted, or who has been twice previously convicted of felonies, and for various other crimes

This bill would revise these provisions so that (1) probation and suspension of sentence would be denied, without any exception in unusual cases in the interest of justice, to any person who uses a firearm during the commission of various felonies, including murder, robbery, first degree burglary, prison escape, and various assaults, rapes and kidnappings, but probation would not be denied in such cases solely on the ground of being unlawfully armed with a firearm in the absence of use as specified above, (2) probation and suspension of sentence would be denied, without any exception in unusual cases in the interest of justice, to any person who is previously convicted of such felonies while armed during the commission of any subsequent felony or unlawfully armed at the time of arrest instead of being denied on the ground of a previous conviction of any felony, and (3) this bill would retain the provisions for denial of probation, except in unusual cases in the interests of justice, but would limit the application of such provisions as they presently relate to using, attempting to use, or being unlawfully armed with deadly weapons, in cases other than where a person was previously convicted once of any felony, to deadly weapons other than firearms

This bill would also delete an existing provision, which is inoperative, relative to the requirement of the concurrence of the district attorney for the grant of probation in certain cases

† Appropriation reduced to $896,875 by action of the Governor

Ch 1005 (SB 970) Gregorio Medi-Cal

Under present law services under the Medi-Cal program subject to prior authorization, other than optometric and dental services, must be reviewed by physicians

This bill would allow the Director of the Department of Health to establish appropriate allied health professionals under the supervision of physicians to review requests for prior authorization for elective services, other than those services to be provided by physicians, optometrists, or dentists

Under present law the scope of benefits under the Medi-Cal program is divided into a basic schedule of benefits with specified limitations and a uniform schedule of supplemental benefits which are available, subject to utilization controls

This bill would establish a single schedule of benefits subject to utilization controls determined to be appropriate by the Director of the Department of Health and prescribed drugs subject to the Medi-Cal Drug Formulary Permissible utilization controls, as set forth in the bill, include prior authorization, postservice prepayment audit, postservice postpayment audit, and limitation on number of services

This bill would make additional changes in Sec 14103 6, Welfare and Institutions Code, proposed by AB 1033, to be operative only if AB 1033 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered after AB 1033

This bill would also make additional changes in Sec 14132, Welfare and Institutions Code, proposed by SB 315, to be operative only if SB 315 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered after SB 315

The bill would also take effect immediately as an urgency statute

Ch 1006 (SB 983) Moscone Arbitration

Existing law provides for the enforcement of arbitration agreements

This bill requires the Judicial Council to provide by rule for a uniform system of arbitration of specified causes in superior courts and provides for compensation of arbitrators from funds appropriated to Judicial Council for that purpose

This bill provides that it will be operative July 1, 1976

Ch 1007 (AB 32) Leroy F Greene School building lease-purchase bonds

Existing law contains various state school bond acts which, having been approved at a statewide election, authorize the state to sell general obligation bonds to provide a source of funds from which loans may be made to school districts to finance school construction

This bill would enact the State School Building Lease-Purchase Bond Law of 1976 which, upon approval by the state electorate, would provide for the issuance of state general obligation bonds in the amount of not to exceed $200,000,000 and the expenditure, subject to provisions not in this bill or the existing statutes, of the revenues therefrom to provide aid to school districts pursuant to a State School Building Lease-Purchase Law of 1976, which is not in this bill or the existing statutes

This bill would also provide, in provisions which would take effect immediately, for the submission of the bond act to the electorate as the first proposition on the ballot of the direct primary election to be held in June 1976

Ch 1008 (AB 121) MacDonald Safe drinking water bonds

Existing law provides for the regulation and control of drinking water supplies and water quality

This bill would provide, conditioned upon approval of the state electorate, for the issuance of state bonds in a total amount not exceeding $175,000,000 and expenditure of the proceeds for state loans for the construction, improvement, or rehabilitation of domestic water systems, as defined, and for expenditure for studies and research re water quality

It would also provide for the submission of the bond proposal to the electors at the 1976 direct primary election

Ch 1009 (AB 141) Leroy F Greene Schools state building aid

Existing law contains various state school building aid laws under which state funds are apportioned to school districts, under prescribed conditions, in the form of a loan,

subject to approval by a two-thirds vote of the district electorate to accept and repay the loan, to enable school districts to acquire school sites and buildings

This bill would enact the Leroy F Greene State School Building Lease-Purchase Law of 1976, under which the proceeds of state general obligation bonds would be used to finance the construction, reconstruction, alteration, or replacement of school facilities under a lease or lease-purchase agreement between a school district and the state Such a lease or lease-purchase agreement would require approval by a majority vote of the district electorate The bill prescribes numerous conditions re such transactions

The bill would become operative only if a bond act to finance such program is approved at the 1976 primary or general election

Ch 1010 (AB 167) Miller Public utilities gas and electric rates

Present law does not require electrical or gas corporations to provide residential customers minimum service at reduced rates

This bill would direct the Public Utilities Commission to designate a lifeline quantity of gas and electricity necessary to supply the minimum energy needs of the average residential user for end uses of space and water heating, lighting, cooking and food refrigeration.

The bill would direct the Public Utilities Commission to require electrical and gas corporations to file a revised schedule of rates and charges providing a lifeline rate It would specify that the lifeline rate shall be not greater than the rates in effect on January 1, 1976 It would prohibit any increase in the lifeline rate until the average system rate in cents per kilowatt hour or cents per therm increased 25 percent or more over the January 1, 1976, level It would exempt wholesale electrical or gas purchases and the rates charged therefor from the provisions of the bill It also would state legislative findings and declarations and define the term "residential "

This bill would require the Public Utilities Commission to report to the Legislature on the effect of this bill upon rates, and the cost to users and utilities.

Ch 1011 (AB 803) Berman Public Employees' Retirement System benefits

Existing Public Employees' Retirement Law permits, if contracting agencies so elect, cost-of-living adjustments, for local members of the Public Employees' Retirement System limited to a 6-percent adjustment for any year

This bill would remove the limit on adjustment for any year

No appropriation would be made to the Controller for allocation and disbursement to local agencies to reimburse their costs incurred pursuant to the act for a specified reason.

The bill would take effect immediately as an urgency statute

Ch 1012 (AB 229) Vasconcellos Campus child development centers

Existing statutes authorize the establishment and operation of campus child development centers, provide for the acceptance of funds, and the reimbursement of operating agencies

This bill recasts the provisions re such establishment and operation of campus child development centers and the acceptance of funds

This bill adds provisions to require operating postsecondary education institutions to establish in their treasuries "child development funds", require adoption by the Superintendent of Public Instruction of related regulations re funding and reimbursement procedures and, with the approval of the State Board of Education, regulations re campus child development center programs which insure that subsidized day care services relate to the academic loads of the parents· define "student family", provide for family fee payments pursuant to a prescribed state fee schedule for campus child development centers at all segments of public postsecondary education, prescribe priorities for assigning eligibility of applicants, on basis of income, require grouping by specified income ranges, and prescribe priorities within income ranges

This bill also makes related and technical changes

This bill also states legislative intent

This bill also appropriates $200,000 for apportionment in fiscal years 1974–75 and 1975–76 for purposes of this act among the segments of public and private nonprofit postsecondary education, proportionally on the basis of student parent enrollments

To take effect immediately, urgency statute

Ch 1013 (AB 1161) Egeland Redevelopment agencies

Under existing law, the legislative body of the community may adopt an ordinance at any time declaring itself to be the redevelopment agency of a community as an alternative to appointment of members to the redevelopment agency

This bill would establish a procedure to be followed, after an appointed redevelopment agency has been in existence for at least 3 years, if the legislative body then determines that it wants to declare itself to be the agency The legislative body would be required, prior to adoption of such an ordinance, to provide prescribed notice of, and conduct, a public hearing on, whether it should declare itself to be the redevelopment agency, and to prepare specified reports and proposals

This bill would also require any ordinance declaring the legislative body of the community to be the redevelopment agency to contain prescribed findings If there has been an appointive redevelopment agency for 3 or more years prior to the adoption of the ordinance, the ordinance must contain a finding that (1) such action will serve the public interest and promote the public welfare in a more effective manner than the current organization and (2) there has been full public disclosure of all reports and proposals relating to the legislative body's intent to declare itself the development agency In all other cases, the ordinance must contain a finding that such action will serve the public interest and promote the public safety and welfare in an effective manner

Ch 1014 (AB 1583) Priolo Recreational trails acquisition, development

Existing law authorizes the Department of Parks and Recreation to acquire land for, develop, and maintain, recreational trails to and between units of the state park system Chapter 265 of the Statutes of 1974 appropriated funds to the department for the development of hostel facilities in state park system units in various counties, including Los Angeles and Ventura Counties, and for the establishment of recreational trails to and between such units Such 1974 act also provides that acquisitions made pursuant to such act shall be subject to the provisions of the Property Acquisition Law (which include acquisition by eminent domain) Also, Section 19.3 of the Budget Act of 1974 appropriated funds from the Abandoned Vehicle Trust Fund to the General Fund for such hostel facility and recreational trail purposes, subject to the Property Acquisition Law, thereby making such funds available for reappropriation for such purposes

This bill would specifically authorize the department to acquire rights-of-way for, and to develop, recreational trails in the Santa Monica Mountains regional trail corridor in Los Angeles and Ventura Counties between specified units of the state park system, and specify that such acquisitions shall be subject to the provisions of the Property Acquisition Law, except that such acquisitions would be subject to restrictions on the exercise of eminent domain specified in designated provisions of the Public Resources Code

The bill would reappropriate $1,050,000 of the funds appropriated in 1974 by Chapter 265 to the department for the development of hostels in state park system units in specified counties and for the acquisition of recreational trails between such units, and, to the extent necessary, of the funds appropriated by Section 19 3 of the Budget Act of 1974, of which $1,000,000 would be reappropriated for the recreational trails in Los Angeles and Ventura Counties that would be authorized by the bill, and $50,000 of which would be reappropriated for general hostel facility and recreational trail project planning with specified proviso

The bill would take effect immediately as an urgency statute

Ch 1015 (AB 1588) Hart Private school driver training.

Under current law, provision is made for the establishment and maintenance of courses of instruction in automobile driver education and driver training in the public schools, and for specified state reimbursement therefor.

This bill would authorize the governing board of any school district maintaining secondary schools to contract, with approval of Superintendent of Public Instruction, with approved private driver training schools, as defined, to provide to eligible district students, certain automobile driver training, under specified conditions Such instruction would be required to be under the exclusive control and management of the governing board and comply with specified state regulations, with specified exceptions

This bill would entitle an approved driver training school to reimbursement, as speci-

fied, for the driver training provided

This bill would specify qualifications for regular employees of such private driver training schools to becoming qualified instructors for such automobile driving instruction

This bill would prohibit any private driver training school which has not been operating for 24 consecutive months from entering into such a contract

Ch 1016 (AB 1749) Duffy Private schools medical assistant training

Under existing law, the Superintendent of Public Instruction is required to take certain action, including the charging of certain fees, in connection with the services provided private schools in permitting such schools to issue degrees or titles in this state

This bill would require the Superintendent of Public Instruction to consult with the Department of Health regarding minimal standards for facilities, faculty, and curriculum concerning the training or education of medical assistants, as defined In addition, the Department of Education would be authorized to contract with the Department of Health for such consulting services

This bill would prohibit defined medical assistants from performing direct patient care services or functions requiring prescribed licenses

This bill would require programs for training medical assistants to pay a fee, in addition to such other fees as may be required, not to exceed $75 annually for support of contracted consulting services

Ch 1017 (AB 2412) Meade. Higher education—opportunity programs—University of California—community colleges

Under current law, an extended opportunity program is provided for certain community college students and such a program also exists for certain University of California students

This bill would appropriate from the General Fund the sum of $806,763 to the Board of Governors of the California Community Colleges and $1,100,000 to the Regents of the University of California for the purpose of such programs

This bill would take effect immediately as an urgency statute

Ch 1018 (AB 2455) Dixon Juvenile delinquency prevention services and programs appropriation Budget Act of 1975

The Budget Act of 1975 appropriated $300,000 to the Department of the Youth Authority for contracting with the Sugar Ray Youth Foundation for correctional services to wards and parolees

This bill would, in lieu of such appropriation, appropriate the same amount ($300,000) to the department for contracting with the foundation for juvenile delinquency prevention services and programs The bill would specify that the money so appropriated in the 1975 Budget Act shall not be available for expenditure

The bill would take effect immediately as an urgency statute

Ch 1019 (SB 301) Rains Recreation trails acquisition, development

Existing law authorizes the Department of Parks and Recreation to acquire land for, develop, and maintain, recreational trails, including trails for bicyclists, hikers, and horsemen, to and between units of the state park system In 1974, funds were appropriated to the department for the development of hostel facilities in state park units in various counties, including Santa Barbara, and for the establishment of recreational trails to and between such units The 1974 act which appropriated such funds also provides that acquisitions made pursuant to the act shall be subject to the provisions of the Property Acquisition Law, which law provides for the exercise of eminent domain Additional funds were appropriated in the Budget Act of 1974 for such purposes

This bill would specifically authorize the department to acquire rights-of-way for, and develop, riding, hiking, and bicycle trails in Santa Barbara and Ventura Counties between specified units of the state park system, and specify that such acquisitions shall be subject to the provisions of the Property Acquisition Law, except that such acquisitions would be subject to restrictions on the exercise of eminent domain specified in designated provisions

This bill would reappropriate $940,000 of the funds appropriated in 1974 by statute and

in the Budget Act to the department for purposes of the bill

This bill would, however, prohibit expenditure of such funds for acquisition of real property or any other interest in real property until the State Public Works Board determines that the Department of General Services has complied with procedures and criteria established by the Attorney General regarding implied dedication and that the department, in its investigations and appraisals, has found no prescriptive right or claim, or if such right or claim does exist, that the department's appraisal reflects the value of such right or claim

Ch 1020 (SB 1032) Behr Recreational trails acquisition, development

Existing law authorizes the Department of Parks and Recreation to acquire land for, develop, and maintain, recreational trails to and between units of the state park system In 1974, funds were appropriated to the department for the development of hostel facilities in state park system units in various counties, including Marin County, and for the establishment of recreational trails to and between such units The 1974 act which appropriated such funds also provides that acquisitions made pursuant to the act shall be subject to the provisions of the Property Acquisition Law, which law provides for the exercise of eminent domain Additional funds were appropriated in the Budget Act of 1974 for these purposes

This bill would specifically authorize the department to acquire rights-of-way for, and to develop, recreational trails in Marin County between specified units of the state park system and the Larkspur Ferry Terminal of the Golden Gate Bridge, Highway and Transportation District which provides ferry access to Angel Island State Park, and specify that such acquisitions shall be subject to the provisions of the Property Acquisition Law, except that such acquisitions would be subject to restrictions on the exercise of eminent domain specified in designated provisions

This bill would reappropriate, for purposes of the bill, $600,000 of the funds appropriated in 1974 by statute and in the budget act to the department for hostels in state park units in specified counties and for recreational trails between such units

This bill would, however, prohibit expenditure of such funds for acquisition of real property or any other interest in real property until the State Public Works Board determines that the Department of General Services has complied with procedures and criteria established by the Attorney General regarding implied dedication and that the department, in its investigations and appraisals, has found no prescriptive right or claim, or if such right or claim does exist, that the department's appraisal reflects the value of such right or claim

Ch 1021 (SB 1080) Alquist Community college districts drawing of warrants

Existing statutes authorize the governing board of any community college district, unified school district, or district with an ada in excess of 10,000, upon the specified approval of the Superintendent of Public Instruction, to cause to be drawn all warrants on the county treasury against specified funds of the district in the county treasury in payment of district expenses, pursuant to detailed procedures

This bill would remove community college districts from such statutes and would, instead, add separate but substantially similar provisions, requiring such approval to be given by the board of Governors of the California Community Colleges, in the statutory law relating specifically to community colleges

This bill would also incorporate additional changes in Sec 21117, Education Code, proposed by AB 1006, to be effective only if AB 1006 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered last, and in which case this bill would also incorporate corresponding related changes in Sec 25543 6, as added by this bill

Ch 1022 (SB 310) Schrade Property taxation notice of zoning change

Existing law provides that whenever zoning covering a parcel of property is changed, or a conditional use or zoning variance is granted, the governing body of a city or county shall, within 30 days, notify the county assessor of such action

This measure would, in cases where the zoning change or granting of a variance is at the request of other than the property owner, also require a simultaneous notification of the property owner that the assessor has been notified of the zoning change and the

inclusion in such notice of information concerning the duty of the assessor to reassess the property as of the next succeeding lien date, and of the owner's right of protest at an equalization hearing.

Existing law also requires a county or city to provide notice by publication in various forms and also notice by mail to specified persons when a public hearing by a planning commission is convened to hear proposed zoning ordinances or amendments thereto

This bill would specify that such required notice be given by the city or county planning commission and would further require notification by mail to the owner of property affected by such zoning change

The bill specifies that no appropriation is made by the bill for reimbursement to local governments for costs incurred by them pursuant to the bill's provisions because of a specified reason.

Ch 1023 (SB 770) Rodda Construction inspectors

The existing Registered Construction Inspectors Law does not provide for enrollment of persons training to become registered construction inspectors

This bill would require the State Board of Registered Construction Inspectors to provide for the enrollment of persons enrolled with the board as trainees, to be known as inspectors-in-training, in the divisions of construction inspection The bill would specify dates for renewal of such enrollment and would require the board to establish a fee of $25 for filing for enrollment as an inspector-in-training and a fee of not less than $10 nor more than $25 for renewal of such enrollment

Existing law specifies that as of January 1, 1976, any person employed to inspect the construction, reconstruction or alteration of school buildings shall be a registered construction inspector, except as otherwise exempted

The bill would create an additional exemption for inspectors approved by the Office of Architecture and Construction and employed pursuant to a particular building contract prior to January 1, 1976

Present law also provides that with respect to applicants for registration as construction inspectors, the State Board of Registered Construction Inspectors may give credit as experience for specified activities

This bill would additionally authorize the board to give credit as inspection experience, not in excess of two years, for having been a contractor's superintendent in the field supervising the work of two or more subcontractors and involving three or more trades, and would require the board to give credit as inspection experience for time spent on the job as an inspector-in-training

This bill would also incorporate additional changes in Sec 15459 1, Education Code, proposed by SB 714, to be effective only if SB 714 and this bill are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered last

Ch 1024 (AB 1490) Chappie Court reporters· Colusa County

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Colusa County, and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of Colusa County and the Legislature

(2) Existing law makes provision for the compensation, duties, and fees of court reporters generally, but does not specify such compensation and duties for official court reporters in Colusa County

This bill would specify compensation, duties, and fees for official court reporters in Colusa County

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Colusa County

(4) The bill would also provide that no reimbursement is made to local governments for costs incurred pursuant to the bill for a specified reason

(5) The provisions of the bill would remain in effect until January 1981

Ch 1025 (AB 1633) Foran Elderly

Under current law federal nutrition programs under the Older Americans Act of 1965, as amended, are implemented under the McCarthy-Kennick Nutrition Program for the Elderly Act of 1972

The bill specifies that not more than 20 percent of nutrition services under the state plan and of funds administered by the state shall be used for meals to individuals in their residences and that such individuals not be required to participate in congregate feeding programs

The bill also provides that no agency providing food service pursuant to the act shall be prohibited from serving meals consistent with terms and conditions in its contract, to individuals as long as the total number does not exceed the number authorized

Ch 1026 (AB 1650) Mobley Official reporters Fresno County

Existing law specifies the salaries for official reporters and official reporters pro tempore in Fresno County

This bill would increase the salaries for official reporters in Fresno County and would revise the manner of computing their sick leave benefits

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

This bill would take effect immediately as an urgency statute

Ch 1027 (AB 1858) Knox Personal income taxes pollution control facility deduction

Under existing Personal Income Tax Law and Bank and Corporation Tax Law, a taxpayer is entitled to a deduction with the amortization of the amortizable basis of any certified pollution control facility which, among other things, is placed in service by the taxpayer before January 1, 1975

This bill would require that such facility must have been placed in service by the taxpayer before January 1, 1976, rather than January 1, 1975, in order to qualify for such amortization deduction

This bill would take effect immediately as a tax levy, but its operative effect will depend upon the time at which it takes effect

Ch 1028 (AB 2064) Mobley Fresno City College projects

Legislation has from time to time been enacted making provision for funding for community college capital outlay purposes

This bill would, subject to specified limitations, appropriate from the money in the State Construction Program Fund derived from the proceeds of bonds sold pursuant to the Community College Construction Program Bond Act of 1972, an amount sufficient to provide for payment of Fresno City College projects to construct a business education building and a student services building for which an appropriation is available

Ch 1029 (SB 106) Dunlap Aeronautics funds annual payments to cities

Present law requires that public entities receiving certain payments of $5,000 annually from the Aeronautics Account in the State Transportation Fund use such money for airport and aviation purposes, as specified, and prohibits its use for maintenance, and there are provisions requiring matching funds

This bill expands the meaning of "airport and aviation purposes" to include expenditures for repair or replacement of a capital improvement, as well as expenditures of a capital improvement nature, permits a city, county, airport district, or the University of California to use such money for maintenance of capital improvements which were or could have been constructed, in whole or in part, with money paid from such account, and exempts a city, county, airport district, or the University of California from the requirement of matching funds in order to be eligible for such payments

Ch 1030 (SB 450) Rains Elections

Existing law requires residency in the local entity for local officeholders

This bill would require that local officeholders be registered voters of the district or city at the time of issuance of nomination papers, and that a member of a local legislative body must have resided in the geographical area making up the district from which he is elected

This bill would take effect immediately as an urgency statute

Ch 1031 (SB 739) Wedworth Emergency medical care committees

Under existing law, every county in this state is required to have an emergency medical care committee, although adjacent counties may have a single committee, for review of emergency medical service operations in the county or counties Such a committee is required to report at least annually to the State Advisory Health Council, the State Department of Health, and the appropriate areawide comprehensive health planning agency its observations and recommendations pursuant to such reviews The observations and recommendations are also required to be submitted by the committee to the county board or boards of supervisors that it serves for comment only

This bill would delete the limitation that the submission be for comment only and would also require the committee to act in an advisory capacity to the county board or boards of supervisors it serves and to the county department having charge of emergency medical services, on matters relating to emergency medical services

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to the bill

Ch 1032 (SB 1155) Ayala School buildings joint occupancy

The law currently authorizes a school district to contract with a private entity for the joint use of property and buildings, but prohibits buildings jointly occupied by a school district and a private entity from being used for classroom purposes or other purposes involving group participation by pupils

This bill would exclude from such prohibition, the joint occupancy of a building in connection with a voluntary adult education program

The bill would go into effect immediately as an urgency statute

Ch 1033 (AB 1206) Boatwright Taxation items of tax preference

Under existing law, "items of tax preference" is defined as excess investment interest, certain deductions for depreciation, depletion allowances, stock options, capital gains, and reserves for bad debts, as computed for purposes of the Personal Income Tax Law or the Bank and Corporation Tax Law Under such laws, items of tax preference are not included for purposes of computing the normal taxes, but such items are subject under both laws to a special minimum tax at the rate of 2½% of preference income to the extent that such preference income in excess of $30,000 is greater than the amount of net business loss for the taxable or income year

This bill would delete such special minimum tax rate of 2½%, as applied in the Personal Income Tax Law, and would, instead, apply an increasing rate of tax to increasingly larger tax preference income brackets, except for certain lump-sum retirement benefit

Further, this bill would include within the definition of "items of tax preference" that amount of farm net loss in excess of $15,000 which is deducted from nonfarm income

Under existing law, a specified part of capital gains are an item of tax preference, and therefore subject to the tax on such items

This bill would exclude a capital gain resulting from the sale of an owner-occupied dwelling, as defined, from such items of tax preference

Existing Personal Income Tax Laws, with certain exceptions, provides that any amount attributable to the planting, cultivation, maintenance, or development of any citrus or almond grove, which is incurred before the close of the fourth taxable year beginning with the taxable year in which the trees were planted, shall be charged to capital account

This bill would make such requirement applicable to all other fruit and nut groves

Under existing Personal Income Tax Law, the gain from the disposition of a farm shall be treated as regular income, rather than being subjected to capital gains treatment to the extent that the taxpayer applied certain excess deductions in computing personal income taxes which had resulted from the deduction of excess farm losses from nonfarm adjusted gross income

This bill would repeal such provision

This bill would take effect immediately as a tax levy, but specific provisions will become operative as specified therein

Ch 1034 (AB 1873) Papan Railroads disposition of equipment

There is no provision of present law specifying the circumstances under which a railroad may remove from service or dispose of passenger cars

This bill would prohibit such disposition for scrap or otherwise without approval of the Public Utilities Commission after a finding that such disposition will not render the railroad unable to provide the level of passenger service required to be provided

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

This bill would take effect immediately as an urgency statute

Ch 1035 (AB 1950) McVittie Personal income tax interest deductions and estimated tax declarations

Existing California Personal Income Tax Law requires interest income, including that which is derived from time deposits or accounts, to be included in income, for purposes of computing taxes

This bill would allow the deduction from income of amounts of interest which are forfeited by the taxpayer for early withdrawal of funds from specified time deposits or accounts

Existing California Personal Income Tax Law requires certain individuals to file quarterly estimated income tax declarations and taxes thereon if more than 20% of the estimated tax is not covered by the withholding of income taxes from wages, unless the estimated tax is less than $100, or $50 in the case of a separate return filed by a married person

This bill would revise such provisions to specify that such quarterly declarations and payments are not required if 80% of the net tax will be covered by withholding of taxes from wages

This bill would take effect immediately as a tax levy

The bill would make additional changes in Section 17072 of the Revenue and Taxation Code proposed by SB 140, to be operative only if SB 140 and this bill are both chaptered, and this bill is chaptered after SB 140

Ch 1036 (AB 2044) MacDonald Motor vehicles lien sales

Existing law provides that a lien sale may be conducted by a lienholder in satisfaction of a lien on a motor vehicle if the lienholder has been issued an authorization to conduct a lien sale by the Department of Motor Vehicles, has received a judgment in his favor on the claim which gives rise to the lien, or the registered and legal owners have signed, after the lien has arisen, a release of any interest in the form prescribed Existing law provides a procedure to be followed by the department in notifying the registered and legal owners and persons claiming an interest in the vehicle of their available rights and remedies regarding barring a lien sale, instituting an action, or relinquishing any interest in the vehicle It further prescribes the conditions under which the department is required to either notify the lienholder that he may not conduct a lien sale or issue an authorization to conduct a lien sale

This bill would retain the above procedure and requirements with respect to lien sales for motor vehicles the value of which exceed $200, but would provide a separate procedure preliminary to a lien sale where a lienholder declares under penalty of perjury that the value of the motor vehicle does not exceed $200 Under this procedure, a lienholder may conduct a sale if the registered and legal owner and any person having an interest in the vehicle do not sign and return to the department a declaration of opposition stating a desire to contest the claim

This bill would require the lienholder to send each of the above parties by certified mail a certificate of lien, a notice that a lien sale may be conducted, and a form for declaring opposition, all of which are required to contain specified information Copies of the certificate and the notice would be required to be sent concurrently to the department The bill would require the department to notify the lienholder within a specified time that he may not conduct a lien sale where the department has received a declaration of opposition from any of the above interested parties This bill would authorize the conduct of a lien sale if the lienholder is not notified by the department within a specified time following the lienholder's mailing of the notice

This bill would specify the conditions under which a lienholder's lien based on work

or services performed on the vehicle may be extinguished

This bill would take effect immediately as an urgency statute

Ch 1037 (AB 2050) Nimmo Vocational training Monterey County

Chapter 173 of the Statutes of 1974 appropriated $500,000 from proceeds of the State School Building Aid Bond Law of 1966, for expenditure by a joint powers entity created by agreement of two or more school districts, as a state loan for the construction or purchase of facilities for a regional occupational center or program in Monterey County.

This bill would increase to $1,000,000 the amount appropriated for such purpose and would change the source of such funds to the State School Building Aid Bond Law of 1974

This bill would require the levy of a tax in the participating school districts to repay the state loan, and would require, if it is determined that the revenues from such tax will be insufficient to repay the loan, that the funds shall be apportioned only upon the condition that two-thirds of the total number of qualified voters of the participating school districts vote to approve the acceptance, expenditure, and repayment of the loan

The bill would take effect immediately as an urgency statute

Ch 1038 (AB 2109) Chimbole Unemployment insurance· hearing procedure

Existing law permits any individual claiming benefits in any proceedings before the appeals board or its authorized representative to be represented by counsel or agent

This bill would require the department to prepare printed forms to authorize such representation and make such forms available without charge This bill would also require that when such authorization is filed, upon request by the claimant, copies of all notices and transcripts pertinent to the particular claim be served on the claimant and his counsel or agent

Ch 1039 (AB 2124) Knox Banks

Existing law provides that a commercial or savings bank may purchase for its own account only specified investment securities

This bill adds to such permissible investments stocks, bonds, debentures, participations and other obligations of the Federal Home Loan Mortgage Corporation

Ch 1040 (AB 2187) Knox Commissioner of Corporations disciplinary action

Existing law authorizes the Commissioner of Corporations to take certain disciplinary action against certain specified persons who are performing functions for a licensed security broker-dealer if the commissioner finds, among other things, that such persons have been convicted of specified offenses

This bill would authorize the commissioner to take such disciplinary actions against such persons if it is found that such persons pled nolo contendere to those specified offenses presently enumerated under existing law

Ch. 1041 (AB 2198) Sieroty Retail sales

Existing law does not prohibit a seller from assessing a finance charge against the outstanding balance for merchandise purchased on time but not yet actually in the customer's possession

This bill would provide that, in the event of a retail installment sale contract or retail installment account, no retail seller shall assess any finance charge on the amount financed or outstanding balance, as the case may be, for goods purchased under such contract or account until such goods are in the buyer's possession, except that such charge may be assessed from the date such goods are available for customer pickup when the buyer has been notified of their availability, or from the date of purchase when such goods are delivered or available for pickup by the buyer within 10 days of the date of purchase

Ch 1042 (AB 2293) Lewis State Air Resources Board vapor control systems

Presently, there is no existing statutory law under which the State Air Resources Board may adopt procedures for the certification of, and to certify, gasoline vapor control systems in compliance with standards adopted by the board

This bill would require the board, by March 1, 1976, to adopt procedures and performance standards for the certification of gasoline vapor control systems to achieve or

maintain any applicable ambient air quality standard The bill would permit the board to test, or contract for the testing of, such systems for purposes of certification, and would prohibit the installation on or after July 1, 1976, of such a system which has not been certified To the extent authorized by other provisions of law, any air pollution control district would be authorized to adopt stricter procedures and performance standards than those adopted by the board pursuant to such provisions The bill would further permit the board to charge a reasonable fee, as specified, for certification and payment of such fee may be made a condition of certification

This bill would also require the board, by March 1, 1976, to adopt specifications for the fill pipes and openings of motor vehicle fuel tanks for the purpose of vapor control.

This bill would prohibit the sale, offering for sale, or registration in this state of new 1977 or later model year gasoline-powered motor vehicles not meeting the specifications adopted by the board relating to fill pipes and openings of fuel tanks of such vehicles. The board would be authorized to exempt from such specifications those classifications of motor vehicles for which the board determines the specifications are technologically infeasible Such specifications for 1977 model year gasoline-powered motor vehicles only may be waived by the board upon a finding of inadequate lead time for required vehicle redesign

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 1043 (AB 255) Dixon Employment practices questions concerning arrests.

The existing law provides that it is a misdemeanor for any employer, other than when hiring a peace officer, to inquire regarding arrest records on an initial employment application, but permits questions regarding convictions, and permits questions regarding arrest records in the employment process following receipt of the initial application form

This bill would prohibit an employer from asking an applicant for employment to disclose information concerning an arrest which did not result in a conviction, as defined, or from seeking from any source or utilizing such information for specified purposes, but would not prevent an employer from asking an employee or applicant about an arrest for which trial is pending

This bill would prohibit peace officers or employees of a law enforcement agency with access to criminal offender record information maintained by a local law enforcement criminal justice agency from knowingly disclosing, with the intent to affect a person's employment, information contained therein pertaining to an arrest or other proceeding which did not result in a conviction to any person not authorized by law to receive such information, as defined

This bill would prohibit specified persons, with access to criminal offender record information maintained by a local law enforcement criminal justice agency, or any person authorized by law to receive such information, from knowingly disclosing such information pertaining to an arrest or other proceeding which did not result in a conviction to anyone not authorized by law to receive such information, as defined, and would prohibit any person from knowingly receiving or possessing such information when not authorized by law

This bill specifies that the persons seeking employment as peace officers or for positions in law enforcement agencies with access to criminal offender record information or for positions with the Division of Law Enforcement of the California Department of Justice are excluded from the provisions of the bill, and specifies certain health facility and criminal history record exceptions to the bill

This bill specifies civil remedy and criminal penalties for violation of provisions of this bill

This bill provides that there shall be no reimbursement or appropriation to local agencies for costs under this bill for specified reasons

Ch 1044 (AB 1166) Foran Telephone emergency services foreign languages

Existing law requires that by December 31, 1982, every pay telephone within certain local emergency telephone systems enable a caller to dial "911" for emergency services and to reach an operator by dialing "0" without inserting a coin

This bill would additionally require that in those counties where 5 percent or more

of the population according to the latest U S census speak a specific primary language other than English, that operators who speak each such other language, in addition to English, be on duty at all times for "911" emergency services

This bill would declare that there are no state-mandated local costs in the bill that would require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason

Ch 1045 (AB 1704) Maddy Write-in candidates

Existing law provides that in a direct primary election candidates for the nomination to an office must file a certain number of sponsor's certificates if they wish to have their names printed on the ballot

Existing law also provides that write-in candidates for nomination or election to any office must file a declaration of candidacy if they wish to have votes cast for them counted However, existing law does not require that they file any sponsor's certificates.

This bill would require that write-in candidates for nomination or election to an office include with their declaration of candidacy the same number of sponsor's certificates as would be required of a candidate for nomination to that office in order to have his name printed on the ballot in a direct primary election

Existing law requires that declarations of candidacy be filed no later than the eighth day prior to the election to which it applies

This bill would require the declaration and sponsor's certificates to be filed no later than the 14th day prior to the election for candidates who require certification by the Secretary of State or the 8th day prior to the election for all candidates not required to be certified by the office of Secretary of State

This bill would incorporate the above changes into proposed changes made by Assembly Bill 1599, to become operative only if this bill and Assembly Bill 1599 are both chaptered and become effective on or before January 1, 1976, and this bill is chaptered last

This bill would provide that no appropriation is made nor obligation created for the reimbursement of local agencies or school districts for costs incurred by them pursuant to this act

Ch 1046 (AB 1772) Campbell Improvement Act of 1911 nonpayment of bonds sale of parcels

Under the Improvement Act of 1911, in a sale of land for nonpayment of street improvement bonds, the sale is made to the purchaser who will take the least amount of the lot or parcel and pay the amounts specified in the notice of sale

This bill would require instead that such sale be made to the purchaser who will pay the highest price for the entire lot or parcel, but not less than the amount due on the bond, together with accrued interest, penalties, and costs of sale and other fees, as specified in the notice of sale

The Improvement Act of 1911 also provides that if there are no bidders in such a sale, a certificate of sale shall be issued to the bond owner upon surrender of the bond to the treasurer and upon payment of expenses of publication incurred by the treasurer, a $7 fee for issuance of the certificate, a recording fee, and the cost of a title search, if incurred and if no deposit therefor had been made

This bill would instead provide that if there are no bidders in such a sale, a certificate of sale shall be issued after surrender of the bond The bill would further specify that a recording cost, the cost of title search (if incurred), certain fees connected with the sale, cost of publication of notice of sale, and a $7 fee for issuance of the certificate, all of which are required to be deposited by the bondholder prior to publication of the notice of sale, would be forfeited

Further, with respect to these provisions, the bill would make conforming changes in the required language of the notice of sale issued by the treasurer

Finally, other provisions of the Improvement Act of 1911 permit property sold for nonpayment of street improvement bonds to be redeemed within 12 months of the date of sale

This bill would require the treasurer to hold in trust, during the redemption period or until redemption is actually made, any surplus money remaining from the sale after payment of the bond, plus interest, penalties, and cost of sale In the event of redemp-

tion, the treasurer would be required to pay that entire sum to the holder of the certificate of sale In the event there is no redemption, the treasurer would be required to pay the surplus money to the person who was the owner of record prior to the issuance of the treasurer's deed, if he can be found.

The bill would incorporate additional changes in Secs 6504 and 6509, Streets and Highways Code, proposed by AB 2170, to be operative only if this bill and AB 2170 are both chaptered and become effective January 1, 1976, and this bill is chaptered last

The bill would make no appropriation nor reimburse any local agency pursuant to Section 2231 of the Revenue and Taxation Code for a specified reason

Ch 1047 (AB 48) Cullen. Criminal law

The law now generally provides for a 3-year period of limitation within which a felony must be prosecuted The 3-year period commences from the time the felony was committed. This general rule is applicable to felonies involving a violation of Section 132 or 134 of the Penal Code, i e , offering in evidence or preparation of false documentary evidence

There is an exception to the general rule for felonies, such as perjury and submission of fraudulent claims, which provides for the commencement of the 3-year period from the time of discovery of the commission of the felony

The bill would place felonies involving a violation of Sections 132 and 134 within the exception so that the 3-year period commences with the discovery of the commission of the felony

Existing law also provides for the prosecution of a writ of habeas corpus whenever any person is unlawfully imprisoned or restrained, but no specific provision is made for prosecution of a writ of habeas corpus on the ground that false evidence was introduced This bill would provide new grounds for prosecuting a writ of habeas corpus where it is alleged that false evidence that is substantially material or probative was introduced or that false physical evidence believed to be factual, probative, or material was a material factor directly related to a plea of guilty

This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch. 1048 (AB 427) Murphy Elections· Republican presidential primary

The Constitution presently provides that all candidates found by the Secretary of State to be recognized candidates for President of the United States throughout the United States or California shall be placed on the ballot, along with those names placed on the ballot by petition.

The law also provides for the election of delegates, both pledged to a particular candidate and unpledged, to the party conventions to be selected from congressional districts based on a formula providing for a minimum and maximum number, and the qualification of write-in candidates

This bill would repeal the existing provisions for the election of delegates to party conventions, other than for the Democratic Party, and would add new sections providing for the selection of candidates by the Secretary of State, the nomination of candidates not selected by the Secretary of State, and the qualification of write-in candidates

Ch 1049 (AB 1392) Subcommittee on Energy and Resources of the Assembly Committee on Ways and Means Funds petroleum and gas, subsidence abatement

Under existing law, charges levied, assessed, and collected upon the properties of persons operating or owning an interest in the production of an oil or gas well, proceeds from the sale of printed matter relating to oil and gas published by the State Oil and Gas Supervisor, and money received in repayment of repair work performed with respect to an oil or gas well by agents appointed by the supervisor are deposited to the credit of the Petroleum and Gas Fund, and all money from such fund is continuously appropriated for the purposes of carrying out the provisions of state law governing the regulation of oil and gas development operations, except provisions regarding subsidence

Existing law requires moneys received in connection with the regulation of geothermal resources development operations to be deposited in the geothermal resources account in the Petroleum and Gas Fund and appropriated for such purposes

Also, under existing law, there is the Subsidence Abatement Fund Moneys paid by applicants for repressuring operations and certain annually imposed charges and penalties assessed against oil and gas well operators in subsidence areas are deposited in such fund and are used for administration of subsidence operations.

This bill would abolish the Petroleum and Gas Fund and the Subsidence Abatement Fund and require the moneys presently deposited to the credit of the Petroleum and Gas Fund or to the geothermal resources account in such fund, or to the Subsidence Abatement Fund, to be deposited to the credit of the General Fund The bill would make various conforming changes

The bill would abolish such statutory provisions for the charges against oil and gas well operators based on the oil and gas produced and abolish the procedural provisions governing the assessment of such charges

Under existing law, there is no specific provision providing that the Division of Oil and Gas is required to exercise surveillance over repressuring activities in California

This bill would specifically provide that such division is required to exercise such surveillance

Existing law authorizes the Department of Conservation in setting charges against oil and gas well operators to fix such charges to produce annually $250,000 over and above specified expenses, to be used to repay specified moneys taken from the General Fund, until repayment of such money is accomplished

The bill would abolish this provision

This bill would also provide that it shall become operative on July 1, 1976.

Ch 1050 (AB 1864) Chappie Off-highway vehicles

(1) Existing law does not authorize the issuance of an off-highway vehicle identification plate or device to motor vehicles operated solely on private property which are owned by the owner or tenant of the private property and to motor vehicles which are operated off the highways in a specified type of organized racing or competitive event upon a closed course

This bill would delete the provisions relating to motor vehicles operated on private property and would revise the provisions relating to racing vehicles to specify four-wheeled motor vehicles operated solely in specified types of organized racing or competitive events upon a closed course The bill would define "closed course" for purposes of these provisions.

(2) Existing law does not specify the types of motor vehicles for which identification as an off-highway vehicle may be sought

This bill would include in the definition of "off-highway motor vehicle" motorcycles and motor-driven cycles (except certain motorcycles eligible for a special transportation identification device, as provided), snowmobiles, dune buggies, and jeeps

(3) Existing law permits off-highway vehicles that are identified as such to be towed on a highway and permits motorcycles that are identified as off-highway vehicles to be pushed, but not ridden, upon a highway

This bill would require the Department of Motor Vehicles to issue, upon payment of a $3 fee, a special transportation identification device for any motorcycle which the owner has certified as being used exclusively in racing events on a closed course Such device would be issued in lieu of any other identification of an off-highway vehicle and would permit the motorcycle to be transported on the highway to and from racing events on a closed course Such device would be nonrenewable The fees collected would be deposited in the Motor Vehicle Account in the Transportation Tax Fund

(4) Existing law generally requires that money deposited in the Motor Vehicle Fuel Account which is attributable to fuel for off-highway vehicles identified pursuant to provisions of the Vehicle Code be transferred to the Off-Highway Vehicle Fund

This bill would revise such provisions by requiring the transfer of money attributable to off-highway vehicles subject to identification, rather than those identified, pursuant to such provisions of the Vehicle Code

(5) The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

(6) The bill would appropriate $81,300 from the Motor Vehicle Account in the State Transportation Fund to the department for purposes of this bill, without regard to fiscal year.

Ch 1051 (AB 1920) Gualco Apprentice agreements and programs

The existing law provides that the preparation of trade analysis and outlines of instruction for apprentices, among other things, shall be the responsibility of state and local boards responsible for vocational education

This bill would provide that the preparation of trade analysis and development of curriculum for instruction, among other things, shall be the responsibility of and shall be provided by, state and local boards responsible for vocational education upon agreement with the local joint apprenticeship committee or other program sponsor

This bill would provide that costs to local public education agencies which exceed state apportionments and local revenue earned from attendance in apprenticeship classes shall be payable by the local apprenticeship program sponsor, and would require the State Board of Education, the Board of Governors of the California Community Colleges, and the Division of Apprenticeship Standards to jointly issue regulations regarding excess costs to be borne by local apprenticeship program sponsors

This bill would permit interested parties to file a complaint in accordance with specified provisions when a community college or secondary education district and program sponsors are unable to reach agreement on providing related and supplemental instruction

The existing law provides that community colleges may refuse to provide related and supplemental instruction to an apprenticeship program when the sponsor fails to implement the requirements of the State of California Plan for Equal Opportunity in Apprenticeship as determined by the Division of Apprenticeship Standards or the California Apprenticeship Council, and prohibits any other public school district from providing such instruction until the sponsor is in a position to proceed in good faith with such implementation

This bill would provide that community colleges and other public school districts shall refuse to provide related and supplemental instruction to an apprenticeship program when the Administrator of Apprenticeship determines that the sponsor is in noncompliance with the State of California Plan for Equal Opportunity in Apprenticeship.

The existing law provides that every apprentice agreement entered into shall contain, among other things, a statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than four months

This bill would provide that every apprentice agreement entered into shall contain, among other things, a statement providing for a period of probation of not more than 1,000 hours of employment and not more than 72 hours of related instruction.

This bill would provide that there are no state-mandated costs in this bill that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason

Ch 1052 (AB 2014) Badham Aviation airports and airport permits

(1) Present law defines "aircraft" for purposes of the State Aeronautics Act as any contrivance used or designed for navigation of or flight in the air

This bill would revise this definition to specify any manned contrivance for navigation of or flight in the air requiring federal certification or regulation except that manned lighter-than-air balloons shall not be considered to be aircraft.

(2) Present law directs the Department of Transportation to adopt a seal and make rules and regulations for the administration of the department

This bill would revise these provisions to, instead, authorize the department to adopt, administer, and enforce rules and regulations for the administration of the State Aeronautics Act

(3) Present law specifies among the requirements to be met for issuance of an airport permit by the department that the public advantages in selection of the airport site outweigh environmental disadvantages caused by the airport

This bill would revise this provision to specify for this requirement that the advantages to the public in selection of the site of a proposed new airport or, in the case of an amended permit, that the advantages to the public of the proposed expansion of the airport outweigh the environmental disadvantages

(4) Present law requires a hearing before the department may refuse to issue an airport permit upon its determination that certain requirements have not been met

This bill would, instead, permit the department to refuse to issue a permit if it deter-

mines the specified requirements have not been met, but would permit any interested person to, upon request, be granted a hearing to determine whether the permit should be issued

(5) Present law specifies various conditions pursuant to which the department may revoke an airport permit

This bill would, in addition, permit the department to similarly revoke a permit for reasons of public safety, subject to the right of an aggrieved person to request a hearing to determine whether the revocation shall remain in effect It would, further, permit the department to suspend a permit, or require suspension of operations of a portion of an airport for such time as the department determines that the conditions requiring the suspension remain in effect, would permit summary suspension for reasons of public safety, and would provide for opportunity for hearing thereon

(6) The bill would also make various related and conforming changes and revisions in the State Aeronautics Act

Ch 1053 (AB 2226) Boatwright Property taxation sale of tax-deeded property

(1) Under existing law the Controller or any person designated by him may take possession of tax-deeded property

This bill would provide that any personal property left at the location of such property is done so at the risk of the owner and neither the state nor the Controller is liable for any damages sustained by the damage or loss of the personal property

(2) Existing law requires the tax collector to publish notice of his intended sale of tax-deeded property once a week for three successive weeks in a newspaper of general circulation in the area in which the property is situated

This bill would permit the tax collector, in addition to the required published notice, to advertise the intended sale by any means authorized by the board of supervisors

(3) Existing law requires the sale to be at public auction for cash or negotiable paper, at the discretion of the tax collector

This bill would permit, at the discretion of the tax collector, in cases where the high bid is in excess of the $5,000, the sale to be a credit transaction and would provide for procedures for such transaction.

(4) Under existing law, in certain circumstances taxing agencies may enter an agreement with the board of supervisors to purchase, or for an option to purchase, tax-deeded property located in the taxing agency Existing law also specifies certain information that the deed conveying the property must contain

This bill would provide that the deed may also specify any condition necessary to effect compliance with the agreement, such as a condition that property be used by the taxing agency for the public use specified in the agreement

Ch 1054 (SB 663) Song Court of appeal

The existing law authorizes the First Appellate District of the Court of Appeal to have three judges in each of its four divisions

This bill would, instead, increase to four the number of judges authorized for each of the four divisions of the Court of Appeal for the First Appellate District It would also appropriate two hundred fourteen thousand dollars ($214,000) † to the Judicial Council for costs incurred pursuant to this act

Ch 1055 (SB 717) Song Courts court of appeal.

The existing law divides the counties of the state into 5 court of appeal districts with specified counties in each district.

Existing law also authorizes the Fifth Appellate District of the Court of Appeal to have 3 judges in its 1 division

This bill would remove San Luis Obispo County from the Second Appellate District and place it in the Fifth Appellate District, effective January 1, 1978 It would also increase to 4 the number of judges authorized for the Fifth Appellate District

The bill would appropriate $94,230 ‡ to the Judicial Council for costs incurred pursuant to this bill

† Appropriation deleted by action of the Governor

‡ Appropriation reduced to $81,517 by action of the Governor

Ch 1056 (AB 59) Keysor Elections Peace and Freedom Party

(1) Under existing law, the Peace and Freedom Party presidential primary is governed by the general provisions of the Elections Code relating to presidential primaries (Ch 1 (commencing with Sec 6000), Div 5, Elec C) Groups of candidates for delegate to the national convention, either unpledged or pledged to a particular presidential candidate, qualify for the statewide ballot by means of nominating petitions Each group is selected in conformity with a formula which gives representation on the group to each congressional district Representation at the national convention is composed of every member of the group which received the most votes of any group on the ballot

This bill would enact a new and separate chapter in the Elections Code to govern the presidential primary of the Peace and Freedom Party The bill would divide the Peace and Freedom Party presidential primary ballot into 2 parts On the first or presidential preference of the ballot, the candidates would be those candidates for President who are selected by the Secretary of State as generally recognized candidates for President and do not withdraw, and those candidates for President who qualify by means of nominating petitions Votes for candidates listed on this portion of the ballot would be advisory only

Listed on the second or delegate selection portion of the ballot would be groups of candidates for delegate who qualify for the statewide ballot by nominating petitions The membership of each group would be divided between the northern and southern territories of the state in proportion to the number of registered voters affiliated with the party and residing in each territory Representation at the national convention would be composed of members of each group in proportion to the number of votes obtained by the group on the delegate selection portion of the ballot

(2) Under existing law, the statutory provisions which govern the organization and activities of the Democratic Party are also applicable to the Peace and Freedom Party The party state convention is held in August after each direct primary election and consists of holders of specified federal and state elective offices, party nominees for such offices, and appointed persons The state central committee meets each January following a general election and consists of convention delegates, persons appointed by delegates, and specified party officials A county central committee serves two-year terms beginning each January following a general election and consists of members elected from Assembly or supervisorial districts, state legislators whose districts are included in the county, and holders of specified federal and other state elective offices who reside within the county

This bill would enact a new and separate part in the Elections Code to govern the organization and activities of the Peace and Freedom Party Instead of a state convention, the party would hold a two-day convention meeting of the state central committee in August after each direct primary election The state central committee would be composed of the memberships of each county central committee which would consist of party nominees for any partisan elective office and members elected from Assembly or supervisorial districts or at large Both the state central committee and a county central committee could provide for the appointment of additional members to the committees

(3) The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act

Ch 1057 (AB 2036) Carpenter Mental health

Under current law each state mental hospital has a hospital advisory board of five members

This bill would increase the number of board members to seven and expresses a legislative intent regarding the composition of the board

Under current law the chairman of hospital advisory boards for mental hospitals meets annually with hospital medical directors, community mental health program directors and directors for regional centers for the retarded

This bill would specify that the chairman of a hospital advisory board for the mentally disordered meet annually with the hospital clinical director, and the chairman of the local mental health advisory boards and that the chairman of a hospital advisory board for the developmentally disabled meet with the hospital clinical director, the regional center directors, and the area board chairmen It would express a legislative intent that

the Department of Health assist in these meetings

Ch. 1058 (AB 2046) Perino Municipal courts in San Joaquin County

Existing law specifies classifications and number of, and compensation for municipal court employees in the Judicial Districts of San Joaquin County

This bill would eliminate some classifications and would increase the number of and compensation for other municipal court employees in the Judicial Districts of San Joaquin County

The bill would also provide for an annual uniform allowance for each clerical employee of the marshal's office who regularly performs matron duties

The bill would further provide that if Assembly Bill No 2298 is chaptered and becomes effective on or before January 1, 1976, prescribed provisions of this bill would not become operative, whether Assembly Bill No 2298 is chaptered prior or subsequent to this bill

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch. 1059 (AB 2084) Robinson Districts vacancies on governing boards

Existing provisions in the statutory law governing certain districts provide that a vacancy in the elective office on the governing board shall, under specified conditions, be filled by appointment by the remaining board members or that elections be held Such provisions differ from the controlling Government Code provisions for filling such vacancies, which include appointment by the remaining members of the board within 90 days, or by the city council if the district is entirely in a city, or by the board of supervisors within 120 days, or by a special election if no such appointment is made

This bill would make certain district laws conform to the Government Code provisions, would revise the dates by which actions must be taken to fill the vacancies pursuant to the Government Code, and would provide that in lieu of appointment the district board may call an election to fill the vacancy

Under present law, a person appointed to fill such a vacancy holds office for the balance of the unexpired term of the vacant office or until the next specified district election scheduled 90 days or more after such appointment, whichever occurs first, at which time the office is required to be filled by election

This bill would provide that a person appointed to fill a vacancy in the election office on a special district's governing board pursuant to such present law prior to January 1, 1976, but who has not been elected to hold such office prior to that date is to hold such office until the next district general election.

Ch. 1060 (AB 2199) Keysor Elections· American Independent Party.

(1) Under existing law, the American Independent Party presidential primary is governed by the general provisions of the Elections Code relating to presidential primaries (Ch 1 (commencing with Sec 6000), Div 5, Elec.C) Groups of candidates for delegate to the national convention, either unpledged or pledged to a particular candidate for presidential nominee of the American Independent Party, qualify for the statewide ballot by means of nominating petitions Each group is selected in conformity with a formula which gives representation on the group to each congressional district Representation at the American Independent Party National Convention is composed of every member of the group which received the most votes of any group on the ballot

This bill would enact a new and separate chapter in the Elections Code to govern the presidential primary of the American Independent Party. The bill would divide the American Independent Party presidential primary ballot into two parts On the first or presidential preference of the ballot, the candidates would be those candidates for President who are selected by the Secretary of State as generally recognized candidates for President and do not withdraw, and those candidates for President who qualify by means of nominating petitions. Votes for candidates listed on this portion of the ballot would be advisory only.

The second or delegate selection portion of the ballot would substantially reflect existing law. However, two-thirds of the candidates for delegate of each group of delegates would be selected to represent congressional districts based on the ratio which the party registration in each district bears to the total statewide registration of the party

The remaining one-third would be selected at large

(2) Under existing law, the statutory provisions governing the organization and activities of the Democratic Party are made applicable to the organization and activities of the American Independent Party

This bill would enact a new and separate part in Elections Code to govern the organization and activities of the American Independent Party Such provisions would be substantially the same as those applicable to the Democratic Party

(3) The bill would declare that neither an appropriation is made nor an obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act.

Ch 1061 (AB 2298) Perino Municipal courts San Joaquin

Existing law makes provision for a municipal court in southern San Joaquin County comprised of an eastern division embracing the territory included in the former Manteca-Ripon-Escalon Judicial District and western district embracing the territory included in the former Tracy Judicial District Prescribed by existing law for each division of this court is a judge, clerk, marshal, and various court personnel positions, and appropriate compensation levels and related personnel benefits and classifications for such officers and employees

This bill would repeal existing provisions relating to the municipal court in the Manteca-Ripon-Escalon-Tracy area of San Joaquin County and would enact provisions providing for a single municipal court in the area without geographic division There would be two judges in such court, one clerk, one marshal, and various supportive personnel Also prescribed by the bill would be compensation levels for such officers and employees and related personnel benefits and classifications.

The bill specifies that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement or appropriation to local agencies pursuant to the bill's provisions because of a specified reason

The bill would be operative upon the occurrence of a specified event and would take effect immediately as an urgency statute

Ch 1062 (AB 2357) Rosenthal Practice of medicine

Existing law provides that an applicant for a physician's and surgeon's certificate must complete a specified course of instruction in a medical school approved by the Board of Medical Examiners and pass a written examination in specified subjects

This bill requires the Board of Medical Examiners to issue a physician's and surgeon's certificate, without a written examination, to anyone who meets specified requirements

The bill provides that the provision shall be operative until December 31, 1976

Ch 1063 (SB 825) Smith Displaced homemakers' service center pilot program

Existing law contains no provisions specifically providing for the counseling and training of persons over 35 who have worked within the home and been supported by others or by welfare assistance but are no longer receiving such support or are no longer eligible for such assistance

This bill would define such persons as "displaced homemakers" and would require the Secretary of Health and Welfare to establish a pilot program consisting of a multipurpose service center for displaced homemakers in the County of Alameda The bill would require the secretary to make grants, to the greatest extent possible, to nonprofit agencies or organizations to carry out the various programs of the center The service center would provide job counseling, specified job training programs, assistance in finding permanent employment, and specified service programs designed to make the displaced homemaker gainfully employed, healthy, and independent

The bill would require the Secretary of Health and Welfare in consultation with the director of the service center to establish regulations for the operation of the service centers

The bill would require periodic evaluation of the effectiveness of the service center and after two years the Secretary of the Health and Welfare Agency and the Legislative Analyst will report to the Legislature on the effectiveness of the program The program would automatically be repealed on January 1, 1978, unless reenacted or extended by the Legislature

The bill would appropriate two hundred thousand dollars ($200,000) to the Health and Welfare Agency to carry out the provisions of the act, such appropriation to be available for expenditure until January 1, 1978

Ch 1064 (SB 33) Petris Low-income home management training

There is no existing law relating to low-income home management training as the provisions governing the California Low-Income Home Management Training Program administered by the Director of Housing and Community Development and implemented as a pilot study, limited to housing authorities and other nonprofit organizations, terminated June 30, 1974

This bill would establish the California Low-Income Home Management Training Program, which would be administered by the Department of Housing and Community Development

This bill would authorize the Director of Housing and Community Development to make annual grants in accordance with specified priorities to cities, counties, cities and counties, housing authorities, or nonprofit organizations or developers under specified federal housing programs for establishment of local home management training programs meeting prescribed requirements

The bill would appropriate $175,000 to the Department of Housing and Community Development for the purpose of making grants under the California Low-Income Home Management Training Program and for costs of administering such program

This bill would take effect immediately as an urgency statute

Ch 1065 (SB 70) Wedworth Emergency medical services liability of paramedics volunteers search and rescue

The existing law provides that a physician or nurse, who in good faith issues emergency instructions to a mobile intensive care paramedic at the scene of an emergency, is not civilly liable as a result of issuing such instructions

This bill would provide that any mobile intensive care paramedic rendering care at the scene of an emergency, who in good faith and nonnegligently follows such instructions issued by a physician or nurse, would not be civilly liable as a result of following such instructions, unless the paramedic knew or should reasonably have known that following such instructions would be medically inappropriate

There is no existing statutory law regarding the liability of volunteers who assist in search or rescue operations at the request of a county sheriff, city police department, fire department, park ranger, or other local agency

This bill would provide that no person who is summoned by a county sheriff, city police department, fire department, park ranger, or other local agency to voluntarily assist in a search or rescue operation, who possesses first aid training equivalent to the Red Cross advanced first aid and emergency care training standards, and who in good faith renders emergency services, as defined, to a victim prior to or during the evacuation or extrication of the victim, shall be liable for any civil damages as a result of any acts or omissions in rendering such emergency services

Ch 1066 (SB 156) Rodda. Community college bonds

Legislation has from time to time been enacted making provision for funding for community college capital outlay purposes

The bill would provide, conditioned upon approval by the state electorate, for the issuance of state bonds in total amounts not exceeding $150,000,000 and expenditure for community college capital outlay purposes

The bill would call a special election to be consolidated with primary election of June 1976 for submission of the bond proposal to the electors Such provisions would take effect immediately as an act calling an election

Ch 1067 (SB 320) Rodda Schools data processing services, Sacramento County

Existing law appropriated $70,000 from the General Fund to the Superintendent of Public Instruction for a study that was conducted in Sacramento County regarding the feasibility of combining existing data processing centers presently operating in school districts and the office of the County Superintendent of Schools of Sacramento County

This bill would permit certain local educational agencies within the jurisdiction of the

Superintendent of Schools of Sacramento County to form an independent data processing center The center would be governed by a board composed of a representative of each participating agency plus one public member. This bill would prescribe the various powers and duties of the board

This bill would appropriate $825,000 from the General Fund to the Department of Education for allocation and expenditure pursuant to a prescribed provision during fiscal years 1975–76, 1976–77, and 1977–78 and would require repayment thereof by the participating local agencies over a five-year period commencing in 1978–79

The bill provides that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement or appropriation for state-mandated local costs, because the act produces savings as well as costs

Ch 1068 (SB 381) Dunlap Annadel State Park· acquisition

Item 383 5 of the Budget Act of 1974 appropriated moneys to the Bagley Conservation Fund and made such moneys available for reappropriation to the Department of Parks and Recreation for specific projects There is no existing law which reappropriates $165,000 of such moneys to the department for the acquisition of lands adjacent to Annadel State Park, as an addition to such park

This bill would reappropriate $165,000 of such moneys to the department for such acquisition The bill would require the acquisition to be subject to the provisions of the Property Acquisition Law

This bill would, however, prohibit expenditure of such funds for acquisition of real property until the State Public Works Board determines that the Department of General Services has complied with procedures and criteria established by the Attorney General regarding implied dedication and that the department, in its investigations and appraisals, has found no prescriptive right or claim, or if such right or claim does exist, that the department's appraisal reflects the value of such right or claim

Ch 1069 (SB 487) Song Crimes· effect of dismissals.

Present law now provides that the dismissal of a felony prosecution is not a bar to further prosecution for the same offense

The bill would provide that dismissal of a felony prosecution which has been previously dismissed would be a bar to further prosecution except in those felony cases where subsequent to the dismissal of the felony the court finds that substantial new evidence has been discovered by the prosecution which would not have been known through the exercise of due diligence at or prior to the time of dismissal

Ch. 1070 (SB 555) Marks. Names use by women

Existing law permits a court in a dissolution action or in a proceeding to adjudge a marriage void or voidable to restore the birth name or former name of the wife regardless of whether or not a request therefor is made in a party's petition. It also provides an express declaration in statutes that nothing therein shall be construed to abrogate a person's common law right to change one's name

This bill would require, except in the case of fraud, rather than permit, a court, upon the request of the wife in an action for dissolution or in a proceeding to adjudge a marriage void or voidable, to restore the wife's birth name or former name.

This bill would also prohibit any person engaged in any trade or business or in the provision of any service from refusing to do business with, or providing any service to, any woman, regardless of her marital status, because she has chosen to use or regularly uses her birth name or former name. It would also prohibit such persons from imposing as a condition of doing business with, or providing a service to, any woman, a requirement that the woman, regardless of her marital status, use any name other than her birth name or former name if she has chosen to use or regularly uses such names

Ch 1071 (SB 681) Nejedly Toll bridge revenue bonds

Provisions of the California Toll Bridge Authority Act authorize a maximum interest rate of 6% on revenue bonds issued under that act, although the maximum interest rate is 7% for bonds authorized to be issued for the construction of a new Dumbarton Bridge.

This bill would authorize an interest rate on such bonds of 8%, including specifically those authorized to be issued to finance the construction of a new Antioch Bridge.

Ch 1072 (SB 921) Richardson Los Angeles County Flood Control District bond funds

Existing law requires interest on all deposits of district funds to be paid quarterly into the general fund of the district, unless otherwise directed by law

This bill would direct the interest on bond fund investments to be paid to the reserve fund established for payment of principal and interest on the bonds

This bill would make additional changes in Section 2 of the Los Angeles County Flood Control Act, proposed by SB 920, to be operative only if this bill and SB 920 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 920

Ch. 1073 (SB 1094) Berryhill Grapes for wine and byproducts

Existing law authorizes the Director of Food and Agriculture under certain conditions, rather than county agricultural commissioners, to make determinations of the average percentage of soluble solids in the juice of fresh grapes to be used for grape byproducts and to certify such determinations

The bill would make these provisions applicable to grapes to be used for wine purposes

This bill would require the director to determine, in addition, the percentage of rot or foreign material present in fresh grapes for wine and byproducts purposes whenever such percentage would have any effect on the purchase price Further, the bill would require a purchaser, when any transaction involves fresh grapes for wine and byproducts, to notify the seller, in writing and prior to delivery by the seller, of the conditions relating to soluble solids, rot, and foreign materials affecting the purchase price to be paid for such grapes

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 1074 (SB 1165) Collier Outdoor advertising

Existing law prohibits certain outdoor advertising displays located more than 660 feet from interstate highways if they are designed to be viewed from that highway, unless they are located in business areas

This bill would prohibit certain outdoor advertising displays located more than 660 feet from an interstate highway if they are visible from interstate or primary highways and if they are located outside of urban areas as defined by federal law or within that portion of an urban area that is not a business area However, a display located within an urban area that is also a business area would be permitted if it conformed to specified criteria

Existing law requires the state to pay compensation for the removal of specified advertising displays when required to do so by federal law

This bill would require the state to pay compensation for the removal of any advertising display when required to do so by federal law

Under existing law, certain advertising displays which were located on November 7, 1967, within cities adjacent to interstate or primary highways are exempt from advertising display permit requirements

This bill would require that a permit, as specified, be obtained for such displays

Existing law does not specify a procedure for issuing permits for advertising displays located in incorporated areas along highways when such highways are designated as primary or interstate highways.

This bill would require a permit for such advertising displays and would specify a procedure for issuing permits for such displays

Ch. 1075 (AB 614) Antonovich Fighting animals dogs

Existing law makes it a misdemeanor to cause any bull, bear, cock, dog, or other animal to fight or to worry or injure such animal, or to permit or aid or abet or be present at such fighting, worrying or injuring

Existing law also makes it a misdemeanor as to any person who owns, possesses, keeps, or trains any bird or animal, with the intent that such bird or animal shall be engaged in an exhibition of fighting, or is present at any place, building, or tenement, where preparations are being made for an exhibition of the fighting of birds or animals, with

the intent to be present at such exhibition, or is present at such exhibition

This bill would make such provisions inapplicable to dogfighting and would enact separate provisions to apply to such fighting, to causing dogs to injure each other, and to owning, possessing, keeping or training of such dogs for dogfighting purposes and would make such conduct alternatively a felony or misdemeanor with authorization for a fine not exceeding $50,000, except that presence at such places as a spectator would remain a misdemeanor

This bill would exempt from its provisions the use of dogs in the management of livestock and in hunting as permitted by the Fish and Game Code and rules and regulations of the Fish and Game Commission

Existing law also authorizes the arresting officer to seize animals or paraphernalia involved in any violation of Penal Code animal laws This bill would require such seizure where arrests for violation of the above-described provisions relating to dogfighting are made

The bill would also provide that there shall be no reimbursement pursuant to specified provisions of law nor shall there be any appropriation made by the act for a specified reason

Ch 1076 (AB 696) Garamendi Public schoolbuses senior citizens

Current law makes detailed provision concerning the equipment, use, and operation of schoolbuses

This bill would authorize the governing board of any school district to enter into a contract with any senior citizens' group comprised of persons residing in the district for the transportation of members of senior citizens' groups by the use of schoolbuses owned or leased by the district, provided that a need therefor exists and specified requirements are met

Ch 1077 (AB 701) Priolo State park system Los Liones Canyon

There is no existing law providing for the acquisition of lands in the Los Liones Canyon in the Santa Monica Mountains for the state park system

Proposed expenditures by the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund for state park system acquisition projects are required by law to be contained as separate items in the Budget Bill

This bill would, notwithstanding such provisions, appropriate $1,000,000 from such account to the Department of Parks and Recreation for the acquisition of no more than 32 acres of the Los Liones Canyon in the Santa Monica Mountains for the state park system; provided, that such funds shall not be expended on the purchase price of any real property until the State Public Works Board has determined that the procedures and criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services, and all material relating to implied dedication shall be retained in the files of the Department of General Services and shall be available for postaudit on a selective basis by the Attorney General

The bill would make such acquisition subject to the provisions of the Property Acquisition Law

This bill is an urgency statute that would take effect immediately

Ch 1078 (AB 755) Z'berg State bridges and highways

(1) Under existing law, the California Toll Bridge Authority is authorized to issue revenue bonds to finance the construction of a new Antioch Bridge. With the exception of toll bridges, all state highway construction is financed from funds, as allocated by the California Highway Commission, from the State Highway Account in the State Transportation Fund

This bill would require the authority to include, in the bond issue to finance a new Antioch Bridge, an amount sufficient to finance the construction by the Department of Transportation of (a) the Benicia Viaduct ramps (Route 21) and (b) the West Seventh Street and Route 680 Interchange in Benicia

(2) Under existing law, the authority is also authorized to pledge the revenues of the parallel Carquinez Bridges and the Benicia-Martinez Bridge, as well as the revenues of the new Antioch Bridge, to secure the revenue bonds issued to finance the construction

of a new Antioch Bridge If the authority so finances the Antioch Bridge, the authority may provide for the payment of any outstanding Carquinez Strait Bridges Toll Bridge Revenue Bonds

The bill would authorize the authority to also pledge the revenues of the Antioch Bridge and, only on and after December 1, 1979 (the date on which the Carquinez Strait Bridges bonds will be retired), the revenues of the parallel Carquinez Bridges and the Benicia-Martinez Bridge, for the purposes specified in (1) above

(3) Under existing law, the maximum allowable interest rate on revenue bonds issued to finance toll bridge construction is 6%, although the maximum interest rate is 7% for such bonds authorized to be issued for the construction of a new Dumbarton Bridge

The bill would increase the maximum allowable interest rate on such revenue bonds to 8%, including those authorized to be issued specifically for purposes of (1) above

(4) Under existing law, Route 141 is the westerly extension of Route 680 from Route 80 into Vallejo

The bill would specify the terminal point in Vallejo to be at Route 37

Ch 1079 (AB 905) Vasconcellos Lobbyists

Existing law relating to lobbyists contained in the Political Reform Act of 1974 excludes employees of the State of California acting within the scope of their employment from the definition of "lobbyist"

This bill retains this exception but prohibits an employee of the State of California, other than a legislative official, who attempts to influence legislative action and who otherwise would qualify as a lobbyist, from making gifts of more than $10 per month to an elected state officer or legislative official

Ch 1080 (AB 1283) Sieroty Courts· appeals

Existing law provides that a defendant in a criminal case shall not be discharged without bail from custody if an appeal or petition for hearing is taken by the people from an order upon the return of a writ of habeas corpus granting the discharge of the defendant

This bill would require the defendant to be admitted to bail or released on his own recognizance or any other conditions which the court deems just and reasonable, subject to the same limitations, terms, and conditions which are applicable to, or may be imposed upon, a defendant who is awaiting trial

Ch 1081 (AB 1569) Foran State lands trespass mineral conversion

(1) Under existing law, any person who fails to pay to the State Lands Commission any sum due within the time required by any lease or agreement shall pay a penalty to the state of 5%, and in addition thereto shall pay to the state interest of ½% per month upon the sum due from the date on which the sum became due and payable to the state until the date of payment

This bill would require, on and after January 1, 1976, such persons to, instead, pay a penalty as prescribed in such lease or other agreement, and in addition thereto, interest in an amount not to exceed 1% of the sum due The bill would also require, on and after such date, persons who use or occupy any lands owned or controlled by the state under the commission's jurisdiction without a lease or other agreement and who subsequently obtain a lease or other agreement providing for the payment of back rent to pay such prescribed penalty and interest upon the sum which would have become due and payable had a lease or agreement been in effect

(2) Existing law subjects persons trespassing on lands of another, and persons who appropriate or convert mineral deposits in state lands which have been reserved to the state, to liability for ordinary damages

This bill would specify that persons who trespass on state lands under the jurisdiction of the commission are subject to ordinary damages, and would subject persons who appropriate or convert mineral deposits in such state lands which have been reserved to the state to treble damages

Ch 1082 (AB 1922) Wilson Vehicles proof of financial responsibility

(1) Under existing provisions of state law, every driver of, and owner of, a motor vehicle is required, at all times, to maintain in force, one of 5 forms of financial responsi-

bility, as prescribed A violation of such provisions is an infraction, punishable, generally, by a fine of not more than $50 In addition, existing law specifically provides that any person who drives a motor vehicle on a highway, and any owner who either drives the vehicle, or permits the driving of the vehicle, on the highway, without having in full force and effect such a form of financial responsibility is guilty of an infraction, punishable by a fine not exceeding $100

This bill would revise the provisions regarding the infraction punishable by a fine not exceeding $100, by making such provisions applicable to any person who, after having filed proof of financial responsibility, subsequently drives a motor vehicle on a highway without having such proof of financial responsibility, and any owner of a vehicle who, after having filed proof of financial responsibility, subsequently either drives or permits the driving of a motor vehicle upon a highway, without having such proof

(2) Existing law provides that financial responsibility is established if the owner, or operator, with respect to all motor vehicles owned or operated by him, meets one of several requirements

This bill would provide that financial responsibility of the driver or owner is established if the driver or owner of the vehicle involved in an accident, as specified, meets one of the several requirements

(3) Existing law provides that proof of financial responsibility may, among other things, be established by filing with the Department of Motor Vehicles satisfactory evidence that the driver of the motor vehicle involved in the accident, if he was not the owner of the vehicle, had in effect at the time of the accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him

This bill would provide that such proof is established if the nonowner driver had in effect, at the time of the accident, an automobile or motor vehicle liability policy or bond with respect to the vehicle involved in the accident

(4) Existing law requires a person involved in an accident who fails to prove the existence of financial responsibility at that time to file with the department, within 60 days, proof of present financial responsibility, which is required to be maintained for 3 years

This bill would specifically provide that if proof is established by the filing of evidence that the driver or owner procured an automobile or motor vehicle liability policy or bond, and coverage under such policy or bond terminates, the insurer or surety shall inform the department of the date of termination

Ch. 1083 (AB 1989) Z'berg Fish and Game Commission· regulations

Under existing law, the general regulatory authority of the Fish and Game Commission relating to the taking and possession of fish and game for purposes other than profit will terminate on January 1, 1976

The bill would extend such authorization of the commission until January 1, 1980

Ch 1084 (AB 2006) Thurman Subventions state-mandated local programs

Existing law appropriates specified amounts to reimburse local agencies for costs resulting from programs mandated on such agencies by certain enactments at the 1973 Regular Session

This bill would appropriate $5,028,000 from the General Fund to the State Controller for 1974–75 fiscal year claims by local agencies resulting from costs mandated by those enactments

The bill would take effect immediately as an urgency statute

Ch 1085 (AB 2063) Moblev Municipal improvements assessments

Under the Improvement Act of 1911, (1) a municipality may provide for improvements within such municipality, assessing the costs of such improvements on an assessment district which consists of property benefited by such an improvement, (2) when work on an improvement for such a district is abandoned prior to being started or equipment being used, as specified, incidental expenses incurred prior to the abandonment are to be paid by the municipality rather than the owners of such benefited property, and (3) if a new proceeding begins for such an improvement and the improvement is substantially the same as the improvement in the prior abandoned proceeding, the municipality may charge the incidental expenses paid for in the prior proceeding

to the district benefited by the present improvement proceeding

This bill would make the provision allowing a municipality to charge such incidental expenses incurred in connection with a formerly abandoned improvement to a district benefited by an improvement substantially the same as the formerly abandoned improvement, unless provision has otherwise been made with respect to such expenses, applicable to the Municipal Improvement Act of 1913

Ch 1086 (SB 181) Marks Local agencies reimbursement

Existing law requires the State Controller to allocate funds appropriated for such purposes to local agencies for state-mandated programs based upon claims submitted within 45 days after the operative date of the mandate by the appropriate local agency

This bill would extend the period for filing claims for increased costs due to specified 1973 statutes from May 15, 1974, until 45 days after the effective date of this bill The bill would also appropriate $407,338 from the State General Fund to the Controller for such purpose, and would cause the unencumbered balance of the funds appropriated by Chapter 1061 of the Statutes of 1973 to revert to the General Fund

This bill would also take effect immediately as an urgency statute

Ch 1087 (SB 268) Robbins Probation and sentences

Under existing law persons possessing for sale, selling or offering to sell heroin to adults may be granted probation or may have suspended the execution or imposition of sentence for a conviction therefor except where the person was previously convicted of a felony involving controlled substances

This bill prohibits granting probation or suspending the execution or imposition of sentence of any person with one or more specified prior convictions or any person convicted of possessing for sale, selling or offering to sell ½ ounce or more of a substance containing heroin, and makes related changes.

This bill also deletes an existing provision, which is inoperative, relative to the requirement of the concurrence of the district attorney for the grant of probation in certain cases

Existing law requires persons convicted of, among other things, possession, transportation, importation, and sale of specified controlled substances to be punished by a minimum term of imprisonment not to exceed a specified maximum with ineligibility for parole until after a certain period of time

This bill would remove such parole ineligibility

Existing law provides that time spent by a person in confinement in a diagnostic facility of the Department of Corrections be credited or the term of imprisonment in state prison, if any, to which the person is sentenced.

This bill would specifically include within such provision time spent by a person as an outpatient or inpatient of the California Rehabilitation Center.

Ch 1088 (SB 362) Dunlap. Retirement systems

Existing law makes no provisions concerning the duty of fiduciaries managing shares of common stock owned by a public agency to forward proxies to be voted in corporate elections received by the fiduciary to the public agency.

This bill would require all local agencies in this state owning shares of common stock and who contract with a fiduciary for management of such stock to require the fiduciary to forward all proxies for shares to be voted in a corporate election to the governing board of the local agency

The bill would provide that no reimbursement nor appropriation is made by the bill for any local agencies for specified reasons

Ch 1089 (SB 1193) Alquist. San Francisco Bay Area Rapid Transit District

Under existing law, the San Francisco Bay Area Rapid Transit District is subject to the regulations of the Public Utilities Commission relating to safety appliances and procedures

This bill would require the district to reimburse the commission for any cost in regulating the district with respect to such regulations when such regulating is performed (a) by persons not on the staff of the commission or (b) by the staff of the commission but not funded by a Budget Act appropriation The reimbursement would

be in the amount as agreed upon by the district and the commission and approved by the Director of Finance If the district and the commission are unable to agree as to the amount of the cost, the Director of Finance would be required to determine the amount

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

The bill would take effect immediately as an urgency statute

Ch 1090 (AB 1894) Z'berg State park system trails, hostels

Existing law authorizes the Department of Parks and Recreation to acquire land for, develop, and maintain, recreational trails to and between units of the state park system In 1974, funds were appropriated to the department for the development of hostel facilities in state park system units in various specified counties, and for the establishment of recreational trails to and between such units The 1974 act which appropriated such funds also provides that acquisitions made pursuant to the act shall be subject to the provisions of the Property Acquisition Law

This bill would include any county in such provisions, thereby appropriating such funds for hostel facilities or recreational trails in any county

The bill would take effect immediately as an urgency statute

Ch 1091 (SB 516) Behr Courts Sonoma and Eureka

(1) Existing law provides that there shall be four judges of the Sonoma County Superior Court

This bill would increase the number of judges of the Sonoma County Superior Court from four to five effective January 1, 1976, and to six effective January 1, 1977

(2) Existing law provides for a municipal court in Eureka, with one judge and various supportive court personnel Also specified in existing law are the salary ranges and equivalent county job classifications for such positions used for purposes of temporary salary adjustments

This bill would increase the number of municipal court judges in Eureka from one to two, and would also increase the number of specified supportive court personnel The salary ranges for such personnel would be increased, and provisions relating to the usage of equivalent county job classifications for purposes of temporary salary adjustments would be eliminated

(3) The bill would appropriate $60,000 to the State Controller for allocation and disbursement to Sonoma County for costs incurred by the county pursuant to the provisions relating to superior court judges

The bill provides that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement to local agencies for costs incurred pursuant to the provisions of the bill relating to municipal court personnel because of a specified reason

Ch 1092 (SB 701) Behr Mobilehomes

Existing law governing tenancies in mobilehome parks provides that a tenancy shall be terminated by the park ownership or management only for specified reasons, including, among other things, a tenant's failure to comply with local ordinances and state laws and regulations relating to mobilehomes, a tenant's conduct in the park which annoys other tenants or interferes with the park management, a tenant's failure to comply with park rules and regulations, and a change of use of the park.

This bill would modify the above grounds for termination by providing a tenant with a reasonable time to comply with local ordinances and state laws and regulations relating to mobilehomes after he has received notice of his noncompliance from the appropriate governmental agency, by deleting tenant conduct which interferes with park management as a ground for termination, by providing a tenant with a 7-day period to adhere to a park rule or regulation after he has received written notice from the park management of an alleged violation, and by requiring that a tenant and a prospective tenant receive from the park management a 12 months' written advice of a contemplative proposed change of use of the park and that a tenant receive a 60-day termination notice if the change of use actually occurs

Existing law permits park regulations applicable to recreational facilities to be amended at the discretion of the management

This bill would substitute a requirement of 60 days' written notice for the management's discretion

Existing law provides that no lease covering a tenancy in a mobilehome park shall contain any provision by which a tenant waives his rights under specified provisions of law governing mobilehome park tenancies

This bill would extend this prohibition to cover lease provisions by which a tenant waives his rights under all existing provisions of law governing mobilehome park tenancies

Existing law prohibits a mobilehome park owner or his agents from charging any fee to tenants other than charges for rent, utilities, or incidental reasonable service charges This bill requires such charges to be actually rendered

This bill would also prohibit charges for the keeping of pets by tenants and extra charges for guests who stay with tenants, except as specified This bill also requires that prospective tenants be informed in writing before moving into the mobilehome park of the nature and charge for any service to be actually rendered This bill would also prohibit charging any fee for enforcing any of the rules and regulations of the mobilehome park This bill would also specify the method of billing tenants for utilities charges and the manner of computing such charges if the park management provides master meter service of utilities and would require the park management to post the prevailing residential utility rate published by the serving utility in a conspicuous place

This bill would further prohibit the denial of membership in any private club or organization, which is a precondition for tenancy in a mobilehome park, to any person on the basis of race, color, religion, sex, national origin or ancestry

Existing law prohibits the charging of an entry fee as a condition of tenancy in a mobilehome park, and the charging of a transfer or selling fee as a condition of sale of a mobilehome in the park if the park management performs no service in the sale of the mobilehome

This bill would also prohibit the charging of an installation, hookup, or landscaping fee as a condition of tenancy, however, reasonable landscaping and maintenance requirements may be included in the park rules and regulations This bill would also prohibit charging the tenant for services actually rendered subsequent to moving into the mobilehome park unless the tenant has been given 60 days' written notice of such charges by the owner This bill would also specify that the prohibition against a transfer or selling fee relates to requiring such a fee for a tenant or his agent This would also require that any service performed by the park management in connection with the sale of a mobilehome be requested in writing by the tenant or his agent

Existing law makes no provision for the recovery of attorney's fees, costs, or exemplary damages in civil actions arising out of existing provisions of law regulating mobilehome park tenancies

This bill would entitle the prevailing party in any action arising out of existing provisions of law governing mobilehome park tenancies to recover reasonable attorney's fees and costs, unless the parties otherwise agree in settlement or compromise, and would permit the court in its discretion to award to a tenant, resident, former tenant, or former resident who is the prevailing party, in addition to his actual damages, $250 for each willful violation by the park owner of any of the existing provisions of law governing mobilehome park tenancies

Ch 1093 (SB 753) Stull. Courts· Riverside County

Existing law specifies the number of municipal court judges in the Riverside Judicial District, the Desert Judicial District and the Corona Judicial District

This bill would increase the number of municipal court judges in the Desert Judicial District from 3 to 4, and would include the City of Blythe in that district The bill would increase the number of municipal court judges in the Corona Judicial District from 1 to 2

This bill would provide for 2 municipal court judges in the Hemet-San Jacinto Judicial District

Existing law permits the judges of a municipal court having three or more judges to appoint one traffic referee

This bill would permit an incumbent judge of a superseded justice court who had been elected to that office more than five years before the court was superseded by a munici-

pal court, who had served continuously since taking office and succeeds to a clerk position in the municipal court that supersedes his court, shall serve as, and be authorized to exercise the same authority as a traffic referee, and shall receive a salary that is no lower than the salary that was last set for his position as a justice court judge

The bill would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to the bill for a specified reason

Ch 1094 (SB 719) Roberti Strikebreakers

The existing law contains no provisions relating to the use of professional strikebreakers to replace employees involved in a strike or lockout

This bill would make it a misdemeanor for an employer willingly and knowingly to utilize any professional strikebreaker, as defined, to replace an employee or employees involved in a strike or lockout at a place of business within this state

This bill would make it a misdemeanor for any professional strikebreaker, as defined, willingly and knowingly to offer himself for employment or to replace an employee or employees involved in a strike or lockout at a place of business within this state

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1095 (SB 1034) Ayala Courts

Existing law provides for 15 judges of the superior court in the County of San Bernardino

This bill would increase the number of superior court judges in San Bernardino County to 18

Existing law specifies the classifications of and salaries for municipal court employees

This bill would change some of the numbers and classifications of, and increase the salaries for municipal court employees

The bill would also appropriate $180,000 to the State Controller for allocation and disbursement to San Bernardino County for costs incurred by the county pursuant to the provisions of this bill relating to superior court judges, but would provide that no other reimbursement or appropriation shall be made for any costs that may be incurred by local agencies pursuant to the other sections of the bill

Ch 1096 (SB 1267) Holden Marriage, family, and child counselors

Under present law, after September 1, 1975 an applicant for a license as a marriage, family, and child counselor will be required to have at least a master's degree in marriage, family, and child counseling, or its equivalent obtained from an accredited school, college, or university It is specified that the master's degree in social work and the master's degree in child development and family studies are equivalent degrees

This bill would require an applicant to have at least a master's degree in marriage, family and child counseling, counseling psychology, or its equivalent

It would take effect immediately as an urgency statute

Ch 1097 (AB 145) Ralph School districts transfer of territory

Existing law permits territory of an elementary, unified, or community college district to be transferred from that district to another elementary, unified, or community college district in accordance with specified procedures Under existing law a petition for a transfer involving a minor change in district boundaries, defined as a transfer involving less than 5% of the territory of the district from which the transfer is being made, need not be submitted for consideration of the county committee on school district organization

This bill would delete such provision permitting the petition to be transmitted directly to the county board of supervisors without submission to the county committee on school district organization

Existing law permits any person questioning the finding of the county committee on school district organization that the proposed transfer of territory will not adversely affect the racial or ethnic integration of the schools of the districts affected to appeal a decision made upon such a finding to the State Board of Education in accordance with prescribed procedures

This bill would also permit the governing board of any district whose boundaries would be affected by the proposed change and the chief petitioners, if any have been designated, to appeal the decision of the county board of supervisors or the county board of education made following receipt of the report and recommendation of the county committee to the State Board of Education in accordance with prescribed procedures The bill would permit the state board, if it grants the appeal to reverse the decision, to direct reconsideration of the decision, or to order an election in the affected districts

Ch 1098 (AB 557) Kapiloff U C and CSUC budgets

The law does not currently mandate any specified method of reporting student enrollment at the University of California and the California State University and Colleges for state budgetary purposes

This bill expresses the Legislature's intent that, in appropriating funds for the support of public higher education, the Legislature have available to it factual comparative data concerning student enrollment at the two segments of public higher education The bill directs the California Postsecondary Education Commission to develop uniform standards and criteria for reporting and estimating student enrollment, and requires that, commencing with fiscal year 1977–78, budgetary requests and appropriations therefor which are based upon student enrollment, consider the utilization of the uniform standards and criteria developed and recommended by the California Postsecondary Education Commission

Ch 1099 (AB 899) Wilson Workers' compensation

Existing law does not require employers of injured employees to notify such employees of their possible entitlement to benefits under the workers' compensation law

This bill would require, with certain exceptions, employers to give specified notice to their injured employees, or the dependents thereof, that they may be entitled to such benefits, when the employers obtain knowledge of the employees' injuries or assertion of claims of injury

The bill would also require the Administrative Director of the Division of Industrial Accidents of the Department of Industrial Relations to prescribe rules and regulations, with respect to all injuries, requiring employers to give their injured employees notice of their possible entitlement to such benefits

The bill would further provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch 1100 (AB 955) Egeland Schools teachers, discriminatory pay practices

Existing law permits the making of uniform allowances for years of training and experience in the fixing of compensation of certificated employees for salary schedules, prescribes the times for paying certificated employees for additional duties but does not address itself to criteria for determining compensation for additional duties, requires that female teachers in public schools in all cases receive the same compensation as is allowed male teachers for like services, when holding the same grade certificates Also, the existing California Fair Employment Practice Act is applicable to prohibit school districts from discriminating against any person in compensation because of the sex of such person

This bill would require elementary, high, and unified school districts to provide equal salaries to all certificated employees for work performed beyond the instructional day; require such compensation, regardless of payment basis, to be paid equally to employees based on the concept of like pay for comparable hours and responsibilities, prohibit certificated employees working comparable hours and responsibilities beyond the instructional day from being paid differently based on the employee's sex, provide that work performed beyond the instructional day includes, but is not limited to, all activities, whether athletic or academic, performed by the employee, which are not part of the normal instructional day duties

Ch 1101 (AB 1657) Lockyer Savings and loan association holding companies

Existing law provides that it is unlawful for any acquiring party to acquire control of a savings and loan association until 30 days after the date of filing with the Savings and

Loan Commissioner of a complete application in accordance with regulations of the commissioner

This bill provides that it is unlawful to acquire control of a savings and loan association unless the commissioner has approved such acquisition of control generally within 60 days after the date of filing with the Savings and Loan Commissioner of an application, or the commissioner has failed to act within the 60-day period

Existing law permits the Savings and Loan Commissioner to file an action in superior court to prevent acquisition of control if he finds specified facts exist

This bill repeals the above provision and instead gives the commissioner the power to approve the application with such conditions as he deems reasonable, necessary or advisable, or deny the application This bill also provides for a hearing upon the filing of a written request for a hearing by any person prejudiced by his decision

Ch 1102 (AB 1687) Montoya Municipal courts Los Angeles County

Existing law provides for various municipal court districts within Los Angeles County, including the El Monte Municipal Court District

This bill would change the name of the El Monte Municipal Court District to the Rio Hondo Municipal Court District, and would make a technical, nonsubstantive change

This bill would consolidate the San Antonio Municipal Court District with the South Gate Municipal Court District to form the Southeast Municipal Court District, having 5 judges

The bill would provide that officers and attachés of the San Antonio and South Gate Municipal Court Districts would become officers and attachés of the Southeast Municipal Court District

This bill also specifies that notwithstanding Section 2231 of the Revenue and Taxation Code, there is no reimbursement made to local agencies for costs incurred by them pursuant to the act because of a specified reason

The portion of the bill providing for the consolidation would become operative on the effective date that the Los Angeles County Board of Supervisors orders the consolidation and adopts an ordinance setting forth the boundaries of the consolidated district

Ch 1103 (SB 260) Zenovich Juveniles

Present law provides that after a court has committed a person to the Youth Authority it has no power to suspend execution of the commitment.

This bill would provide that when a person has been committed to the custody of the Youth Authority, the judge, as specified, or the court, as the case may be, may recall the commitment and resentence the defendant under designated circumstances It also would provide that the time served while in custody of the Youth Authority is to be credited toward the term of any person resentenced pursuant to specified provisions

Ch 1104 (SB 271) Marks Planning

Existing law provides that the general plan of counties and cities, including charter cities, shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals

This bill would provide that it is legislative intent that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any cost incurred by it pursuant to this bill for a specified reason

The bill would make additional changes in Section 65302 of the Government Code, to be operative only if SB 860 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 1105 (AB 1775) Siegler Mental health

Under the current Short-Doyle Act the State Department of Health provides, upon request, consultation services to local mental health programs

This bill would specify the duties which must be performed by any individual employed within the Department of Health to serve as a liaison between the state and a county regarding mental health programs established under the Short-Doyle Act

The bill also would permit new programs to be developed and implemented under the Short-Doyle Act, without complying with licensure requirements, in the discretion of the State Department of Health.

The bill also would require that, whenever the Director of the State Department of Health determines that a county's personnel regulations and procedures are impediments to the timely implementation of programs developed and implemented under the Short-Doyle Act, the director shall communicate such determination to the governing body of such county

The bill also would require the department to commission a report to evaluate administrative and fiscal staffing and training on the state and county levels with findings and recommendations to be reported by March 1, 1976 to the Legislature, the Department of Health, and local mental health directors

Ch 1106 (SB 325) Beilenson Route 2 deletion from freeway system

By statutory designation, portions of Route 2 in the Counties of Los Angeles and San Bernardino are included in the California freeway and expressway system

This bill would delete from the freeway system that portion of Route 2 from Route 405 to Route 101 in the County of Los Angeles

Ch 1107 (SB 1146) Roberti State highways Route 2 deletion from freeway system

By statutory designation, portions of Route 2 in the Counties of Los Angeles and San Bernardino are included in the California freeway and expressway system

This bill would delete from the freeway system that portion of Route 2 from Route 101 to Glendale Boulevard in the County of Los Angeles

Ch 1108 (SB 131) Marks Methadone programs

Under present law all information and records obtained in the course of conducting a methadone program are subject to the confidentiality provisions of the Lanterman-Petris-Short Act Under that act such information and records may be disclosed only under specified circumstances

This bill eliminates the authorization for disclosure of the identity of methadone patients or former patients for research and for certain legislative investigations and provides that when a patient's consent is required for the release of any information, it must be in writing

This bill also provides that any person may bring an action against an individual who has willfully and knowingly released confidential information in violation of the methadone confidentiality provisions

Ch 1109 (SB 573) Roberti Insurance health and workers' compensation coverage

Existing law permits health care service plans, disability insurance policies, self-insured employee welfare benefit plans, and nonprofit hospital service plans to exclude from coverage, or reduce benefits payable for, injuries or illnesses either of which arise out of or in the course of the employment of a plan member or insured, or which are compensable under the workers' compensation law

The bill would require the Workmen's Compensation Appeals Board to determine, prior to making an award of any workers' compensation benefits, whether any benefits have been provided by an insurer or plan, and to provide in its award for the reimbursement, in a specified manner, for benefits paid or services provided by an insurer or plan

Ch 1110 (AB 1969) Lanterman Postsecondary education-student aid

(1) Existing law fixes the maximum number of new competitive scholarship awards to be awarded in any one year at 4 25% of the prior year's high school graduates and fixes the maximum amount of such awards at $2,500 per academic year

This bill would increase the maximum number of such awards in any one year, commencing with the 1976–77 fiscal year, to 4 6% of the prior year's high school graduates, contingent upon the availability of federal student financial aid funds in an amount necessary to fund such awards, and would increase the maximum yearly amount to $2,900 for students initially selected after January 1, 1976, and commencing with the

1976–77 fiscal year

(2) Existing law fixes the maximum number of college opportunity grants available to 3,100 in each fiscal year

This bill would increase that number to 4,650 commencing in the 1976–77 fiscal year, contingent upon the availability of federal student financial aid funds in an amount necessary to fund such awards

(3) Existing law fixes the number of new occupational education and training grants to be available in each fiscal year at 700

This bill would increase that number to 900 commencing in the 1976–77 fiscal year, contingent upon the availability of federal student financial aid funds in an amount necessary to fund such awards

Ch 1111 (SB 288) Alquist Democratic presidential primary

The law presently divides the Democratic presidential primary ballot into two parts On the first or presidential preference portion of the ballot, the candidates listed are (1) those candidates for President who are selected by the Secretary of State as generally recognized candidates for President and do not withdraw, and (2) those candidates for President who qualify by means of nominating petitions Votes for candidates listed on this portion of the ballot are advisory only

Listed on the second or delegate selection portion of the ballot are groups of candidates for delegates desiring to represent a congressional district at the Democratic National Convention The groups are either uncommitted or pledged to one of the candidates for President appearing on the first portion of the ballot A steering committee for each candidate for President or group must select a delegation for each congressional district from which it is desired to have a delegation Only delegations of candidates for President not selected by the Secretary of State and uncommitted delegations are required to circulate nomination petitions in the congressional district in which they desire to run

Seventy-five percent of the state's representation at the Democratic National Convention is composed of the winning candidates for delegates from each congressional district The remaining 25% of the delegates and all alternates are selected by separate caucuses of elected delegates who are pledged to the various candidates or who are members of an uncommitted delegation These selected delegates must reflect the same proportional division as the directly elected delegates

This bill provides that the Democratic presidential primary ballot shall consist of a single listing containing (1) those candidates for President who are selected by the Secretary of State as generally recognized candidates for President and do not withdraw, (2) those candidates for President who qualify for the ballot by means of nominating petitions, and (3) those delegations expressing no preference who also qualify for the ballot by nominating petitions and each of which is identified on the ballot by the name of the chairperson of its steering committee

Seventy-five percent of the state's representation at the Democratic National Convention would be composed of delegates and alternate delegates Recommended delegates would be chosen at the preprimary caucus Delegates would be chosen by the candidate for President or delegation steering committee to reflect the strength of support a candidate or uncommitted delegation received in each congressional district The remaining 25 percent of the delegates and all alternate delegates may be chosen by separate caucuses of the already-selected delegates pledged to the various candidates or who are members of an uncommitted delegation and must be apportioned to reflect the statewide popular vote

Ch 1112 (SB 489) Song Child health disability prevention genetic disease unit

Under existing law the State Department of Health has the responsibility for designating tests and regulations to be used in the detection of preventable heritable disorders leading to mental retardation or physical defects The tests are to be administered to each child born in California unless a parent or guardian of the newborn child objects to a test on the ground of religious conflict

This bill would require the department to establish a genetic disease unit to coordinate all department programs in the area of genetic disease and to promote a statewide program of testing information and counseling services The department would be

authorized to provide laboratory testing facilities or to contract with laboratories deemed qualified The department or contracting laboratory would be authorized to charge a specified fee for tests it performs

This bill would authorize the unit to make grants or contracts for demonstration projects with regard to additional tests or new genetic services The unit's first task would be the evaluation and preparation of recommendations for the implementation of tests for the detection of specified diseases

The bill would create the Genetic Disease Testing Fund which would be continuously appropriated to the State Department of Health for the purposes of the bill In addition, the bill would provide that funds could be transferred from the General Fund in accordance with prescribed provisions to the department for purposes of the bill All testing fees collected by the department are required to be deposited in the Genetic Disease Testing Fund and are required to be used to reimburse the General Fund for any funds advanced The bill would declare that it is the intent of the Legislature that the program of the bill be fully supported from testing fees collected

Ch 1113 (SB 24) Nejedly Bethel Island Municipal Improvement District

Present law does not authorize the Bethel Island Municipal Improvement District to appoint peace officers

This bill permits the district to appoint and fix the compensation of peace officers, and specifies that the primary duty of any such officer shall be the enforcement of laws relating to and ordinances of the district

Ch 1114 (SB 554) Presley Assault and battery

Under present law a battery, on persons other than a peace officer, is punishable as a misdemeanor

This bill would provide that a battery which inflicts serious bodily injury on a person is punishable as a felony-misdemeanor by imprisonment in the county jail for not more than one year or by imprisonment in the state prison for not more than five years

Ch 1115 (SB 1297) Marks Youth services bureaus membership

Under present law, a person not 18 years of age is incapable of holding a public office

This bill would permit persons under 18 to hold office in a youth services bureau, as defined

This bill would take effect immediately as an urgency statute

Ch 1116 (SB 512) Robbins Sales and use taxes exemptions

Under existing law, the state imposes sales and use taxes at the rate of 4¾%, and counties are authorized to impose such taxes at the rate of 1¼% and cities at the rate of 1% or less under the Bradley-Burns Uniform Local Sales and Use Tax Law The San Francisco Bay Area Rapid Transit District is also authorized to impose sales and use taxes at the rate of one-half of 1% The ordinances imposing sales and use taxes by counties, cities, and the San Francisco Bay Area Rapid Transit District are required to contain a provision automatically incorporating all amendments to the state's Sales and Use Tax Law into the local sales and use tax ordinances

Section 2230 of the Revenue and Taxation Code presently provides that the state will annually reimburse counties and cities, but not the San Francisco Bay Area Rapid Transit District, for net revenue losses caused by sales or use tax exemptions enacted after January 1, 1973, and provides that a bill authorizing such an exemption shall include an appropriation to compensate for such losses in the first fiscal year, as estimated by the Director of Finance

This bill would exempt from sales and use taxes the gross receipts from the sale or lease of, and the storage, use, or other consumption of, master tapes or master records embodying sound, as defined, other than amounts subject to sales taxes paid by a customer in connection with the customer's production of master tapes or master records to a recording studio, as defined, for the tangible elements of such master records or master tapes

The bill would also provide that there will be no appropriations pursuant to Section 2230 of the Revenue and Taxation Code because counties and cities will not suffer a net loss of sales and use tax revenues by reason of the enactment

The bill would take effect immediately as a tax levy and would become operative on the first day of the first calendar quarter commencing more than 60 days after the effective date of the enactment

Ch 1117 (AB 1277) Sieroty Arrests

Under existing law when a person is arrested and released under certain circumstances by a peace officer such arrest is not deemed an arrest, but a detention only, and any record of such arrest is required to include a record of release

Under this bill when a person is arrested and released and no accusatory pleading is filed charging him with an offense the arresting agency shall issue him a certificate describing the action as a detention and any record of such arrest is required to include a record of release

This bill would, in addition, incorporate the provisions of AB 255 if AB 255 is chaptered and becomes effective

Ch 1118 (SB 136) Dunlap Courts court reporters and municipal court employees

(1) Existing law specifies that in Napa County each regular official reporter shall be paid an annual salary of $10,800

This bill would specify that in Napa County each regular official reporter be paid $13,800 annually

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Napa and Solano Counties and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of each such county and the Legislature

(3) The bill makes certain findings declaring that the subject of court reporters requires legislative action affecting Napa and Solano Counties

(4) Existing law prescribes hiring procedures, duties, compensation, costs and fees for court reporters of municipal and superior courts in general, but does not specifically make such provisions for court reporters of the superior and municipal courts in Solano County

This bill would prescribe hiring procedures, duties, compensation, and costs and additional fees charged by and for Solano County in regard to court reporters in the Solano County Superior Court, the Vallejo Municipal Court District, and the Fairfield-Suisun-Vacaville Judicial District (which will become the Northern Solano Judicial District if the Board of Supervisors of Solano County enacts an ordinance consolidating the Fairfield-Suisun-Vacaville and Dixon Judicial Districts)

(5) Existing law provides for 2 judges in the municipal court established in the Fairfield-Suisun-Vacaville Judicial District

This bill would provide for 3 judges in such municipal court and would reorganize such judicial district to include the Dixon Judicial District and would be called the Northern Solano Judicial District Such provisions would become operative only if the Board of Supervisors of the County of Solano enacts an ordinance consolidating the Fairfield-Suisun-Vacaville and Dixon Judicial Districts

(6) Existing law authorizes the appointment of and compensation for various court marshals, clerks, and attachés in the Solano County Superior Court and the Fairfield-Suisun-Vacaville Judicial District

This bill would authorize the appointment of additional personnel in these districts in various job classifications and would provide for an increase in compensation for the municipal court employees to be paid biweekly

(7) Existing law provides that each division of the Fairfield-Suisun-Vacaville Judicial District shall be deemed a district within the meaning of the California Constitution

This bill would repeal that provision

(8) Existing law specifies that one judge in each division of the Fairfield-Suisun-Vacaville Judicial District shall be the presiding judge of the division

This bill would repeal such provision if the Board of Supervisors of Solano County enacts an ordinance consolidating the Fairfield-Suisun-Vacaville and Dixon Judicial Districts

(9) This bill also changes the number, compensation, and conditions of employment of municipal court personnel in Sonoma County

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

Ch 1119 (SB 145) Alquist. Elections

Existing law requires the Secretary of State to perform certain duties regarding elections

This bill would provide that the Secretary of State is the chief elections officer of the state and would define the secretary's duties as chief election officer

This bill would also authorize the Secretary of State to adopt regulations to assure the uniform application and administration of election laws

Existing law provides that if a county clerk maintains tabulating cards or electronic data processing tape, he shall forward to the Secretary of State one copy of a data processing tape file and a statement of the format of such tape file at specified reporting times

This bill would permit the Secretary of State to adopt regulations prescribing the format of information contained on such cards or tapes, and would permit the Secretary of State to adopt regulations prescribing up to 12 reporting times annually

Existing law permits the Secretary of State to make available the information contained in the data-processing tape or in the copies of voter registration to any person for election or governmental purposes as determined by the Secretary of State

This bill would require, rather than permit, that such information be made available, under conditions prescribed by the Secretary of State to candidates and certain committees, as well as to any person for election or governmental purposes

This bill would take effect immediately as an urgency statute

Ch 1120 (SB 261) Roberti Consumer commodities pricing

The present law does not regulate the marking of prices on items which grocery stores or grocery departments sell at retail

This bill would require any grocery store or grocery department which uses an automatic checkout system, as defined, which sells consumer commodities, as defined, at retail to have a clearly readable price indicated on each consumer commodity offered for sale from April 1, 1976, to April 1, 1977 The bill would not be applicable to any consumer commodity which was not generally item-priced on June 30, 1975, but would be applicable to all consumer commodities other than sale items or weekend specials, as specified, which are offered for sale in a grocery store or grocery department which utilizes an automatic checkout system A violation of such provision would be punishable by a civil fine of not less than $25 nor more than $500 Each 12 items not priced in compliance would constitute a separate violation and each day that a violation continues would also constitute a separate violation It would also authorize injunctive relief with regard to a violation

The provisions of this bill would be enforced by the Department of Food and Agriculture acting through the Division of Measurement Standards

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 1121 (SB 534) Marks CSUC trustees

Existing law provides for 5 ex officio members to the Trustees of the California State University and Colleges and 16 appointive members

This bill would add as an additional appointive member for a one-year term to the Trustees of the California State University and Colleges, a student from a state university or college to be appointed by the Governor The Governor would appoint such student from a specified list furnished by student representatives

It would also make certain related technical changes in the statutory provisions affected

This bill would make additional changes in Sec 22601, Education Code, proposed by AB 240, to be operative only if this bill and AB 240 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 240

Ch 1122 (SB 592) Mills Occupational education and training.

Present law provides for the state competitive occupational education and training grant program which is administered by the State Scholarship and Loan Commission To be eligible for such a grant, certain requirements have to be met, including using the grant for occupational or technical training leading toward recognized occupational goals approved by the commission

This bill would remove the requirement that any recipient shall not have attained his 30th birthday, except in the case of renewed grants, and the declaration of intent that the major effort of the program be directed to applicants who have recently completed high school

This bill would also require the State Scholarship and Loan Commission to recognize for approval of such grants applicants enrolled in a three-year hospital-based program that trains licensed registered nurses approved by the Board of Registered Nursing

Ch 1123 (SB 974) Holden Advertising consumer goods

Existing law does not prohibit a retail seller from selling consumer goods which are advertised at a single unit price but sold only in units of more than one, except that it is a misdemeanor to cause to be advertised any statement which is false or misleading and which is or should be known to be untrue or misleading, or to make or cause to be made any such statement as part of a plan or scheme with the intent not to sell goods at the price stated therein, or as so advertised

This bill would require a retail seller who sells any consumer good which is sold only in multiple units and which is advertised by price to advertise such goods at the price of the minimum multiple unit in which they are offered, except that such goods may be advertised at a single unit price where such goods are sold only in multiple units as long as the advertisement also discloses the price of the minimum multiple unit in which they are offered

The bill also provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to this act

Ch 1124 (SB 860) Beilenson Office of Noise Control

(1) Under existing law the Commission of Housing and Community Development is required to adopt, amend, and repeal rules and regulations which establish uniform minimum noise insulation standards for hotels, motels, apartment houses, and dwellings, other than detached single-family dwellings

This bill would instead provide that the Office of Noise Control, which is in the State Department of Health and which is required to establish and maintain a program on noise control, shall adopt, amend, and repeal such rules and regulations, in coordination with the Department of Housing and Community Development

(2) Under existing law the Director of Housing and Community Development is required to appoint an advisory committee to assist the department in developing noise insulation standards for adoption by the commission

This bill would delete such provisions and would permit the Office of Noise Control to appoint an advisory committee to assist the office in reviewing and revising noise insulation standards previously adopted by the commission

(3) Under existing law the planning agency of each city and county is required to adopt a general plan consisting of various elements including a noise element

This bill would require that the noise element in such plans recognize guidelines adopted by the Office of Noise Control

This bill would also require the Office of Noise Control to adopt, in coordination with the Council on Intergovernmental Relations and appropriate state departments and agencies, guidelines for the preparation and content of the noise element in such general plans

This bill would make related, conforming changes

(4) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

The bill would make additional changes in Section 65302 of the Government Code, to be operative only if SB 271 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

The bill would make additional changes to reflect changes in AB 551, to be operative only if AB 551 and this bill are both chaptered

Ch 1125 (SB 1018) Song Counsel in criminal cases

Existing law makes no provision for a State Public Defender

This bill would authorize the appointment of a State Public Defender by the Governor subject to confirmation by the Senate The appointment would be for a 4-year term, commencing January 1, 1976 The position would require membership in the State Bar for five years preceding appointment, with substantial experience in the representation of accused or convicted persons in criminal or juvenile proceedings, and would provide for the same annual salary as the Attorney General The bill would authorize the State Public Defender to appoint deputies and other employees, to contract for the services of nonprofit corporations and private attorneys in certain instances, and to enter into reciprocal or mutual assistance agreements with counties

The bill would specify various duties for the State Public Defender, including the representation of indigent persons in specified appellate proceedings where indigents are entitled to legal counsel, and the formulation of plans for the representation of indigents on the appellate level

The bill would make various changes in the Penal Code reflecting the shift of responsibility from other agencies to the State Public Defender in defending such indigents

The bill would provide that its provisions relating to the establishment of the State Public Defender shall take effect on January 1, 1976, and the other provisions of the bill shall take effect on July 1, 1976

Ch 1126 (SB 389) Marks Property taxation exemption of property in transit

Under existing law, tangible personal property having situs in California on March 1st is generally subject to property taxation However, 50% of the assessed value of personal property constituting business inventories is exempt from taxation

This bill would exempt in full personal property manufactured or produced outside California and brought into the state for transshipment in foreign commerce out of the state for sale The bill would provide two methods of computing and claiming the exemption

The bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement by the state of any local agency for any revenue lost by it as a result of the exemption of property from taxation by this act

Ch 1127 (SB 420) Rains Schools demonstration program—reading—mathematics

Existing statutes authorize school districts to apply for, and, upon specified approval, to establish and operate, demonstration programs in intensive instruction in reading and mathematics for certain low-achieving pupils in grades 7, 8, or 9 Such statutes will cease to have force and effect after the 91st day following adjournment of the 1975 Regular Session This bill would extend such termination date to September 1, 1978

Such existing statutes condition various related actions of the Superintendent of Public Instruction upon the recommendation of the Director of Compensatory Education This bill would delete such requirements of the recommendation of the Director of Compensatory Education

This bill would add a provision limiting school districts' expenditures on projects and prescribing a cost range for projects approved

Such existing statutes require project approval only if it can be shown that the cost effectiveness will be adaptable within the budgets of other similar districts This bill would include as separate alternatives to such condition, a showing that such program can be replicated using other compensatory education funds in grades 7, 8, or 9 or a showing that such program can be replicated if additional compensatory education funds become available for use in grades 7, 8, or 9 This bill would also require project approvals to show under which of such alternatives it was approved

Such existing statutes require the Superintendent of Public Instruction, with the approval of the State Board of Education, to submit to the Legislature by the fifth legislative day of each regular session a report on the implementation and evaluation of such demonstration programs This bill would

(a) Change the deadline for such report to January 30 of each year,
(b) Require such report to include the number of school districts that have replicated the demonstration projects and the funding sources used therefor
(c) Require such report and project applications of school districts to include dissemination and replication activities,
(d) Require such report to include a description of how the Department of Education uses such programs as models for replication when other compensatory education funds are available for use in such grades
(e) Require submission, by November 1 of each year, the Department of Finance and the Legislative Analyst of a synopsis of available data produced for such reports

This bill would also appropriate $1,045,000 for the purposes of this bill, in augmentation of Item 309(a) of the Budget Act of 1975.

This bill would take effect immediately as an urgency statute

Ch 1128 (SB 744) Gregorio Mental health

Under current law the Health and Welfare Agency, the State Department of Health, the Department of Rehabilitation, the Office of Alcohol Program Management and the counties have responsibilities in various alcoholism prevention, treatment, and rehabilitation programs

This bill eliminates the separate alcohol prevention and rehabilitation program established for counties under the county Short-Doyle plan, makes other related modifications in the Short-Doyle Act and eliminates the responsibilities of the other entities relating to such alcoholism programs

This bill instead establishes an Office of Alcoholism within the Health and Welfare Agency under the control of a director and provides for a statewide alcoholism program under such office, including county alcoholism programs federally or state funded under the bill The office is designated as the single state agency to review all state federally funded plans relating to alcoholism and to approve, and oversee administration of county alcoholism program budgets for state and federal funds for counties electing to apply for funds under such provisions The bill makes provisions for transfer of certain civil service personnel to the Office of Alcoholism

The bill in addition establishes an Interdepartmental Coordinating Committee and provides for the Governor, Senate Rules Committee, and the Speaker of the Assembly to appoint a State Alcoholism Advisory Board to advise the director. The bill also requires each county to which the bill is applicable to establish a local alcoholism program, and requires, under certain circumstances, applicable counties whose population exceeds 200,000, to have a full-time alcoholism program administrator appointed by the county-designated health-related agency to prepare the county plan and requires each county to have a specified alcoholism advisory board, the composition of which varies on whether the population exceeds or does not exceed 200,000

The bill requires the county in which the bill is applicable to adopt a yearly county alcoholism program budget on or before June 1, commencing with June 1, 1976 The bill makes provision for relocation of a county's share of funds in the event a budget is not adopted by June 1, and makes other provision for loss of funds for noncompliance with the law

The bill requires each county to utilize private alcoholism programs and services in the county prior to developing new county-operated programs, when the private programs and services are at least equal to quality and cost, and must use local and such private programs prior to using state hospital programs

The bill provides for the state to pay 90 percent and the county to pay 10 percent of the total nonfederal cost imposed by the bill, except for services financed by other public or private sources, for county alcoholism program expenditures However, the bill provides that the state would pay 100 percent of such costs if Senate Bill 204 is chaptered on or before January 1, 1976 Senate Bill 204 would increase certain alcoholic beverage taxes and would provide that the revenue derived from such increases would be allocated for alcoholism research, prevention, treatment, and rehabilitation programs

The bill makes various provisions for state funding in the Budget Act

This bill would make additional changes in Section 5604, Welfare and Institutions Code, proposed by AB 1237, to be operative only if this bill and AB 1237 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 1237

This bill would make additional changes in Section 5651, Welfare and Institutions Code proposed by AB 1776, to be operative only if this bill and AB 1776 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 1776

This bill would make additional changes in Section 19907, Welfare and Institutions Code, only if SB 204 is enacted

Ch 1129 (SB 1053) Presley and Joint Committee on Legal Equality Sex equality

Present law specifies that for the purposes of the Welfare and Institutions Code the residence of a child is determined by that of his father unless specified conditions exist

This bill would revise such provision to provide that the residence of the parent with whom a child maintains his or her place of abode is the residency of the child for such purposes It also would make related changes with regard to determination of residence

Existing law permits the mother of a child taken into temporary custody under the juvenile court law to authorize designated medical care for the child notwithstanding her age or marital status

This bill would extend such permission to any parent but would require notification of the other parent in nonemergency situations

Existing law limits reference to wards of the juvenile court committed to juvenile camps or forestry camps to boys in connection with activities such as fire prevention and labor

This bill would change such reference to wards

Present law requires the superintendent of the Ventura School for Girls to be a woman

This bill would delete such requirement

Under existing law vocational training at the Ventura School for Girls is required to be in such subjects as domestic science, dressmaking, horticulture, agriculture, and such business instruction as is practicable for women.

This bill would repeal such provision

Present law requires at least one of the members of the Youth Authority to be a woman

This bill would provide that the appointing authority shall ensure that there is a representation of persons of both sexes on the authority

Existing law states that it is the intent of the Legislature that the laws relating to public social services be administered without specified types of discriminatory conduct

This bill would add sex and marital status to the categories of prohibited conduct

Under present law with relation to the homemakers and work incentive programs, the State Department of Health is required to arrange hours of work and training or certification procedures so that mothers can participate in the program

This bill would recast the reference to mothers to apply to parents with primary responsibility for care of children

Present law exempts certain persons from the requirement that a recipient of aid to dependent children register with the Department of Employment Development for manpower services, training and employment Among those exempted are a mother or other relative of a child under six who is caring for the child, and the mother or other female caretaker of a child if the father or another adult male relative meets prescribed criteria

This bill would revise such exemptions to apply to a parent with primary responsibility for the care of a child under the age of six or other relative who is caring for the child, and a parent or other relative who is caring for a child if the other parent meets the prescribed criteria

Existing law provides that a mother of a child six or under in the home is not required to participate in community work experience programs A mother with a child over six is not required to participate in such a program unless suitable child care is available

This bill extends such exemption to the parent with primary responsibility for the care of such child

Under present law designated modes of discrimination are prohibited with regard to determination of eligibility for food stamps

This bill would include sex and marital status among such prohibited modes of discrimination

Ch 1130 (SB 283) Mills Transportation

(1) Under existing law, the funds in the Transportation Planning and Research Account, created by Section 99305 of the Public Utilities Code, in the State Transportation Fund is available, when appropriated, to the Secretary of the Business and Transportation Agency for expenditures for specified transportation purposes

This bill would appropriate $18,902,500 from that account to the State Controller for allocation to various entities for various transportation purposes

(2) Under existing law, the State Board of Equalization, with the concurrence of the Department of Finance, as soon as practicable after the close of each fiscal year, estimates the amount to be transferred, and transfers that amount, from the Retail Sales Tax Fund to the Transportation Planning and Research Account

The bill would require the estimate and transfer to be made as soon as practicable after the close of the calendar year

(3) Under existing law, any funds allocated to the San Francisco Bay Area Rapid Transit District for operational purposes from any source made available to the district for the first time after September 26, 1974, are required to be deducted from the maximum amount of funds the district may generate from the transaction and use tax it is authorized to impose for operational purposes

This bill would exempt federal funds received and used for the purpose of extending the hours of operation of the district's system from such requirement

Ch 1131 (SB 756) Nejedly Surface mining and land reclamation

There is under existing statutory law the State Mining and Geology Board in the Division of Mines and Geology of the Department of Conservation, vested with certain powers and duties with respect to mining and geology

This bill would prescribe a different composition and organization for the board The new board would generally succeed to the powers and duties of its predecessor board, but would be vested with additional powers and duties governing surface mining operations and reclamation

The bill would enact a new law, the Surface Mining and Reclamation Act of 1975, to govern surface mining operations and provide for the reclamation of mined lands. The bill would, by such provisions, declare legislative intent and define terms; permit the board to establish districts throughout the state and to appoint technical advisory committees for such districts, provide for the adoption by the board of a state policy concerning surface mining operations for utilization by local governmental entities, require the State Geologist to classify areas previously identified by the Office of Planning and Research, with respect to the nature of mineral deposits in such areas; and provide for the submission of reclamation plans to, and issuance of permits by, lead agencies (as defined) to persons engaging in surface mining operations

The bill would also create the Geologic Hazards Technical Advisory Committee, prescribing its composition and duties, and would define and redefine various terms pertaining to mining and geology

The bill would further provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

The bill would also make technical, clarifying changes

Ch 1132 (AB 712) William Thomas Sound recordings transfer punishment

Existing law makes it a misdemeanor for persons to transfer sounds from recording devices to other such devices for commercial purposes, without consent of the owner or to sell such article with knowledge that sounds thereon have been so transferred

This bill would make the transfer or transporting of articles onto which transferred sounds have been recorded an alternative felony-misdemeanor punishable by imprisonment in the state prison for a term not exceeding one year and a day, or by imprisonment in the county jail, not exceeding one year, or by a fine not exceeding $25,000, or by both such fine and imprisonment Conviction of a second offense would be punishable by imprisonment in state prison not exceeding two years, or by a fine not exceeding $50,000, or by both such fine and imprisonment

The bill also makes it a misdemeanor to sell or cause to be sold such transferred devices with knowledge that the transfer was done without consent of the owner Such a misde-

meanor is punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding $5,000, or by both such fine and imprisonment

The provisions of the bill are not applicable to any person in radio or television broadcasting who transfers or causes such transfers other than from the sound track of a motion picture, which is intended for broadcast or related use The bill applies only to such devices initially fixed prior to February 2, 1972

Ch 1133 (SB 330) Gregorio Drunk driving penalties

Existing statutory law grants to courts the discretion to order suspension for six months of the driving privilege of any person convicted of a first offense of driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug Courts are authorized to impose a lesser minimum fine on any person, convicted of a first such offense, who completes a driver improvement program or a treatment program for persons who are habitual users of alcohol, or ~~both, such program~~ [both such programs,] * after the determination by the court made at a presentence investigation that the person convicted would benefit from a treatment program for such habitual users

In addition, if the court so orders, the Department of Motor Vehicles is required by existing statutory law to suspend or revoke immediately the driving privilege for six months of any such person convicted of driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug In the case of a second such conviction occurring within five years of the first, the period of suspension is one year In the case of a third or subsequent such conviction occurring within seven years of the first, the period of revocation is three years

This bill would instead authorize a court to permit any person who is convicted of a first or subsequent offense of driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug to participate in, for at least one year, a specified program for the treatment of problem drinking or alcoholism that meets specified standards established by the Office of Alcohol Program Management (OAPM), in lieu of suspending his driving privilege In such instances, the Department of Motor Vehicles would be prohibited from suspending or revoking the driving privilege of any such person The bill would impose certain duties on the OAPM, including the establishment of fees for participation in the program and providing for persons who cannot afford such fees

Additionally, any court permitting a person to participate in such a program would then be required to obtain specified reports regarding the performance of such person. If, at any time while in the program, the person fails to comply with the rules and regulations of the program, the court, upon finding such fact, would be required to immediately suspend, or order the suspension or revocation of, such person's driving privilege for the period prescribed by law The bill would also specify that no person may be admitted into such a program more than once The bill would further specify that the establishment of this program shall not be construed as superseding any existing or future program or judicial procedure relating to the treatment of drinking drivers.

The bill would further provide that its provisions relating to the diversion of a person to a program for the treatment of problem drinking and alcoholism in lieu of suspending his driving privilege shall not be construed as requiring a court, upon a first conviction of a person for such an offense, to suspend that person's driving privilege if the court finds that this program is not appropriate for him and if he has consented to participate in, and does participate in and successfully completes, a specified driver improvement program for such a first offender In cases wherein a person is participating in such a driver improvement program, the Department of Motor Vehicles would be prohibited from suspending or revoking his driving privilege

The bill would also require that the establishment of the program be implemented during the period from January 1, 1976, through December 31, 1977, on a demonstration basis in 4 or less counties deemed appropriate by the OAPM The bill would make the program applicable in all counties commencing January 1, 1978

The bill would appropriate $30,000 to the OAPM to be used for staff from January 1, 1976, through June 30, 1977, for purposes of the bill

Ch 1134 (AB 2420) Vasconcellos UC· State Data Program

Currently, there is a State Data Program at the University of California, Berkeley

This bill would appropriate $97,000 from the General Fund to the Regents of the University of California for expenditure in the 1975–76 fiscal year for the State Data Program at the University of California, Berkeley

This bill would take effect immediately as an urgency statute

Ch 1135 (SB 1128) Petris Leased housing

(1) Under the Housing Authorities Law, housing authorities are authorized to accept and expend financial or other assistance made available to provide leased housing, including but not limited to, low-rent housing in private accommodations for which the federal government or a state public body extends assistance by leasing from the owner at a higher rent than is charged to the tenant

This bill would, in addition, specifically authorize a housing authority to accept and expend such financial or other assistance made available to provide leased housing in private accommodations under an arrangement by which the federal government or state public body supplying the assistance contracts with the owner to make monthly payments in addition to the rent paid by the tenant. This bill would specifically authorize housing authorities to provide leased housing, as defined in the Housing Authorities Law, to persons of low income, as defined in the Housing Authorities Law. The bill would specifically authorize a housing authority to provide financing for the construction or rehabilitation of residential structures The bill would authorize a housing authority to provide counseling, referral, and advisory services re housing to persons of low income.

(2) Under existing law, housing authorities have specified powers relating to the acquisition and disposition of property

This bill would give housing authorities, in addition, the power to lend on a deed of trust in the sale of real property to persons of low income or in the implementation of government housing and rehabilitation financing programs and to procure insurance or guarantees for debts on property in housing projects from the California Housing Finance Agency

(3) Under existing law, a housing authority may accept financial or other assistance from public or private sources and expend funds received for purposes of the Housing Authorities Law

This bill would, in addition, authorize a housing authority to expend such funds received for activities permitted to housing authorities by state law

(4) Under existing law, a housing authority is required to give preferences in the occupancy of dwellings to families displaced from housing and to families of veterans and servicemen

This bill would revise such existing law and would add provisions requiring each housing authority to establish a plan for selection of applicants for housing occupancies that assures equal opportunity and nondiscrimination in accordance with specified preferences and priorities

(5) Under existing law, a housing authority is authorized to borrow money or accept grants or other financial assistance from the federal government for housing projects

This bill would also authorize a housing authority to borrow money or accept grants or other financial assistance from the state or any of its political subdivisions to assist in providing housing and housing services

(6) Under existing law, a housing authority has specified powers in connection with the issuance of bonds or the incurring of obligations under leases in order to secure the payment of the bonds or obligations.

This bill would extend such powers re security to obligations incurred by the housing authority in the acquisition or development of real property

(7) Under the Housing Operations Law, housing authorities may contract to provide services on a nonprofit basis for the planning, management, and operations of housing facilities to owners of housing financed with a loan made or insured by the federal government, where the owner's profits are controlled or eliminated

This bill would authorize housing authorities to extend such assistance, in addition, to owners of housing qualified for specified federal housing assistance or California Housing Financial Agency payments

Ch 1136 (SB 46) Dills Public social services

Under present law an adult child is required to contribute to the support of an aged recipient of aid under the state supplementary program

This bill eliminates such provisions and provides instead that no relative is liable to contribute to the support of such recipient under that program

Ch 1137 (SB 122) Petris Department of Housing and Community Development Commission of Housing and Community Development

(1) Existing provisions of the Labor Code authorize the Department of Housing and Community Development to carry out specified duties relating to housing and community development and require every city, city and county, county, redevelopment agency and housing authority to report to the department annually, with recommendations for legislation, regarding its housing and community development programs.

This bill would transfer such Labor Code provisions to the Health and Safety Code, except that the requirement that a city, city and county, or county make such an annual report relating to housing and community development to the department would be deleted

(2) Under existing law, the Commission of Housing has specified duties under the Limited Dividend Housing Corporations Law

This bill would transfer such duties of the Commission of Housing under the Limited Dividend Housing Corporations Law to the Commission of Housing and Community Development

(3) Under the Housing Authorities Law, housing authorities are authorized to accept and expend financial or other assistance made available to provide leased housing, including but not limited to, low-rent housing in private accommodations for which the federal government or a state public body extends assistance by leasing from the owner at a higher rent than is charged to the tenant

This bill would, in addition, specifically authorize a housing authority to accept and expend such financial or other assistance made available to provide leased housing in private accommodations under an arrangement by which the federal government or state public body supplying the assistance contracts with the owner to make monthly payments in addition to the rent paid by the tenant This bill would specifically authorize housing authorities to provide leased housing, as defined in the Housing Authorities Law, to persons of low income, as defined in the Housing Authorities Law The bill would specifically authorize a housing authority to provide financing for the construction or rehabilitation of residential structures if certified as a qualified mortgage lender by the California Housing Finance Agency The bill would authorize a housing authority to provide counseling, referral, and advisory services re housing to persons of low income The bill would change the definition of qualified mortgage lender in the Zenovich-Moscone-Chacon Housing and Home Finance Act to include housing authorities certified by the California Housing Finance Agency.

(4) Under existing law, housing authorities have specified powers relating to the acquisition and disposition of property

This bill would give housing authorities, in addition, if certified as a qualified mortgage lender by the California Housing Finance Agency, the power to lend on a deed of trust in the sale of real property to persons of low income or in the implementation of government housing and rehabilitation financing programs and to procure insurance or guarantees for debts on property in housing projects from the California Housing Finance Agency

(5) Under existing law, local agencies are authorized on and after January 1, 1976, to finance residential rehabilitation, under the Marks-Foran Residential Rehabilitation Act of 1973, of housing meeting prescribed criteria both inside and outside of residential rehabilitation areas, including a requirement that the maximum repayment period for such residential rehabilitation loans inside an area is 40 years, or ⅘ of the economic life of the property, whichever is less, and outside an area is 40 years, or ⅘ of the economic life of the property, or the duration of governmental rental assistance, whichever is less

This bill would define the term "governmental rental assistance" for the purposes of the Marks-Foran Residential Rehabilitation Act of 1973, and would authorize nonprofit sponsors of housing developments, under the Marks-Foran Residential Rehabilitation Act of 1973, to qualify under the loan requirements of specified provisions of the Zeno-

vich-Moscone-Chacon Housing and Home Finance Act if the housing development receives governmental rental assistance

(6) The bill would make additional changes relating to governmental planning activities if AB 551 is chaptered

Ch 1138 (SB 187) Berryhill Medi-Cal, county share

Under current law the county share of Medi-Cal cost for any fiscal year commencing with the 1974–75 fiscal year is limited to an amount not exceeding the amount produced by a property tax rate of 65 cents per $100 of modified assessed value, as defined

This bill limits such county share commencing with the 1974–75 fiscal year to an amount not exceeding the amount produced by a property tax rate of 60 cents per $100 of modified assessed value, as defined, for the 1974–75 fiscal year and each subsequent fiscal year

Ch 1139 (SB 580) Mills Department of Transportation guideway systems

Under existing law, the Department of Transportation is not authorized to assume the functions of project planning, designing, constructing, operating, or maintaining transit, aviation, and maritime facilities without express prior approval of the Legislature

This bill would specifically authorize the department to perform specified functions with respect to exclusive mass transit guideway systems as discussed below

The bill would authorize the governing body of any public entity which proposes to commence any exclusive mass transit guideway system project to enter into an agreement to have the department assist the public entity in the project The terms of such an agreement that are optional and mandatory are specified Reimbursements received by the department from the governing body would be deposited in the state account in the State Treasury designated by the department and would be available for expenditure in accordance with agreed-upon terms

The State Board of Control would resolve any dispute as to the amount of reimbursement that is due the department

The bill would require, with 2 exceptions, any public entity that is to receive state or federal funds for a guideway project, to prepare a specified plan and schedule on such project for review and approval by the department, which review and approval would be required to be completed within a reasonable time The review and approval by the department would be limited to specified items; and the department would be required to adopt guidelines for such purposes, based upon specified criteria Before approving such a plan and schedule for any guideway project, the department would be required to obtain a finding from the State Transportation Board that the guideway project is in conformance with the adopted regional transportation plan and the California Transportation Plan

The bill would require the Secretary of the Business and Transportation Agency, within a reasonable time, to hear and determine, or to appoint a hearing officer to hear and make a recommendation to the secretary for the determination of, any appeal on action taken by the department regarding a guideway project

The bill would provide that no appropriation would be made or obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 1140 (SB 978) Rodda Unemployment insurance

Existing law authorizes the Director of Employment Development to adopt, amend, or repeal regulations for the administration of the Employment Development Department, and authorizes the Director of Benefit Payments to adopt, amend, or repeal regulations for the administration of the Department of Benefit Payments, as are reasonably necessary to enforce their functions

Existing law also contains certain special provisions relating to public hearings of proposed regulations of these departments, notice to persons who appeared at a public hearing and opposed a regulation, and rights of appeal

This bill would delete the special provisions relating to public hearings, notice to persons who appeared at a public hearing and opposed a regulation, and rights of appeal

Ch 1141 (SB 996) Greene Regional occupational programs and centers

Currently, the law provides for the establishment of regional occupational programs and centers by county superintendents of schools and by school districts Any pupil who resides in a district which does not operate such a program or center, is eligible to attend such a program or center operated by the county superintendent having jurisdiction over such district

This bill would permit a county superintendent of schools operating a regional occupational program or center to enter into agreements for the attendance of pupils residing outside of school districts participating in the program or center at such program or center and would provide for the reimbursement of the county superintendent of schools by the pupil's school district

This bill would also permit a county superintendent of schools to authorize a pupil who resides in a school district which is participating in a regional occupational center or program to attend some other program or center when it is in the best interests of the pupil to do so

Ch. 1142 (SB 1022) Beilenson First aid instructions· choking in restaurants

(1) There is no present law requiring restaurants to maintain first aid instructions regarding the removal of food which has become stuck in a person's throat.

This bill would require the State Department of Health to adopt and approve first aid instructions designed and intended for use in removing food which may become stuck in a person's throat, without the use of instruments or devices inserted into the victim's mouth or throat.

This bill would further require the department to supply such instructions to the proprietor of every restaurant in this state and would require the proprietors to post the instructions in a conspicuous place or places in order that the instructions may be consulted by anyone attempting to provide relief to a victim in a choking emergency, but would provide that the proprietor or his employees or independent contractors would not be liable for any civil damages only because of the fact that such instructions were not posted at the time of a choking emergency

(2) Under existing law, a person is liable in civil damages for injuries to others proximately caused by his negligence, but, as a general rule with recognized exceptions, is under no duty to assist persons in distress.

This bill would specify that the bill does not obligate any person to remove, attempt to remove, or assist in removing food stuck in another person's throat, and would provide that neither the proprietor nor any person who nonnegligently removes, assists in removing, or attempts to remove food from the throat of another in an emergency in a restaurant, and in accordance with the instructions of the department adopted pursuant to the bill, shall be liable for civil damages as the result of any acts or omissions in rendering such emergency assistance

(3) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 1143 (SB 1196) Wedworth Emergency medical services. paramedics and nurses insignia

Existing statutory law makes no provision for the State Department of Health to prescribe standardized insignia or emblems for mobile intensive care paramedics and mobile intensive care nurses

This bill would require the state department to prescribe such standardized insignia or emblems.

Ch. 1144 (AB 193) Keene. Prescriptions.

Present law makes it a misdemeanor for a pharmacist to substitute a different article for any article prescribed or ordered in the making up of any prescription in consequence of which human life or health is endangered

This bill would permit, in specified circumstances and on and after May 1, 1976, a pharmacist to substitute for drug product prescribed by its trade or brand name another drug product with same active chemical ingredients of same strength, quantity, and dosage form, and of same generic drug type The pharmacist would assume the same

responsibility for selecting the dispensed drug product as would be incurred in filling a prescription for a drug product prescribed by generic name There shall be no liability on the prescriber for an act or omission by a pharmacist in selecting, preparing, or dispensing a drug product pursuant to this section

The bill requires the use of the cost-saving drug product dispensed to be communicated to the purchaser and the name of the dispensed drug product to appear on the label

The bill requires the Director of Health to establish and distribute a formulary of generic drug types and drug products which the director determines demonstrate clinically significant biological or therapeutic inequivalence and which if substituted would pose a threat to the health and safety of patients receiving prescription medication The bill requires the formulary to be established within 120 days of the effective date of this provision and requires the formulary to be amended as the director deems appropriate

The bill prohibits a pharmacist from dispensing a substituted generically equivalent drug product if the drug product and its generic drug type is included in the formulary.

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch. 1145 (AB 1035) Carpenter Polling places access by the physically handicapped

The existing law makes no express provision requiring that buildings or structures used as polling places provide for access by the physically handicapped

This bill would state the legislative intent with respect to assuring access to polling places by the physically handicapped

This bill would require county clerks to make reasonable efforts to locate and utilize polling places which meet the requirements specified by the State Architect for making buildings, structures, and related facilities accessible to and usable by the physically handicapped.

This bill would, under specified conditions, permit the voting by handicapped persons outside the polling place, and would also authorize the use of absentee ballots on election day by such persons.

This bill would provide that neither a reimbursement is made nor an appropriation is made to local agencies for costs incurred by them pursuant to this act for specified reasons

Ch 1146 (AB 1357) Egeland Women. contraceptive and family planning services during incarceration

Present law now provides that women who enter prison or other specified penal institutions may upon request continue to use birth control measures as prescribed by her physician during the term of incarceration

This bill would require specified governmental agencies to provide information and education regarding the availability of family planning services to each and every incarcerated woman, and it would require that such agencies, upon the request of a female confined in certain juvenile facilities, to furnish information regarding prescription birth control measures This bill would also provide incarcerated females in certain detention facilities and in facilities maintained by the Department of the Youth Authority, with family planning services and upon request a physician's services or other services necessary to meet her family planning needs at the time of release

The bill also provides that there shall be no reimbursement to local agencies or appropriation made because the responsibilities imposed on local government are minor and will not cause any financial burden to local government.

Ch 1147 (AB 1701) Maddy Elections write-in votes

(1) Under existing law any name written upon a ballot is required to be counted unless otherwise prohibited

This bill would specifically require any name written upon a ballot, including a reasonable facsimile of the spelling of such a name, to be counted unless otherwise prohibited. This requirement would be repealed in deference to a similar requirement set forth in AB 1599, in the event the latter bill is enacted

(2) Existing law requires at a trial regarding the contest of an election that the ballots

be opened and a recount taken

This bill would specifically include in such recount a tabulation of all names written upon a ballot which are subject to being canvassed, which, under the provisions of this bill, would include a reasonable facsimile of the spelling of such name

Ch 1148 (AB 1718) Alatorre Public postsecondary education employment of student exconvicts and parolees

Existing statutes do not specifically address themselves to the authority of a community college district to employ students on the basis of their status as an exconvict or parolee; however, existing statutes prohibit a community college district from hiring a person convicted of certain sex offenses or narcotic offenses or a person determined to be a sexual psychopath, for positions not requiring certification qualifications

This bill would authorize each community college district, notwithstanding any other provision of law to the contrary, to employ any enrolled student who is an exconvict or is on parole, other than a person determined to be a sexual psychopath, to perform noninstructional duties and would prohibit consideration of such persons as or classified employees.

Ch. 1149 (AB 1734) Ralph Horseracing

Existing law provides that the maximum number of racing days that may be allocated to the California Exposition and State Fair shall be 14 days per year

This bill provides as an exception to existing law that there may be eight weeks of quarter horse racing allocated to the California Exposition and State Fair, in addition to such other racing days This bill provides that such quarter horse racing shall be conducted by a person other than the California Exposition and State Fair

Ch 1150 (AB 2033) Chappie Physically handicapped persons access to buildings, structures, and related facilities.

(1) The existing law requires the State Architect to adopt regulations for making buildings, structures, and related facilities accessible to and usable by the physically handicapped and requires, with respect to buildings and structures, that the regulations impose the same requirements for buildings and structures as are contained in pertinent provisions of the latest edition of the Uniform Building Code

This bill would, with respect to the requirements imposed on buildings and structures, delete the provisions requiring the regulations adopted by the State Architect to impose the same requirements as contained in the Uniform Building Code and, instead, require that the regulations impose such requirements as minimum standards

(2) The existing law contains no express provision, with respect to buildings and structures, authorizing the State Architect to adopt such additional requirements as he determines are necessary to assure access and usability for the physically handicapped

This bill would authorize the State Architect to adopt such additional standards, with respect to buildings and structures, as he determines are necessary to assure access and usability for the physically handicapped.

(3) The existing law authorizes, with respect to sidewalks and curbs, the State Architect to impose standards which he determines are necessary to assure access and usability for the physically handicapped

This bill would require the State Architect to adopt by regulation standards for making sidewalks and curbs accessible to and usable by the physically handicapped

(4) In addition, this bill expressly provides that its provisions do not constitute a change in, but are declaratory of existing law

This bill would take effect immediately as an urgency statute

Ch. 1151 (AB 2449) Brown Appropriations· Department of Justice

This bill would appropriate $270,000 to the Department of Justice to pay a judgment in favor of certain named persons against eight State of California employees in an action brought in federal district court in San Francisco

This bill would take effect immediately as an urgency statute

Ch 1152 (AB 2488) Chappie Alcoholic beverages

Existing law prohibits brand owners of alcoholic beverages from supplying such alcoholic beverages to retailers without charge

This bill would allow such brand owners to replace without cost, beer or distilled spirits offered for sale by a retailer which was destroyed or damaged by earthquakes which occurred between July 31, 1975 and August 3, 1975, and which was located in a county containing a specified population These provisions would be repealed six months after the effective date of the bill

The bill provides that it would take effect immediately as an urgency statute

Ch 1153 (SB 287) Song Contractors' State License Board

Under existing law the Contractors' State License Board consists of 11 members appointed by the Governor

This bill increases the number of members on the board to 13 The added members are to be appointed by the Governor on or before June 1, 1976, to a term to expire June 1, 1980 One of the added members will be a member of a labor organization representing the building trades and one added member will be a public member

Ch 1154 (SB 311) Beilenson Public employees' time off to vote

Under existing law every day on which an election is held throughout the state, is a state holiday and a holiday for state civil service employees and for certain local public employees

This bill would delete such provisions and, instead, make applicable to all public agencies and employees thereof, provisions which require that employees be given specified time off with pay to vote who do not have sufficient time outside of their working hours within which to vote The bill would also make a technical change

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1155 (SB 336) Alquist State agencies organization and functions

(1) Presently, no person who is a member or employee of the State Energy Resources Conservation and Development Commission may participate in commission functions involving any other organization with which such person is, or within 2 years of his membership on such commission was, involved or associated in various specified ways

This bill would specifically exempt from the meaning of such other organization any governmental agency or educational or research institution qualifying as a nonprofit organization under state or federal income tax law, and would state that this does not constitute a change in, but is declaratory of, existing law

(2) Presently, the State Energy Resources Conservation and Development Commission may appoint an executive director and an administrative advisor, who is required to be an attorney, and employ other staff members, but is not authorized to employ legal counsel except in litigation concerning the affairs of the commission where the Attorney General represents another state agency

This bill would, in addition, authorize the commission to employ legal counsel who would be required to advise the commission and represent it in connection with legal matters and litigations before any boards and agencies of the state or federal government, and would specify that the commission's staff may participate in matters before the commission to the limits prescribed by the commission

(3) Presently, the State Energy Resources Conservation and Development Commission is required to appoint an administrative adviser to serve at the pleasure of the commission

This bill would, instead, provide for a public adviser who shall be nominated by the commission and appointed for a term of 3 years by the Governor and who may be removed only upon joint concurrence of four commissioners and the Governor

(4) Presently, every electric utility is required to submit the first of certain reports of forecasts or assessments of loads and resources to the State Energy Resources Conservation and Development Commission on or before January 1, 1976, and directs the commission to receive comments thereon from any person for four months after receipt of the reports

This bill would extend the date for submitting such reports to on or before March 1, 1976, and shorten the period for receiving comments thereon from four to two months

(5) Presently, the president of the Public Utilities Commission is the executive and administrative head of the commission and organizes, coordinates, supervises, and directs the operations and affairs of and expedites all matters within the jurisdiction of the commission Present law also provides for a commission secretary

This bill would rename the secretary the executive director and would transfer these duties from the president to the executive director The bill would also permit the commission to authorize the executive director to dismiss complaints or applications when all parties are in agreement thereto, in accordance with such rules as it may prescribe

Ch 1156 (SB 743) Moscone Injunctions and restraining orders

Existing law provides for the granting of preliminary injunctions and temporary restraining orders before judgment where a verified complaint or affidavits of the party show satisfactorily that sufficient grounds exist therefor. Existing law also provides for the procedure for notice to the opposing party and for a hearing on the application for a preliminary injunction. While existing statutory law makes no specific provision for the matters which may be subject to a temporary restraining order or preliminary injunction, existing case law protects certain conduct, including picketing, arising out of labor disputes.

This bill would, based on specific legislative declarations in the bill regarding labor disputes, specify the jurisdiction of courts to issue temporary restraining orders and preliminary and permanent injunctions by providing that specified acts connected with labor disputes, as defined, such as peaceful picketing are legal and are not within the jurisdiction of the courts to restrain or enjoin It is expressly made not applicable to jurisdictional strikes

This bill contains a statement that its provisions shall not be construed to alter or supersede the provisions of the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 and that the latter's provisions prevail to the extent of any conflict

This bill contains a statement that its provisions shall not be construed to alter the legal rights of public employees or their employers, nor the rights of parties to collective-bargaining agreements under Section 1126 of the Labor Code.

This bill also provides that it is not the intent of its provisions to permit unlawful activities.

Ch. 1157 (SB 940) Mills Bicycles: size and equipment.

(1) Under existing law, no person may operate on any highway a bicycle which has been modified or altered so that the pedal in its lowermost position is more than 12 inches above the ground

This bill would delete the above prohibition, and would prohibit the operation on any highway of a bicycle which is of such a size as to prevent the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner

(2) Under existing law, a bicycle operated on any highway during darkness is required to be equipped with a lamp emitting a white light visible from a distance of 300 feet in front of the bicycle.

This bill would require that, while the bicycle is in motion, the light also illuminate the highway in front of the bicyclist and be visible from the sides of the bicycle. Further, the bill would permit a specified lamp that is attached to the operator, to be used in lieu of such lamp with which the bicycle is equipped

(3) Under existing law, a new bicycle sold on or after January 1, 1975, and operated on any highway during darkness is required to be equipped with a red reflector visible from a distance of 500 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle No person may sell, or offer to sell, a new bicycle unless it is equipped with such a red reflector

This bill would require, with respect to every bicycle operated on a highway, that the red reflector be visible from that distance when directly in front of lawful upper beams of headlamps on a motor vehicle The bill would delete the specific authorization that a lamp maintained so as to be visible from 300 feet to the rear may be used in addition

to the required red reflector The bill would extend the prohibition against selling, or offering to sell, a new bicycle, unless it is equipped with a red reflector, to any person selling or offering to sell any bicycle

(4) Under existing law, no person may sell, or offer for sale, a new bicycle or pedal for use on a bicycle that is not equipped with a white or yellow reflector on the pedal which is visible from the front and rear of the bicycle during darkness from a distance of 200 feet

This bill would delete such prohibition regarding the sale of a pedal and prohibit the operation upon a highway of any bicycle during darkness without such reflectors

(5) Under existing law, no person may sell, or offer for sale, a new bicycle unless it is equipped with (a) a white reflector on the front, and (b) specified reflectors on each side of the bicycle forward and rear of center, unless equipped with reflectorized tires

This bill would [delete such prohibition regarding the sale of a new bicycle unless it is equipped with a white reflector on the front, and] * also prohibit the operation upon a highway of any bicycle during darkness without specified reflectors on each side of the bicycle forward and rear of center, unless it is equipped with reflectorized tires

(6) The bill would make other related changes

(7) The bill would make no appropriation nor reimburse any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch 1158 (AB 1961) Keysor Elections Code revision

This bill would revise those provisions of the Elections Code which govern ballots

Existing law requires that if a punchcard voting system is used in school district governing board member elections, the words "Ballot for School District Governing Board Member Election", followed by the name of the district, be printed on the stub attached to the punchcard.

This bill would require only the name of the election and the date of the election to be printed on the stub attached to the punchcard

Ch 1159 (AB 1249) Alatorre County service areas

Existing law requires the board of supervisors of a county of under 4,000,000 population to initiate proceedings for the establishment of county service areas upon written request in the form of a resolution adopted by a majority vote of the governing body of any city in the county and filed with the board of supervisors

This bill would remove the requirement that the county have a population of under 4,000,000 and thus make such law applicable to all counties.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

Ch 1160 (AB 1282) Sieroty Corrections

Present law provides that the Director of Corrections may prescribe rules and regulations for administration of the prisons within the jurisdiction of the Department of Corrections, and may change such rules and regulations at his pleasure.

The bill provides that the rules and regulations adopted by either the Director of Corrections or the Adult Authority must be filed and made available to the public and be stated in language easily understood by the general public

The bill provides that the Department of Corrections and the Adult Authority are required, when promulgating rules and regulations, to comply with the Administrative Procedure Act, with specified exceptions. and requires the Department of Corrections and Adult Authority to maintain and publish a compendium of specified regulations This bill further provides that it is the intent of the Legislature that rules and regulations adopted by the Department of Corrections or the Adult Authority prior to the effective date of this act shall be reconsidered pursuant to the Administrative Procedure Act before July 1, 1976

Ch 1161 (AB 1333) Chel Carrying concealed firearm

Under existing law any unlicensed person who carries a concealed pistol, revolver or other concealable firearm upon his person or in a vehicle under his direction and control is guilty of a misdemeanor, and if he has been convicted previously of any felony or of any crime made punishable by the Dangerous Weapons Control Law, is guilty of a

felony

This bill would make such unlicensed concealed carrying of such a firearm punishable as a misdemeanor except for persons convicted of a crime against the person, property, or a narcotics or dangerous drug violation which shall be punishable alternatively as a felony or misdemeanor in all cases of carrying a concealed weapon upon the person where there was no such previous conviction

The maximum term for the felony punishment under this bill would be three years

Under existing law as an alternative to a misdemeanor it is a felony punishable for not less than one year nor more than five years to manufacture or cause to be manufactured, to import into the state, keep for sale, or offer or expose for sale, or give, lend or possess any of specified instruments or weapons

This bill would substitute a maximum three-year felony punishment for the present five-year maximum

Ch 1162 (AB 1597) Berman Sample ballot mailings

Present law provides no procedure whereby the county central committee may solicit voter contributions through sample ballot mailings distributed by the county clerk

The bill establishes a procedure whereby the county central committee of each qualified political party may provide a fund solicitation envelope to the clerk to be mailed with the sample ballot to each registered voter of the committee's party All funds received are to be deposited in a trust account and distributed as provided in the act

Any increased cost incurred by the clerk is to be paid by the county central committee.

The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency because the act contains a revenue source which may be utilized by local governments to cover costs of the act

Ch 1163 (AB 1913) Maddy CSUC student fees

Existing statutes permit revenue raised from student body organization membership fees, subject to regulations adopted by the Trustees of the California State University and Colleges, to be used for the support of governmental affairs representatives to the Legislature and offices and agencies in the executive branch of state government

This bill would remove the requirement for the adoption of such regulations by the trustees.

This bill would make various technical changes in the provisions involved

Ch. 1164 (AB 2102) Dixon Deputy registrars of voters: compensation

Existing law makes it a misdemeanor for any executive or ministerial officer, employee or appointee of the state, county, city, or political subdivision to knowingly ask, receive, or agree to receive any emolument, gratuity, or reward for doing an official act

This bill would provide that such provision shall not be construed to prohibit deputy registrars of voters from receiving compensation when authorized by local ordinance from any candidate, political committee, or statewide political organization for securing the registration of voters

Ch. 1165 (AB 2126) Knox California Pollution Control Financing Authority

The California Pollution Control Financing Authority Act authorizes the California Pollution Control Financing Authority to issue revenue bonds to finance facilities to control, reduce, abate, eliminate, or prevent pollution, for sale or lease to persons and entities owning or operating facilities that are required by federal, state, or local law to be equipped with pollution control

This bill would authorize the authority to, in addition, finance projects, the purpose of which is to prevent or reduce pollution resulting from disposal of solid waste The bill would require the Secretary of the Resources Agency to certify proposals for financing such projects under the California Pollution Control Financing Authority Act as meeting specified criteria, and would require the authority to reimburse the Resources Agency for the costs of such review Financing under the bill for such projects would be limited to $50,000,000 per calendar quarter and each separate resolution of the authority authorizing bonds of the authority for such purpose would be limited to $200,000,000 The bill would require such resolutions to be submitted to the Legislature for prescribed review.

Ch. 1166 (AB 2141) MacDonald. Vehicles: covering of loads

Under existing provisions of state law, no vehicle loaded with specified materials may be driven or moved upon any highway unless the load is covered with a cover sufficient to prevent the load or any part of it from spilling upon the highway

This bill would prohibit vehicles loaded with such materials, and anything being transported to a dump site for disposal, from being driven or moved upon any highway unless the load is totally covered in a manner which will prevent the load or any part of it from spilling or falling from the vehicle Such prohibition would not, however, apply to any highway maintenance vehicle engaged in transporting specified materials to a dump site for disposal

The bill would also contain a statement of legislative intent

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 1167 (AB 2164) Greene Public Employees' Retirement System service credit.

Existing Public Employees' Retirement Law generally extends service credit to members only for compensated employment

This bill would make state members, other than school members, eligible to receive up to 2 years of additional service credit if the Governor determines that because of an impending curtailment of, or change in the manner of performing service, the best interests of the state would be served, and the member retires between July 1, 1975, and December 31, 1975, specified amounts are paid by their employing agency for all eligible employees, and the employing agency certifies that it is electing to exercise the provision as a result of curtailment of services The provision would not be applicable to any eligible member who receives unemployment insurance payments during that period and any member who reenters the system would forfeit the additional service credit.

The bill would take effect immediately as an urgency statute

Ch 1168 (AB 1442) Thurman Aged persons

Under current law the Department of Health is authorized to establish a pilot project in preventive health care in three counties by defraying costs of providing programs of scheduled visits by public health nurses to existing senior citizen housing and center facilities

This bill would authorize such projects statewide, and the department to defray the cost of projects or the continuation of such projects not exceeding 50 percent, and would delete the requirement that facilities visited be existing facilities or housing. The bill also would appropriate $750,000 from the General Fund for such purpose.

Ch 1169 (AB 1812) Murphy. Health care facilities

Under existing law, which became operative July 1, 1975, the California Health Facilities Commission, composed of 13 members, is required to carry out duties prescribed by the California Health Facilities Disclosure Act with respect to all licensed health facilities, which includes general acute care hospitals, acute psychiatric hospitals, skilled nursing facilities, intermediate care facilities, and special hospitals

This bill would expand the membership of the California Health Facilities Commission to 15 members

Ch 1170 (SB 255) Dills Firearms

Under existing law an individual who is employed as a uniformed security guard by a person engaged in a lawful business need not have training in the exercise of the power of arrest or in the carrying and use of firearms in order to carry a loaded firearm.

This bill allows the issuance of a certificate by the Department of Consumer Affairs upon notice of completion of such training as a prerequisite to such carrying of a loaded firearm in specified places by every individual except an off-duty peace officer who is employed as a uniformed security guard by any person engaged in a lawful business to protect the property of that business and who is compensated for such activity

Existing law excludes persons employed exclusively and regularly by one employer in connection with the affairs of such employer where there exists an employer-employee relationship from private investigator licensing and regulation provisions This

bill would limit the exclusion to such persons who do not carry or use any deadly weapon in the performance of his or her duties

This bill would become operative January 1, 1977

Ch 1171 (AB 829) Wilson County Employees Retirement Law of 1937· service credit

Existing law requires safety members under the County Employees Retirement Law of 1937 who receive credit for prior public active law enforcement or fire suppression service, to have the pension or retirement allowance for such service calculated on same basis as the calculation of the retirement allowance such member would receive pursuant to one-fiftieth formula

This bill would make the calculation also applicable to credit for prior service in the armed service of the United States during war or national emergency and would require a safety member who entered county service as a peace officer prior to the establishment of the safety provisions to be considered a safety member from the initial hiring date for purposes of the one-fiftieth formula provision

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1172 (SB 1021) Ayala Peace officers training

Existing law requires the Commission on Peace Officer Standards and Training to adopt minimum standards for training of peace officer members of certain local agencies

This bill would require the adoption of such standards by the commission for specified officers designated as peace officers.

Ch 1173 (AB 1017) Keene Fish rearing facilities.

Under existing law, the Department of Fish and Game is authorized to provide for the propagation of fish, including salmon and steelhead, and such activities are generally financed from the Fish and Game Preservation Fund

This bill would specifically authorize the department, under specified conditions, to enter into agreements with counties, nonprofit groups, or private persons for the management and operation of facilities to rear salmon and steelhead for the purpose of providing additional fishing resources, to augment natural runs, and to be released north of Point Conception in waters with unimpeded access to the sea.

The bill would provide that funds appropriated for purposes of such agreements are not to be used to purchase equipment or for construction

This bill would appropriate $25,000 to the Department of Fish and Game from the Wildlife Restoration Fund for the purpose of funding such cooperative agreements

Ch 1174 (AB 1617) Papan State shipments carrier rates

(1) Existing law requires the Department of General Services when issuing bid announcements and bid approvals to secure shipping via carriers taking into consideration, among other things, the prevailing wage rate of drivers operating under collective-bargaining agreements

This bill would additionally require the department to consider the prevailing wage rate of supporting personnel, as defined, operating under collective-bargaining agreements.

The requirements would not be applicable to existing contracts affecting the wage rates of supporting personnel

(2) The existing law requires, with respect to state shipments, the Department of General Services to act in accordance with specified provisions of the law, relating to wages, standards and conditions of employment, when issuing bid announcements and upon approval of such bids, except consideration may be given to bids not conforming with the employee cost provisions in areas where no such employee wage standards and conditions are reasonably available

This bill would delete such provisions, and instead, require with respect to establishing procedures for obtaining commercial moving services under competitive bid contracts that every contract, and any bid specification therefor, authorized and entered into by

the state in excess of $2,500, the principal purpose of which is to furnish commercial moving services to relocate state offices, facilities and institutions, shall specify that no contractor performing thereunder shall pay any employee actually engaged in the moving or handling of goods being relocated under such contract less than the prevailing wage rate, as defined, except consideration may be given to bids not conforming with these employee cost provisions in areas where no such employee wage standards and conditions are reasonably available

Ch 1175 (AB 1506) Sieroty Prisoners civil rights

Existing law provides that a sentence of imprisonment in a state prison for any term suspends all the civil rights of the person sentenced, and forfeits all public trusts, authority, or power during such imprisonment, with specified exceptions.

This bill repeals existing law relating to civil death and instead provides that a person sentenced to imprisonment in a state prison may be deprived of only such rights as necessary for the reasonable security of the institution in which he is confined and for the reasonable protection of the public

This bill enumerates the civil rights to which prisoners shall be entitled notwithstanding any other provision of law

Ch 1176 (AB 127) McAlister District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various transit district acts, to become operative only if AB 11 is chaptered and becomes operative; the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

Ch 1177 (AB 345) Perino Court reporters.

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

This bill would require the Judicial Council to also provide for the maintenance of such records for San Joaquin County and Sonoma County, and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of each such county and the Legislature

(2) Existing law provides that the salary paid official reporters of the superior court in San Joaquin County shall be deemed for retirement purposes to include all per diem and transcription fees paid by the county to all reporters of the superior court divided by the number of official court reporters up to $600 per month.

This bill would increase the maximum amount which may be deemed salary for retirement purposes of court reporters in San Joaquin County from $600 to $1100 per month

(3) Existing law also specifies annual salaries for regular court reporters and a per diem rate for reporters pro tempore of the superior court of Sonoma County

This bill would increase the annual salaries of regular official reporters to $18,400 and the per diem for reporters pro tempore to $63 as of July 1, 1975

(4) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting only certain counties

(5) Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

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

Ch 1178 (AB 1776) Siegler Mental health

Under the current Short-Doyle Act both the county and the state are required each year to adopt and submit a five-year plan for community mental health services

This bill would require such plan to be a three-year, rather than a five-year plan

Under the current Short-Doyle Act, the county Short-Doyle plan, submitted each March 15th, must be compatible with the Governor's proposed budget

This bill would require a county to specify existing programs, new programs that are compatible with the Governor's proposed budget, and new programs that are not compatible with that budget, but which would be implemented should additional funds become available If such a plan is approved by the state, the county could implement the new, incompatible programs without further state approval if additional funds become available Cost report-data collection budgets for all new programs would have to be submitted prior to the submission of claims for those programs

Under the current Short-Doyle Act, if funds are allocated to new categorical programs established pursuant to a county plan, such funds must be used for such programs for the duration of the county plan that established such programs

This bill would provide that two years after the establishment of a county Short-Doyle plan, funds allocated to new categorical programs would become part of regular Short-Doyle programs within the categories of mental illness, drug abuse and alcohol

Under existing law county agencies other than the community mental health service may provide services pursuant to the Short-Doyle Act This bill would require that such services be provided only pursuant to specified, written agreements

The bill also provides that neither appropriation is made nor shall there be reimbursement to any local agencies because there are minor savings as well as minor costs which do not result in significant cost changes

This bill would make additional changes in Section 5651, Welfare and Institutions Code, proposed by SB 744, with conforming changes, to be operative only if this bill and SB 744 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 744

Ch 1179 (SB 192) Roberti Parking offenses, renewal of registration, arrests

Existing statutory law requires the Department of Motor Vehicles (hereafter referred to as the department) to refuse registration or renewal or transfer of registration of a vehicle on various specified grounds

This bill would require the department to refuse to renew the registration of a vehicle whose registered owner or lessee has been sent or given, and has failed to comply with, a notice of violation issued for a parking offense unless he pays to the department, at renewal, the full amount of undeposited bail for such offense, and a fee that is a prorated amount of administrative costs of the department, as specified, and specified costs incurred by the Department of the California Highway Patrol in enforcing provisions of law relating to registration requirements Courts would be required to notify the owner or lessee in a specified manner regarding his obligation to comply with the notice Courts would be required to notify the department of all such instances of noncompliance Various procedures to be carried out by the department in collecting and remitting bail pursuant to these provisions would be specified

Furthermore, this bill would revise procedures for issuance of an arrest warrant for failure by a resident of California to comply with the notice of violation

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

The bill would require the department to report to the Legislature by January 1, 1979 regarding the costs of administering the bill's provisions

The bill would become operative on January 1, 1978

Ch 1180 (SB 409) Beilenson Blood container labeling

Under existing regulations of the State Department of Health, blood banks are required to maintain a system which carries through from donor to recipient to identify blood distributed and used Producers of biologics are required to label containers with specified information In neither case is information as to the volunteer or paid status of the donated blood or biologics required

This bill would provide that every person engaged in the production of blood shall

label each container, where a label is used, to indicate whether the blood was received from a volunteer donor or a paid donor

Blood banks receiving blood from a blood bank outside of California would be required to comply with these requirements However, such blood could be labeled as coming from a volunteer donor only if a certificate from the out-of-state blood bank stated that the blood is from volunteer donors, otherwise such blood would be required to be labeled as paid donor blood

The bill would provide that no warranty shall be implied from the fact that any blood is labeled in accordance with these requirements

The bill would provide that there shall be no reimbursement nor appropriation to local governments for the purposes of this bill

Ch 1181 (SB 438) Petris Petitions for guardianship procedure

Existing law authorizes the superior court of the county in which a minor resides or is temporarily domiciled, or in which a nonresident minor has estate, to appoint a guardian for his or her person and estate, or person or estate, and to issue letters of guardianship Such appointments are currently permitted upon the petition of a relative or other person, or on the petition of a minor, if 14 years of age

This bill would require a nonrelative petitioner for guardianship, other than for the estate exclusively, not named in a will as guardian, to serve a copy of the petition on the State Department of Health, and also require that proof of such service must be shown to the court at the time of hearing It also would require such a petition to contain (1) an allegation that upon request the petitioner will promptly submit such information as may be requested by the agency charged with investigating his suitability for guardianship, (2) a disclosure of any petition for adoption of the minor by the petitioner, and (3) an allegation as to whether or not the petitioner's home is licensed as a foster home

If an adoption petition has been filed, the bill would require the agency investigating the adoption to file a report as to the suitability of the petitioner for guardianship In other instances the local agency to whom foster family home licensure has been delegated would be required to make such a report

This bill would also require the agency making the investigation to give to the petitioner's attorney or the petitioner a copy of any report or findings submitted to the court

This bill, furthermore, provides that such provisions do not apply where the Director of Health is appointed guardian or conservator pursuant to specified provisions of law

It also would provide that no appropriation or reimbursement is made to local agencies for costs incurred

Ch 1182 (SB 481) Robbins Public Employees' Retirement System board of administration membership

Existing law makes provisions for representation on the board of administration of the Public Employees' Retirement System of three persons representing the public and provides that such persons' duties are limited to service in the administration of the State Employees' Medical and Hospital Care Act

This bill would instead provide for only one person representing the public and would delete the limitation with respect to public member participation in the board's activities It would also specify the term of the public member and make other related and conforming changes

Ch 1183 (SB 524) Rodda Minors school-related problems

Existing statutes prohibit access to written records of school pupils without judicial process, with certain exceptions This bill would include within the exceptions, designated members of school attendance review boards The bill would require all materials and information so acquired by such boards to be kept in strict confidence

The existing juvenile court law provides that minors who are in danger of leading an idle, dissolute, lewd, or immoral life are within the jurisdiction of the juvenile court and may be adjudged a ward thereof

This bill would delete such provision, thereby making the same changes in such law as were made by Chapter 192 of the Statutes of 1975 (AB 432)

The existing juvenile court law provides that a minor whose insubordination is not, in the determination of a school attendance review board, correctable because available

public and private services are insufficient or inappropriate, is within the jurisdiction of the juvenile court and may be adjudged a ward thereof

This bill would substitute for insubordination in such provision, persistent or habitual refusal to obey the reasonable and proper orders or directions of school authorities and would express legislative intent

This bill would also make various technical changes in the juvenile court law

This bill would also add provisions, not in the existing statutes, to require the Superintendent of Public Instruction, with the approval of the State Board of Education, to submit to the Legislature by July 1, 1976, a specified report relating to school attendance review boards

This bill would take effect immediately as an urgency statute

Ch 1184 (SB 658) Stull Schools habitual truancy—required conference efforts

Existing statutes deem a pupil an habitual truant upon his third truancy report in any one school year.

This bill would require, as a prior condition to such change of status of a pupil that an appropriate district officer or employee make a conscientious effort to hold at least one conference with a parent or guardian and the pupil himself, after either the first or the second truancy report is filed

This bill also provides that there shall be no reimbursement or appropriation for costs of local agencies incurred by them pursuant to this act, for specified reasons

Ch 1185 (SB 677) Zenovich California, State of property

Existing law allows the Director of General Services, with the consent of the Department of Health, to lease or rent a specified amount of real property located within the grounds of Napa State Hospital for a specified time to a governmental agency for the purpose of locating and conducting a program for the mentally retarded

This bill would, in addition, allow the Director of General Services to lease or rent such grounds to a governmental agency for the purpose of locating and conducting a child-care facility.

Chapter 845 of the Statutes of 1971 authorizes the Trustees of the California State Colleges, with the approval of the Department of General Services, to exchange a specified parcel of real property near the campus of San Diego State College

This bill would repeal such authorization, and authorize the Director of General Services, under specified terms and conditions, (1) to sell, exchange or lease for current market value, 5 specified parcels of real property, (2) to quitclaim 2 specified parcels of real property to the state's grantors or their heirs, (3) to exchange 3 specified parcels of real property for lands of approximate equal value for the purpose of realigning boundaries, and (4) to convey to the City of Ione 5 acres of land at the Preston School of Industry

Ch. 1186 (SB 692) Smith State and local taxes

Existing provision of the Revenue and Taxation Code requires the Orange County Transit District, the San Mateo County Transit District, and the Santa Clara County Transit District to enter into a contract with the State Board of Equalization to administer their transactions and use tax and requires that such district pay the board for its costs of preparation to administer and operate such taxes, to a maximum of $125,000 per district Provisions relating to the same subject matter are contained in the Public Utilities Code

This bill would repeal the Revenue and Taxation Code provision requiring such districts to pay the State Board of Equalization for its costs of preparation to administer and operate such transactions and use taxes, but makes no change to existing provisions of the Public Utilities Code

Existing law continuously appropriates certain motor vehicle license fee proceeds to cities and counties pursuant to a formula that is based on population, as determined by the last federal census, or, in the alternate, in the case of counties or cities and counties, an estimate by the Department of Finance

This bill would authorize, in the alternative, the use of a subsequent census validated by the population research unit of the Department of Finance for such population-based formula The use of such alternate census or estimate would change the distribution of

such continuously appropriated motor vehicle license fee proceeds each time such method indicated a change in population of any city or county

The existing Alcoholic Beverage Tax Law requires the payment of such taxes and the filing of tax returns on a monthly basis

This bill would authorize the board to require certain taxpayers to pay taxes and file returns for quarterly or annual periods, and would conform provisions for the posting of bonds by taxpayers, provisions regarding penalties and interest, and the limitation on filing claims for refunds to such changed tax periods

This bill would incorporate additional changes in Sections 32271, 32291 and 32405 of the Revenue and Taxation Code, proposed by AB 2306, to be effective only if AB 2306 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 1187 (SB 707) Nejedly Environmental quality regulatory programs

The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on a project they propose to carry out or approve which may have a significant effect on the environment Under such provisions, governmental activities involving the discretionary issuance to a person of a lease, permit, license, certificate, or other entitlement for use constitutes a project

This bill would generally exempt from environmental impact report requirements specified regulatory programs of state agencies, boards, and commissions which have protection of the environment among their principal purposes and which require a plan or other documentation, as specified, to be submitted in support of such issuance upon certification by the Secretary of the Resources Agency that the programs meet specified criteria The bill would require compliance with the Administrative Procedure Act with respect to any such certification or withdrawal of certification The bill would require any action or proceeding to attack, review, set aside, void, or annul a determination or decision to issue a lease, permit, license, certificate, or other entitlement for use under such certified program on the basis that the plan or other documentation does not comply with the provisions of the bill to commence no later than 30 days from the date of the filing of notice of any such issuance

Such provisions would be effective only until January 1, 1978, on which date they would be repealed

The bill would state that such provisions shall not be construed by implication to either confirm or repeal any administrative regulation, and shall not be construed as affecting specified authority of the secretary to adopt, amend, or repeal guidelines.

Ch 1188 (SB 802) Stull North San Diego County Transit Development Board

(1) Under existing law, there is no public entity designated as a transit development board

This bill would create the North San Diego County Transit Development Board in the northern part of San Diego County to plan, construct, and operate (or let a contract to operate) public transit systems in the area of its jurisdiction

(2) Under the Mills-Alquist-Deddeh Act, funds are allocated to operators (defined as transit districts, counties, and cities operating public transportation systems) for such system

The bill would make the board eligible for allocations under that act

(3) Under existing law, the regional transportation plans for the area under the jurisdiction of the board is required to be prepared by the Comprehensive Planning Organization

The bill would make the Comprehensive Planning Organization responsible for all regionwide transportation planning, and the board responsible for short-term operational financial planning, in the area under the jurisdiction of the board

(4) Under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974, the Secretary of Transportation may make grants to states and local public bodies for mass transportation capital expenditures in urban areas

The bill would specify legislative intent that no public entity, other than the board, in the area under the jurisdiction of the board shall apply for such grants

The bill would provide that no appropriation is made nor any obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch. 1189 (SB 844) Petris. Discrimination in housing: sex: marital status

The existing provisions of the so-called Rumford Fair Housing Act make the practice of discrimination because of race, color, religion, national origin, or ancestry in housing accommodations unlawful; empower the State Fair Employment Practice Commission to prevent violations of the act, and give the commission the duty to receive, investigate, and pass upon verified complaints alleging discrimination in housing accommodations and to serve a cease and desist order and require affirmative action when it finds an unlawful discrimination practice

This bill would extend all provisions of the so-called Rumford Fair Housing Act to prohibit the practice of discrimination in housing accommodations because of sex and marital status that now apply with respect to discrimination in housing accommodations because of race, color, religion, national origin, or ancestry The bill, however, would not prohibit any postsecondary educational institution, whether private or public, (1) from providing housing accommodations reserved for only male or female students as long as equal access to housing accommodations is not denied, or (2) from providing separate housing accommodations reserved primarily for married students or students with minor dependents who reside with them

This bill would make additional changes in Sections 35700, 35711, 35720, 35730.5, 35740, and 35742, Health and Safety Code, proposed by AB 744, to be operative only if AB 744 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered after AB 744

Ch 1190 (SB 867) Presley Vehicles authorized emergency vehicle permits.

Existing provisions of state law list a number of vehicles for which the Commissioner of the California Highway Patrol is authorized, under specified conditions, to issue authorized emergency vehicle permits

This bill would include in such list vehicles used for law enforcement work by a person who is a Lake Hemet Municipal Water District park ranger, a security officer of the East Bay Municipal Utility District, or a San Joaquin County fish and game warden or deputy warden and who is a peace officer under specified provisions of the Penal Code.

Ch. 1191 (SB 882) Nejedly Courts: Contra Costa County

(1) Existing law specifies the salaries for official reporters in Contra Costa County

This bill would increase the salaries for official reporters in that county.

(2) Existing law specifies the superior court filing fees in Contra Costa County

This bill would increase those filing fees.

(3) Existing law does not specify the means for court reporting functions for the commissioner of Contra Costa County

This bill would provide that any court reporting functions for the commissioner may be by electronic or mechanical means and devices

(4) Existing law provides for classifications of and salaries for municipal court employees in Contra Costa County

This bill would increase the number of and salaries for municipal court employees in Contra Costa County

(5) Existing law specifies the number of judges in each municipal court district established in Contra Costa County

This bill would increase the number of municipal court judges in the Mt Diablo Judicial District of Contra Costa County from 3 to 4

(6) Present law requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in various counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of such counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Contra Costa County and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of the county and the Legislature

(7) The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch 1192 (SB 1024) Zenovich California Arts Commission

The existing law provides for the existence of a California Arts Commission in the state government with specified powers and duties, consisting of 15 members appointed by the Governor with the consent of the Senate

This bill would abolish the present California Arts Commission and establish an Arts Council consisting of nine persons appointed by the Governor with the advice and consent of the Senate

This bill would specify functions, duties, and powers of the Arts Council including Encouraging artistic awareness, participation and expression, helping independent local groups develop their own art programs, promoting the employment of artists and those skilled in crafts in both the public and private sector, establishing grant application criteria and procedure, and awarding prizes or direct grants to individuals or organizations in accordance with such regulations as the council may prescribe

This bill would expressly prohibit the council from making any grants or funding any program which has not been established pursuant to the authority granted the council and would prohibit members of the council from communicating with other members of the council or advisory panels under certain specified circumstances

This bill would require the Governor to appoint a director and two deputies for the Arts Council who would serve at the pleasure of the Governor and perform specified functions.

This bill would require the council to meet at the call of the chairperson, who would be selected annually by the members of the council, not less than 10 times each calendar year and would require, unless there are extraordinary circumstances, that such meetings be preceded by at least 10 days public notice

In addition, this bill would authorize the Governor, upon nomination by the council, to grant special recognition to any citizen with exceptional talent who has made a unique contribution to the cultural or artistic heritage of the State of California

This bill would appropriate, during the 1975–76 fiscal year, $700,000 to the Arts Council from the General Fund for the purposes of this act

Ch 1193 (SB 1028) Cusanovich School employees· accident, illness

(1) Existing law requires the governing boards of school districts to provide by rules and regulations for industrial accident and illness leaves of absence for persons employed in a position requiring certification qualification

This bill would require governing boards to so provide for industrial accident and illness leaves of absence for all certificated employees

(2) Current law requires certificated employees of a school district to endorse to the district any temporary disability indemnity check received during any paid leave of absence on account of industrial accident or illness

This bill would make such procedure optional and would require the district to deduct from the employee's salary warrants the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such warrants

Ch 1194 (SB 1058) Collier Highway construction contracts contractor's proposals· reports

Under existing law, the Department of Transportation is required to submit an annual report to the Legislature, not later than March 15th, describing its experience during the previous year in paying extra compensation to construction contractors under contract with the department on cost reduction changes in plans and specifications on projects resulting from their proposals

This bill would require the department to submit such a report to the Legislature by March 15, 1979, and by March 15 each fourth year thereafter, describing its experience for the period subsequent to the last report submitted to the Legislature

Ch 1195 (SB 1211) Rains Appeal in criminal cases

Under existing law, a defendant may take an appeal from any order made after judgment affecting the substantial rights of the parties

This bill provides that where the prosecution file a notice of appeal after the expiration of the time available to the defendant to seek review of an otherwise reviewable order or ruling and the appeal by the prosecution relates to a matter decided during the time

available to the defendant to seek review of the otherwise reviewable order or ruling, the time for defendant to seek such review is reinstated to run from the date the notice of appeal was filed with proof of service upon defendant or his counsel

This bill provides that the Judicial Council shall provide by rule for the consolidation of such petition for review with the prosecution appeal

Ch. 1196 (SB 1244) Roberti Speech pathologists and audiologists

Existing law provides that licenses issued pursuant to the Speech Pathologists and Audiologists Licensure Act expire on December 31st of each even-numbered year and provides that to renew an unexpired license the holder is required to apply for renewal and pay prescribed fees on or before December 31st of each even-numbered year

This bill would change such expiration and renewal dates to December 31st of each odd-numbered year

The bill is an urgency statute, to take effect immediately

Ch 1197 (AB 51) Keysor Elections cancellation of registration

Current law provides that a county clerk shall cancel the registration of a voter if the voter fails to vote at the preceding general election unless the clerk is notified in writing by the voter that the residence of the voter has not changed.

The bill provides that the county clerk must mail a notice by means of a forwardable double postcard to all those voters who failed to vote at the preceding general election indicating that the voter's registration shall not be canceled if the voter has the same address on the notice and the voter need not respond Secondly, the notice provides that the registrant may change his registration address if he has moved within the county simply by writing the new address on the return postcard and mailing it to the clerk

However, the bill provides for the cancellation of registration whenever (1) the clerk fails to receive a written notice of address change within the county, (2) the clerk receives an address correction or any other postal notice indicating the voter has moved out of the county The effective date of cancellation is the 30th day following the day notice is mailed to the voter

The bill states that there are no state-mandated local costs for 1975-76, and that any costs in subsequent years may be reimbursed in the state budget

Ch 1198 (AB 620) Chel Identification cards

Existing law authorizes the Department of Motor Vehicles to issue an identification card to any person 16 years of age or older, under prescribed conditions, prescribes the contents and form of the identification card, imposes a fee of $3 25 for the issuance of an original identification card and the renewal thereof, and imposes a fee of $2 25 for a duplicate identification card

Under existing law, original and renewed identification cards expire after 6 years, and the department is required, at the end of 6 years and 6 months after the issuance or renewal of an identification card, to destroy any record of the card if it has expired and has not been renewed

The bill would permit the department to issue an identification card to a person younger than 16 years of age

This bill would permit persons 62 years of age or older to apply for, and require the department, upon receipt of a proper application therefor, to issue, an identification card bearing the notation "Senior Citizen" This bill would specify that any person 62 years of age or older, and any other qualified person, may apply for, or possess, either the identification card issued under existing law or the senior citizen identification card, but not both

This bill would require that such identification card contain the words "Senior Citizen" on the card, and that such words appear prominently as to color and size

The bill would make senior citizen identification cards valid for 10 years, and require the department, at the end of 10 years and 6 months after the issuance or renewal of such a card, to destroy any record of an expired and unrenewed card

The bill would provide that there shall be a fee of $3 for the issuance of an original senior citizen identification card, or the renewal thereof, and impose a fee of $2 25 for a duplicate senior citizen identification card The bill would require that all such fees be deposited in the Motor Vehicle Account in the Transportation Tax Fund

The bill would appropriate $97,000 from the Motor Vehicle Account in the State Transportation Fund to the General Fund and from the General Fund to the department as a loan for the purpose of issuing such cards to persons 62 years of age or older pursuant to the bill. The bill would also require that fees collected by the department for the issuance of identification cards be used to repay the Motor Vehicle Account for such appropriation

The bill would also make related, nonsubstantive changes

Ch. 1199 (AB 881) Arnett Courts San Mateo County

Existing law provides for 13 superior court judges in San Mateo County

This bill would increase the number of superior court judges in San Mateo County from 13 to 14

The bill would also appropriate $60,000 from the General Fund to the State Controller for payment to San Mateo County as a state block grant for costs incurred by that county on account of the increased number of superior court judges mandated by the provisions of the bill relating to superior court judges to meet the requirements of Section 2231 of the Revenue and Taxation Code

Ch 1200 (AB 1199) Torres. Arrest telephone calls

Under existing law an arrested person may make at least two telephone calls, one completed to the person called who may be his attorney, employer, or a relative, the other completed to a bail bondsman Such calls may be made immediately after booking and except where physically impossible no later than three hours after arrest

This bill would retain the three-hour period to make such calls but would revise such provisions so that the two calls may be made at no expense if completed to numbers within the local calling area, so that the calls may be made immediately upon being brought to a police facility rather than immediately after booking, so that the person has the right to make two completed telephone calls, to an attorney, bail bondsman, relative or other person, so that the call to an attorney shall not be monitored, eavesdropped upon, or recorded, and so that the person arrested would be advised of his right to make such calls

This bill would specify that no appropriation is made nor any obligation created for the reimbursement of any local agency for costs incurred in carrying out this act

Ch 1201 (AB 1256) Garamendi State parks land acquisition and development

There is no existing law providing funds for the acquisition of lands as an addition to Indian Grinding Rock State Historic Park and for the development of such additional lands

This bill would amend and supplement the Budget Act of 1975 to appropriate $295,000, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, to the Department of Parks and Recreation for the acquisition of all or a part of approximately 220 acres of described land adjacent to such park as an addition to the park and for the development of such lands, provided that none of such funds shall be available for expenditure unless and until such project is recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency, and provided further that such funds shall not be expended on the purchase price of any real property until the State Public Works Board has determined that the procedures and criteria established by the Attorney General relating to implied dedication have been complied with in the investigations and appraisals of the Department of General Services, and all material relating to implied dedication shall be retained in the files of the Department of General Services and shall be available for postaudit on a selective basis by the Attorney General

Ch. 1202 (AB 1265) Kapiloff Home insulation assistance program

There is no provision of present law providing for assistance in the installation and financing of home insulation by a public utility furnishing gas or electricity

This bill would direct the Public Utilities Commission to permit any electrical or gas corporation under its jurisdiction to institute a home insulation assistance and financing program under such requirements as the commission may impose pursuant to which a customer who is an individual and the owner or mortgagor of a residential dwelling and

who is not in arrears in any payment due the corporation may apply to the corporation to arrange for the furnishing of a licensed contractor to perform the necessary work It would provide, upon approval of an estimate by the corporation and the customer, for the work to commence It would provide for deferred payment by the customer through such periodic billing procedures as the corporation may establish pursuant to one of two alternative methods of financing

The bill would require the commission to allow for ratesetting purposes all expenses found to be reasonably related to the administration and implementation, including advertising and promotion not to exceed an amount established by a specified formula It would require prior review and approval by the commission of advertising and promotional measures

Ch 1203 (AB 1599) Keysor Elections precincts and precinct boards

(1) Existing law requires county clerks, county surveyors, or the election board in certain counties to divide such counties into election precincts and to prepare detail maps or exterior descriptions thereof In the remaining counties, such duty is generally imposed on the county boards of supervisors

This bill would require the county clerk of each county to divide the county into election precincts and prepare detail maps or exterior descriptions thereof, or both, and it would require the county surveyor, if so requested, to provide assistance

(2) Under existing law and in certain counties maps and descriptions of precincts are required to be filed by the county clerk or the county surveyor with the county board of supervisors, which board is required to adopt an order creating election precincts as prepared by the surveyor or the county clerk

This bill would delete such statutory requirements imposed on county boards of supervisors

(3) Existing law requires precinct boundaries to be fixed in such manner that the number of voters polled in each precinct does not exceed 200, as nearly as can be estimated, and provides for the division of precincts when more than 250 persons are registered in a precinct

This bill would provide that such boundaries be fixed so that the number of registered voters in each precinct does not exceed 250 on the 75th day prior to an election

(4) Present law specifies that precinct boards generally, except where voting machines are used, consist of one inspector, two judges, and three clerks, and it authorizes county boards of supervisors to vary the number of members to a precinct board, under specified conditions

This bill would authorize the county clerk, rather than the board of supervisors, to vary the number of members to a precinct board, under specified conditions

(5) Existing law prescribes criteria regarding preferences and ineligibility for the appointment of persons as election officers

This bill would delete such criteria

(6) Existing law requires each inspector of elections and other precinct board members to subscribe to prescribed declaration forms

This bill would revise such forms

(7) Existing law permits any voter to file an application for the position of a precinct board member and it requires such application to be in substantially a prescribed statutory form

This bill would delete the necessity for the application to be in a prescribed form, and it would permit the county clerk to require that such applications be in a form prescribed by the clerk

(8) Present law requires each county board of supervisors to compensate precinct board members for their services Such compensation must not exceed statutory prescribed sums

This bill would increase the statutorily imposed maximum amounts of compensation

(9) Under existing law certain enumerated acts relating to precinct board members constitute specified crimes

This bill would delete all such criminal sanctions, except the misdemeanor of failing to act as a precinct board member when so appointed

(10) This bill would revise certain provisions of the Elections Code which govern ballots, canvassing, and the declaration of election results

(11) Existing provisions of the Elections Code prescribe the territories included in congressional, Senate and Assembly districts However, the California Supreme Court in its decision Legislature v Reinecke (9 Cal 3d 166) invalidated these provisions

This bill would expressly repeal these invalidated provisions and codify the reapportionment plan for congressional, Senate, Assembly, and equalization districts adopted by the California Supreme Court in the decision Legislature v Reinecke (10 Cal 3d 396)

(12) This bill would incorporate, and in some instances repeal, various amendments to the Elections Code proposed by AB 822, AB 1701, and AB 1704, in the event they are enacted

Ch 1204 (AB 1601) Wornum San Francisco Bay Conservation and Development Commission per diems

The existing law provides for reimbursement of members of the San Francisco Bay Conservation and Development Commission for necessary expenses incurred in the performance of their duties

This bill would provide for each commissioner or alternate who is not a state or federal employee a per diem of $50 in lieu of such reimbursement of necessary expenses for each meeting attended, not to exceed a combined total of 4 meetings in any 1 calendar month It would also provide that the per diem will not be allowed for a member who receives a per diem from any other source for attending commission meetings.

Ch 1205 (AB 1715) Goggin State lands

(1) Under existing law, whenever a navigable river or slough becomes abandoned and no longer useful for navigation, the State Lands Commission may sell such river or slough lands for cash

This bill would authorize the commission to also exchange such lands for lands having equal or greater value

(2) Under existing law, if the commission has public land for sale to which no access is available, the commission may acquire a right-of-way or easement across other land that it deems necessary to provide access

This bill would vest such authority in the commission with respect to public land, whether or not such land is for sale, and would specify that such land includes school land, tide or submerged lands, and lands subject to the public trust for commerce, navigation, and fisheries

(3) Under existing law, the commission is required to inventory unconveyed state school and tide and submerged lands and identify such lands which possess significant environmental values, as defined by the Office of Planning and Research Upon such identification, the commission is required to adopt regulations necessary to assure permanent protection for the lands

This bill would authorize the commission to acquire real property and, when acquired, to examine the property for significant environmental values and to classify and administer the property according to the rules and regulations of the commission

(4) Under existing law, public agencies occupying or using state lands under the commission's jurisdiction are issued a permit for such occupancy upon an application which describes the lands and the public use to be made of the lands

This bill would require the application to also contain completed environmental documents prepared pursuant to the commission's rules and regulations and to be accompanied by a reasonable filing fee prescribed by rule or regulation of the commission, but not exceeding a specified amount

(5) Under existing law, any person who willfully fills, dredges, or reclaims any state lands under the commission's jurisdiction underlying any navigable waters, or who erects, maintains, removes, or alters any structure on such land, without written authorization from the commission or other agency having jurisdiction is guilty of a misdemeanor

This bill would require that the actions of such person be knowing as well as willful, and that he have the written authorization of the commission, deleting the requirement that the person have the written authorization of any other agency having jurisdiction

(6) Under existing law, the commission is authorized to lease lands for purposes the commission deems advisable, including for grazing, commercial, or industrial purposes and for campsites

This bill would specify that such leases may be generally for recreational purposes

(7) Under existing law, applications to the commission for the lease or purchase of lands are required to be accompanied by a filing fee of $25, except that no filing fee is required of applicant federal, state or local public agencies.

This bill would, instead, require of any applicant a reasonable filing fee prescribed by the commission by rule or regulation, but not exceeding a specified amount

(8) Under existing law, the commission is generally required, upon receipt of an application to lease public lands, to appraise the lands and fix the annual rental per acre or other consideration therefor, but is prohibited from charging a rental fee in leasing public lands for private recreational piers constructed for the use of a littoral land owner

This bill would delete the provisions specifying that rental be charged on a per acre basis, and require a littoral land owner to pay to the commission, in accordance with rules and regulations of the commission, the commission's expenses in issuing a lease for a private recreational pier

(9) Under existing law, applications to the commission for the purchase of lands are required to be accompanied by a filing fee of $25

This bill would, instead, require a reasonable filing fee prescribed by the commission by rule or regulation, but not to exceed $100

(10) The bill would also make technical, nonsubstantive changes

Ch 1206 (AB 1797) Greene CSUC summer session

Under existing provisions of law, the Trustees of the California State University and Colleges may provide summer sessions and may require and collect special fees to cover the cost of materials for specific services and other fees to cover the cost of services provided students enrolled in summer sessions

This bill would permit the California State University and Colleges to conduct "special sessions" throughout the year, and would define "special session" to mean self-supporting instructional programs to include, but not be limited to, career enrichment and retraining programs

This bill would also make additional changes to Sec 23801, Education Code, proposed by AB 1913, to be operative only if this bill and AB 1913 are both chaptered and effective January 1, 1976, and this bill is chaptered after AB 1913

Ch 1207 (AB 1817) Calvo Property taxation assessment of business records

Existing law defines certain records of a person engaged in a business or profession and provides for their assessment for property taxation for the 1974–75 to 1978–79 fiscal years, inclusive, based on the value of only the tangible material upon which or in which they are recorded, maintained or stored

This bill would provide that this assessment method of those records be applicable instead to assessments for the 1975–76 to 1979–80 fiscal years, inclusive

Existing law requires the State Board of Equalization to compute the reduction in assessed values of local agencies assessing such property which would have occurred if that assessment method had been in operation for the 1973–74 fiscal year and to report the amounts to the Controller by September 30, 1974 for the purpose of providing reimbursements by the state to those local agencies for lost property tax revenues

This bill would specify that the computations made by the State Board of Equalization do not apply to local agencies which assessed such records for the 1973–74 fiscal year as escape assessments only

This bill would prohibit the escape assessment of such records by any local agency which did not assess those records for the 1971–72 to 1974–75 fiscal years, inclusive

Additionally, existing law requires the Legislative Analyst to report to the Legislature by October 15, 1977 on the economic effect of this method of assessing those records

This bill would, instead, require the Legislative Analyst to make the report by October 15, 1978

Ch 1208 (AB 1841) Wilson Insurance health insurance disclosures

(1) Existing law requires every insurer in this state, on or before January 1, 1976, to file with the Insurance Commissioner copies of all printed advertising which the insurer proposes to disseminate in this state Violation of such requirement is included within the provisions of law relating to unfair methods of competition and unfair and deceptive

acts or practices in the business of insurance

This bill would restrict such requirement to insurers transacting disability insurance, self-insured employee welfare benefit plans, and nonprofit hospital service plans, rather than to every insurer in this state, and would limit the requirement to filings to the extent required by the commissioner

(2) Existing law requires, effective January 1, 1976, all disability insurers, self-insured employee welfare benefit plans, and nonprofit hospital service plans to provide completed disclosure forms to prospective insureds, subscribers, contract holders, and other specified persons.

This bill would delay such effective date to July 1, 1976, and would specify that disability insurance issued in connection with an employees' welfare plan subject to the Federal Employee Retirement Income Security Act of 1974 shall be exempt from such disclosure requirements

Ch 1209 (AB 1849) MacDonald. Courts

Existing law provides for 7 judges of the superior court in Ventura County

This bill would increase the number of judges of the superior court to 8 effective July 1, 1976

Existing law provides for eight judges of the municipal court and for various classifications and compensation of municipal court employees in Ventura County It also provides that when the senior marshal's process clerk or marshal's process clerk are assigned to additional duties as matron they shall receive no additional compensation during the period of such assignment

This bill would increase the number of judges of the municipal court of Ventura County to nine effective July 1, 1976. The bill would also increase the number of deputy municipal court clerks, increase the number of deputy marshals, decrease the number of senior marshal's process clerks, and increase the compensation of municipal court employees in Ventura County

The bill would also require that when the senior marshal's process clerk and marshal's process clerk are assigned additional duties as matron, they receive additional compensation during the period of the assignment

Existing law does not provide for the appointment of a court commissioner in the West Orange County Judicial District

This bill would permit the judges of the West Orange County Judicial District to appoint one court commissioner

Existing law specifies that there shall be five municipal court judges in the Citrus Judicial District.

This bill would increase the number of municipal court judges in the Citrus Judicial District from five to six

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

Ch 1210 (AB 1952) Hart State lands study of oil and gas seepage

The State Lands Commission is generally vested by current law with responsibility for administration of tide and submerged lands of the state

(1) This bill would require the commission to conduct research and investigations, as prescribed, into seepage of oil, gas, and other hydrocarbon products occurring offshore and which contribute or could contribute to pollution of beaches, tidelands, and submerged lands of the state The bill would authorize the commission to apply to any federal, state, or private agency for financial assistance therefor

(2) Under existing law, the Controller is required to make payments to each city or county having specified tide and submerged lands from revenues from oil and gas leases in accordance with a prescribed formula

This bill would revise such prescribed formula to also authorize payment from such revenues to any city which is fronted by a state oil and gas lease and which operates a public recreational beach on the ocean

Ch 1211 (AB 1959) Keysor Public schools candidates for district governing boards and county boards of education· filings

(1) Existing statutes require, for placing the name of any registered voter on the ballot for elections for school district governing boards or county boards of education that a declaration of candidacy or a nomination by sponsors be filed with the county clerk not less than 59 days prior to the election

This bill would change such filing deadline to a filing period of not more than 89 days nor less than 59 days prior to the election This bill would also add provisions which prohibit withdrawal after the 59th day prior to the election, by any candidate for whom there has been such a filing for a school district governing board or a county board of education office and prohibit any person from filing nomination papers for more than one school office at the same election

(2) Existing statutory provisions, among other things and with respect to certain elections, require the assigning of first positions on ballots to incumbent candidates and to allocate ballot positions on an alphabetical basis without providing for the rotation of such positions In the recent California Supreme Court decision of Gould v Grubb, 14 Cal 3d 661, the court held that any such laws are unconstitutional

This bill would revise those provisions of the Elections Code which govern ballots to, among other things, conform to the principles enumerated in Gould v Grubb, supra

(3) Under existing law the contents of a voter's affidavit of registration is presently specified

This bill would revise the various requirements regarding the content of a voter's affidavit of registration, which revisions would be contingent upon the enactment of AB 822

(4) The bill would also make certain revisions to the law requiring planning commissioners and planning officers of cities and counties to make financial disclosures under the Moscone Act

Ch. 1212 (AB 2232) Vasconcellos Community colleges attendance computation flexible course scheduling

Existing law prescribes various procedures and limitations for the computation of average daily attendance at community colleges and for the scheduling and conducting of community college classes

This bill would, for a two-year period beginning on July 1, 1976, authorize the operation of a pilot program in six community college districts for alternative course scheduling and attendance computation

This bill would also extend the termination date of specific provisions related to attendance computation from July 1, 1976, to July 1, 1978

This bill would also require the Board of Governors of the California Community Colleges to conduct a study of, and determine necessary community college foundation and apportionment levels for, two proposed foundation levels, as specified, and to report thereon by March 1, 1976; this requirement would self repeal on July 1, 1976

This bill would also provide that there shall be no reimbursement pursuant to Section 2231, Revenue and Taxation Code, nor any appropriation by this act for a specified reason

Ch 1213 (AB 2272) Mori Vehicles prohibited parking exception to posting requirement commercial vehicles

Under existing provisions of law, local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on certain streets or highways Except with respect to prohibiting or restricting the parking or standing of vehicles between 2 a m and 6 a m , and with the exception of alleys, no such ordinance or resolution may apply until signs or markings giving adequate notice have been placed

This bill would provide an additional exception with respect to the parking or standing, on any street, or portion thereof, in a residential district, of commercial vehicles having a manufacturer's gross vehicle weight rating of 6,000 pounds or more, thus permitting local authorities to prohibit the parking or standing of such vehicles in a residential district without placing such signs or markings, except with respect to commercial vehicles engaged in specified activities

Ch 1214 (AB 2283) Beverly State agencies security loan agreements

The existing law contains no express provision authorizing state agencies to enter into security loan agreements with respect to securities which they are authorized by law to invest in

This bill would authorize specified state agencies to enter into security loan agreements with respect to securities invested in pursuant to provisions relating to the Public Employees' Retirement Fund, and the Surplus Money Investment Account.

This bill would require the Auditor General to audit the results of all security loan agreements entered into by state agencies under this chapter at the end of 3 years operation and would require the Auditor General to submit a report to the Legislature with recommendations on or before March 1, 1979

This bill would take effect immediately as an urgency statute

Ch 1215 (AB 2453) Ingalls Health facilities licenses

(1) Under existing law, licensed health facilities include general acute care hospitals, acute psychiatric hospitals, skilled nursing facilities, intermediate care facilities, and special hospitals. All existing licensed health facilities that handle money of patients are required to post a bond in a sum of not less than $1,000 to cover damages of patients injured by improper or unlawful handling of the patients' money

This bill would authorize the Director of Health to exempt general acute care hospitals, acute psychiatric hospitals, and special hospitals from such patient money handling bond requirements, but would retain such patient money handling bond requirements for skilled nursing facilities and intermediate care facilities, including skilled nursing or intermediate care units in general acute care hospitals

(2) Under existing law, long-term health care facilities include nursing homes, skilled nursing facilities, extended care facilities, intermediate care facilities, and distinct parts of acute care hospitals and other licensed health facilities providing nursing home, skilled nursing, extended care, or intermediate care services Such long-term health care facilities that have not been previously licensed as a health facility must be licensed under a 6-month provisional license which may be renewed for an additional 6 months if substantial progress toward licensure requirements has been met

This bill would eliminate the provisional licensing requirements for all long-term health facilities except facilities that are skilled nursing facilities or intermediate care facilities Furthermore, the bill would eliminate the provisional licensing requirements for general acute care hospitals or other licensed facilities having a skilled nursing or intermediate care facility unit in a distinct part of the hospital or licensed facility

Ch 1216 (SB 777) Stull Public schools certificated employees: dismissal—evaluation

Existing statutes require that the authorized notice of intent to dismiss during the school year a permanent certificated employee within a specified time for specified conduct or specified convictions and the required notice of immediate suspension and intention to dismiss a permanent certificated employee for specified conduct or specified convictions, have attached thereto, a copy of specified statutes and a copy of the charges filed

This bill would require that such charges contain the information required for accusations by the Administrative Procedure Act

Existing statutes prescribe the manner of conducting administrative proceedings regarding dismissal for cause of certificated employees

This bill would revise such statutes to require that the requested hearing be initiated, pursuant to the Administrative Procedure Act, require consultation with the employee and the governing board, or their representatives, prior to establishing the hearing date, change the deadline for completion of discovery from one week before the set hearing date to 7 calendar days before the hearing commences, require, if a specified continuance is granted, that such time limitation be extended for a period of time equal to such continuance, with specified exceptions

Existing statutes require that hearing involving certain specified charges be conducted by a hearing officer whose decision is binding on the governing board This bill would delete such provisions and would require all hearings to be conducted by the Commission on Professional Competence and would deem its decisions to be the final

decision of the governing board

Existing statutes require that the members of the Commission on Professional Competence selected by the employee and the governing board have at least 5 years of specified experience This bill would revise such statutes to prohibit such appointees from being related to the employee or being employees of the party district, to require such appointees to hold a currently valid credential, and to require such experience to be within the past 10 years and to be in the discipline rather than specific educational function of the employee This bill would require that such appointees who are employed by California school districts continue to receive specified compensation and benefits but no additional compensation or honorariums therefor; require specified proportionate compensation if such service occurs during summer recess or vacation periods

Existing statutes require, if dismissal is ordered, that the hearing expenses be shared equally by the employee and the governing board This bill would, in such cases require the state to pay specified costs of summer or vacation service and the reasonable expenses of such appointees and the costs of any substitutes; provide for claims and their payment

Existing statutes require, if dismissal is not ordered, that all hearing expenses and reasonable attorney fees of the employee be paid by the governing board. This bill would include in such requirement specified costs of summer or vacation service and the reasonable expenses of such appointees and the costs of any substitutes.

Existing statutes provide for the evaluation and assessment of the job performance of elementary and high school certificated employees This bill would revise such statutes to include schools maintained by county superintendents of schools, authorize, at discretion of a governing board, development of individual guidelines for schools or territories within the district

Existing statutes require governing boards of school districts, in developing guidelines and procedures for evaluating and assessing the job performance of certificated personnel in elementary and high schools, to avail themselves of the advice of specified certificated personnel of the district A district court of appeal recently held that school districts, in addition to complying with such statute, must, upon the request of teachers' representatives, meet and confer under the Winton Act with respect to such matters prior to adopting such guidelines and procedures This bill would provide that after January 1, 1976, the adoption and development of such guidelines shall be subject to the Winton Act

Existing statutes require the governing board of each school district, except community college districts, to develop and adopt specific certificated personnel evaluation and assessment guidelines which are required to include specified elements This bill would repeal and reenact such statute to require such governing boards to establish specified standards of expected student achievement; to evaluate and assess certificated employee competency as it reasonably relates to specified student progress, to performance of noninstructional duties, and to maintenance of a suitable learning environment; to establish job responsibilities for specified certificated noninstructional personnel and to evaluate and assess their competency, and to prohibit such evaluation and assessment from including use of publishers' norms established by standardized tests

This bill would appropriate $25,000 to the State Controller for purposes of specified reimbursement regarding specified expenses of hearing resulting in dismissals

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs, with specified exceptions, incurred by it pursuant to this act

Ch 1217 (AB 1326) Lanterman. Health services: pregnant women

Existing law authorizes the State Department of Health to maintain a program of maternal and child health, which may include provision of educational, preventative, diagnostic and treatment services Such services may include medical care, hospitalization and other institutional care and aftercare, appliances, and facilitating services directed toward reducing infant mortality and improving the health of mothers and children Current law authorizes the department to make grants or contracts or advance funds from any moneys available for such purposes

This bill would, in addition, authorize the department to conduct one or more pilot programs of not more than 3 years duration to provide personal health care services in the perinatal period to high-risk pregnant women, as defined. This bill would require the department to submit prescribed reports thereon to the Legislature and the Secretary of the Health and Welfare Agency

Except with respect to such reporting duties, the bill would remain in effect only until January 1, 1979

This bill would appropriate $6,000,000 to the department for the purposes of the bill, to be expended for the purposes of the bill in specified amounts during the 1975–76, 1976–77, 1977–78, and 1978–79 fiscal years

This bill would take effect immediately as an urgency statute

Ch 1218 (SB 394) Marks State employees U C -C.S U C

Under existing law, the State Personnel Board is required to take the locally prevailing wage of laborers, workmen, and mechanics employed on an hourly or per diem basis into account when fixing the salary of such employees in general The minimum salary cannot be below the general prevailing rate in the locality

This bill would extend that requirement to the Regents of the University of California and to the Trustees of the California State University and Colleges

This bill would also express the finding of the Legislature that the minimum salary of such employees is a matter of statewide concern

Ch 1219 (SB 610) Senate Rules Committee Legislators compensation

Under existing law, each Member of the Legislature receives an annual compensation for his services of $21,120

This bill would, commencing at noon on December 6, 1976, increase the annual compensation of legislators to $23,232

Ch 1220 (SB 1074) Holmdahl Vehicles out-of-state registration, registration information, salvaged vehicles

(1) Existing law permits the Department of Motor Vehicles to accept an application for registration of a vehicle which is not within this state if it is accompanied by an affidavit containing specified information

This bill would instead permit the department to determine, according to specified provisions of the Vehicle Code, what documents and fees shall accompany an application for registration of a vehicle which is not within this state, but which is to be registered to a resident, and would prohibit refund of fees on specified grounds.

(2) Existing law requires the department to notify the legal owner of a vehicle of the fact of issuance of new license plates to a person other than the legal owner

This bill would delete this requirement

(3) Existing law permits the department to sell information from its records concerning the registration of any vehicle

This bill would specifically require the department to furnish specified information regarding the current registration status of a vehicle upon the request of the legal owner of record of the vehicle, and would authorize the department to charge a fee for this service

(4) Existing law requires, with respect to salvaged vehicles which are rebuilt and vehicles previously reported dismantled, that before being licensed for operation or registered, a certificate of inspection of safety glazing material signed by an employee of the Department of Motor Vehicles be issued for such vehicles

This bill would delete this requirement

(5) This bill would also make technical, conforming changes

Ch 1221 (SB 1087) Ayala Public transportation rail passenger service

Under the Mills-Alquist-Deddeh Act, San Diego, Orange, and Los Angeles Counties are specifically authorized to enter into a joint powers agreement and that joint powers entity is required to request the National Railroad Passenger Corporation (Amtrak) to institute up to 2 additional trains a day in each direction between Los Angeles and San Diego to supplement the present level of service Until July 1, 1976, the 3 counties may contribute jointly up to $260,000 annually to the joint powers entity for payment to

Amtrak for losses in operating such services

This bill would specifically authorize the Counties of San Bernardino, Riverside, and Los Angeles to enter into a joint powers agreement and would require the joint powers entity to request Amtrak to institute up to 2 additional trains a day in each direction between Los Angeles and San Bernardino The joint powers entity may request additional train service Each of the 3 counties, as agreed by them, would be required to make contributions from its local transportation fund to the joint powers entity to reimburse Amtrak for a reasonable portion of its losses in operating such services

The bill would require the transportation planning agency to allocate the required contribution to the counties for such purposes, after allocations are made for specified administrative and planning purposes That contribution would not be subject to the 15% capital requirement of that act

The bill would specifically authorize the board of supervisors of any of the 3 counties to contribute, from any funds available to it, funds for purposes of this act if funds available under that act are insufficient

Ch 1222 (AB 1674) Lockyer Criminal records

Present law requires the Attorney General to provide to specified officials and agencies all summary criminal history information pertaining to the identification of any person of which there is a record in the Department of Justice

The bill revises these provisions so that the summary to be furnished those officials and agencies specified shall be the master record of information compiled by the Attorney General pertaining to the identification and criminal history of any person and shall not include records and data compiled by criminal justice agencies other than the Attorney General, or records of complaints, or investigations, or records of intelligence information or security procedures of the Department of Justice or Attorney General

Present law specifies certain officials and agencies to which the Attorney General must furnish criminal history information upon application and certification as to use Specifically, present law requires such information to be furnished to peace officers, district attorneys, probation officers, courts of this state, to United States officers or officers of other states, or peace officers of other countries authorized by the Attorney General to receive the record, or any public defender or attorney representing a person in a proceeding by petition for a certification of rehabilitation or pardon, or any public defender or attorney having a certificate signed by a peace officer whenever the information applied for is necessary for proper administration of law as opposed to the personal interests of a private citizen

The bill deletes the requirement of application and certification, retains provisions requiring that the use be needed in the course of duties and includes within the category of agencies and officers authorized to receive such information specified peace officers of this state, prosecuting city attorneys, parole officers of the state, a public defender or attorney of record when representing a person in a criminal case and authorized to receive it, any city, county, city and county, or district or officer, or official thereof, when such information is needed for licensing or employment purposes and the agency or officer or official is authorized by the city council or governing board

The bill also lists certain persons and agencies to which the Attorney General may supply the summary when requested to do so Included among those persons or agencies are public utilities when the information is needed for specified employment purposes, to any person when disclosure is needed to assist in criminal apprehension, to those peace officers of this state not specifically included among those to whom the Attorney General must furnish such information, to peace officers of other countries, to public officers (other than peace officers) of the United States, or the states or territories or possessions, or to any person when request is made by a probation, parole, or peace officer with consent of the subject of the report whenever the disclosure furthers the rehabilitation of the subject, the courts of the United States, other states or territories or possessions of the United States, peace officers of the United States, other states or territories or possessions, or any individual who is subject of the record requested when needed in conjunction with an application to enter the United States or any foreign nation

Under existing law the Attorney General is required to charge a requesting agency a fee for any summary criminal history information when furnished for employment,

licensing or certification purposes This bill permits such fee authorization for all officials and agencies covered by the bill, for any purpose the information is furnished, and provides for deposit of such money in special account in General Fund to be available for expenditure to offset costs when appropriated by the Legislature therefor

Present law requires every sheriff, chief of police and city marshal to furnish the Department of Justice with reports listing all felony violations and specified misdemeanor violations

Under present law, every criminal justice agency is required, beginning July 1, 1978, to report to the department regarding, among other things, every arrest made, with specified exceptions, and other specified data Beginning July 1, 1978, local criminal offender information must be stored, if at all, in a form containing specified data

Under present law a local criminal justice agency may supply such information only to persons who are authorized by law to receive such information

This bill would, beginning July 1, 1978, specifically require local criminal justice agencies to supply such local summary criminal history information, as defined, to specified persons and agencies, and lists other persons to whom a local agency upon a showing of compelling need, may supply such information These listed persons and agencies are the same persons and agencies as those that the Attorney General is required, or permitted, to furnish with such information under the provisions of this bill

This bill would, beginning July 1, 1978, make it a misdemeanor for an employee of a local criminal justice agency, or a person authorized by law to receive such information, to knowingly furnish such information to a person not authorized to receive such information It would also be a misdemeanor for an unauthorized person to receive such information However, it would not be a misdemeanor, to furnish or receive statistical information, public records, and information obtained for the purpose of the apprehension of a person wanted in connection with the commission of a crime

This bill makes other related and clarifying changes

The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act for stated reasons

Ch 1223 (SB 258) Gregorio Housing finance

(1) Under the Zenovich-Moscone-Chacon Housing and Home Finance Act, which will become effective September 26, 1975, it is required that moneys from the proceeds of state general obligation bonds issued thereunder be transferred to the Housing Rehabilitation Insurance Fund in amounts sufficient to provide insurance reserves for insurance contracts and commitments made by the California Housing Finance Agency with respect to loans made or assisted by it, as prescribed Such transfers of moneys are required to be made within 120 days after the agency sells the bonds

This bill would authorize the transfer of an additional $50,000,000 to the Housing Rehabilitation Insurance Fund from such bond proceeds to meet the needs of the agency's program of loan insurance

(2) The Zenovich-Moscone-Chacon Housing and Home Finance Act requires the board of the California Housing Finance Agency to appoint an advisory committee to assist it in preparing regulations for its loan and board insurance programs

This bill would delete such provisions

(3) The Zenovich-Moscone-Chacon Housing and Home Finance Act, with a specified exception for prior commitments, prohibits the agency from insuring loans made or assisted under such act after the agency commences to sell general obligation bonds

This bill would delete such provisions

(4) The Zenovich-Moscone-Chacon Housing and Home Finance Act requires, with respect to loans insured by it, that relocation payments be made from the proceeds of the loan to persons displaced due to inability to afford costs of compliance, displacement during rehabilitation, and rent increases resulting from rehabilitation

This bill would revise such requirements to include persons and families displaced because of construction financed by such insured loans and to limit relocation payments to the reasonable cost of a replacement dwelling, less the amount received from the sale of the dwelling replaced, under prescribed circumstances

(5) The Zenovich-Moscone-Chacon Housing and Home Finance Act empowers the California Housing Finance Agency to make special types of assistance available in areas

designated as participating concentrated rehabilitation areas or participating mortgage funds assistance areas, but specifies that the provision of such special assistance in areas so designated shall not limit agency powers to provide construction loans and mortgage loans for rehabilitation of housing developments or to provide loans for new construction in such areas where financing is provided pursuant to other specified provisions of the act

This bill would additionally specify that the agency is not subject to such a limitation in areas where such financing may be, as well as is, provided

(6) This bill would make technical, corrective changes

Ch 1224 (SB 1035) Dills Vehicles distribution automobile dismantlers

(1) Existing law defines "distributor," in part, as a person who sells or distributes "new vehicles"

This bill would revise the definition to specify "new motor vehicles"

(2) Existing law specifies various grounds for suspension or revocation, by the Department of Motor Vehicles, of the license and special plates issued to an automobile dismantler One of such grounds is that the dismantler has failed to pay, within 30 days after written demand from the department, any fees or penalties due on vehicles required for dismantling

This bill would provide for a delay in the commencement of such 30-day period, if the amount of the fees or penalties is disputed by the dismantler, until the department, after review, has determined the fee or penalty to be due In this connection, this bill would incorporate additional changes made in Section 11509 of the Vehicle Code by Chapter 182 of the Statutes of 1975

(3) Existing law excludes from the definition of "automobile dismantler" certain scrap metal processors who obtain specified documentation regarding vehicles to be reduced to scrap by them. Such documents are declared to be the property of the Department of Motor Vehicles and are made subject to inspection at any time

This bill would instead require that such documents be available for inspection by a peace officer during business hours.

Ch 1225 (SB 796) Russell Insurance replacement of group policies

The existing law contains no provisions relating to extension of benefits for totally disabled employees or dependents, or the providing of replacement coverage, by group life insurance policies, group disability policies, group health care service plans, self-insured employee welfare benefits plans, and group nonprofit hospital service contracts.

This bill would require specified group life insurance policies, group disability policies, group health care service plans, self-insured employee welfare benefit plans, and group nonprofit hospital service contracts issued, delivered, amended, or renewed in this state after January 1, 1977, to contain a provision which provides for a reasonable extension of specified benefits with respect to employees or dependents who become totally disabled after January 1, 1977, and continue to be totally disabled at the date of discontinuance of the policy, as defined

This bill would require an insurance carrier providing replacement coverage, as defined, with respect to hospital, medical, or surgical expense benefits within a period of 60 days from the date of discontinuance of a prior policy, to immediately cover all employees and dependents to the extent they were validly covered under the previous policy at the date of discontinuance

Ch 1226 (AB 1792) Egeland Public social services

Under current law, the county may contract with certain entities to perform in-home supportive services for recipients under the state supplementary program

This bill requires that such contracts be for periods not exceeding one year and that the county publicize its intention to solicit bids to enter into such contracts, requires the county board of supervisors, at a regularly scheduled meeting, to hold a public hearing on the proposed contracts, and requires a 30-day waiting period before such contracts becomes effective

This bill also provides that in awarding the service contracts, the board of supervisors may consider the fiscal responsibility and experience of the service provider, and any

other consideration in the public interest To insure fiscal and program compliance, the county shall review the contract during the contract term. Such review may include, but shall not be limited to, a fiscal audit

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agencies for any costs incurred by it pursuant to the act

Ch 1227 (AB 525) Goggin Public broadcasting

Present law requires the Department of General Services to prepare a plan for television to serve the educational needs of the state, designates the department as the state agency for processing applications for any available federal funds for educational television purposes, and specifies various functions relative to coordination of activities and distribution of information relative to television for educational purposes.

This bill would repeal these provisions and enact the Public Broadcasting Act of 1975 It would create the California Public Broadcasting Commission for the purpose of encouraging the growth and development of public broadcasting programming, specifying the membership and compensation thereof It would direct the commission to develop a state policy of growth and development of public broadcasting, and permit the commission to make grants to public broadcasting stations, establish and develop interconnection systems, make grants for the development, production, or acquisition of programming, apply for federal and other funds from any source, and conduct research and demonstration activities

It would direct the commission to establish a radio advisory committee and a T V advisory committee composed of representatives of public broadcasting stations to advise the commission with respect to the making of grants and contracts, among other functions, and provide for compensation of committee members It would also direct the commission to establish an instructional broadcast advisory committee, composed of representatives of education, to advise the commission on instructional programming, among other functions

It would create the California Public Broadcasting Fund and direct the State Controller to make transfers thereto from the General Fund of $183,000 in the 1975–76 fiscal year It would specify formulas for the making of grants by the commission and other expenditures

The bill would further require the commission to submit an annual report to the Governor and Legislature specifying its activities for the year, recommendations, and financial statements It would direct the commission to collect financial reports and information from the recipients of assistance on forms prescribed by and pursuant to regulations of the commission

Ch 1228 (AB 488) Chappie Small claims courts

Under existing law a claim, other than one for unlawful detainer, in a small claims court action is not required to disclose the subject matter of the claim

This bill would require such a disclosure.

Under existing law, although parties in the small claims court may not be represented by any person, including attorneys, there is no prohibition against the prosecution or defense of an action by a plaintiff or defendant who is an attorney or by a corporation through an officer or employee who is an attorney

This bill would require disclosure of the fact that a party is an attorney or a corporation intending to appear through an officer or employee who is an attorney, and would grant the right to the opposing party, where he is neither an attorney nor a corporation appearing through an officer or employee who is an attorney, a right to have the case transferred upon motion from the small claims court calendar to the appropriate regular court calendar Provision is also made for a transfer fee of $10

The motion would be required to be made upon the sole ground that the moving party desires to be represented by counsel in the conduct of the trial If the motion were granted the party would be required to be represented by counsel at the trial, and the court would be required to so advise him at the time the motion is made, provided that if the moving party were unable to obtain counsel, the case would be transferred back to the small claims court calendar

This bill would provide that neither appropriation is made nor obligation created for reimbursement of local agencies

Ch 1229 (AB 664) Foran Toll bridge revenues and highways.

(a) Under existing law, the California Toll Bridge Authority sets the toll fees for toll bridges under its jurisdiction. The bond resolutions under which these bridges were financed, and the federal law in some instances, limit the use of toll bridge revenues to (1) toll bridge operation and maintenance, (2) bond payments, and (3) various other related expenses.

This bill would, assuming the required consent is secured from the holders of outstanding bonds and from the federal government where necessary, authorize the Metropolitan Transportation Commission to adopt toll schedules for toll bridges located within the region under its jurisdiction The authority, however, could increase the toll rates specified in those schedules, if this is necessary in order to enable the authority to meet its bonded obligations.

The bill would create a Toll Bridge Revenues Account in the State Transportation Fund in which the net revenues, as defined, of the toll bridges are deposited and are continuously appropriated therefrom for allocation (less administrative costs) by the Controller to the commission, which, in turn, would reallocate the net revenues (less administrative costs) to public entities operating public transportation systems and to the Department of Transportation for projects implementing the commission's capital planning objectives in the vicinity of toll bridges or the commission's objectives with respect to ferry systems

The bill would include various provisions regarding procedure in adopting a toll schedule and in allocating the net revenues.

(b) Under existing law, the department has full charge of the operation and maintenance of toll bridges under the jurisdiction of the authority

The bill would require the department to transmit to the commission a copy of any request the department submits, or of any program the department develops and submits, to the authority for capital expenditure or improvement on any toll bridge located in the region under the jurisdiction of the commission, and would require the commission to transmit its findings and recommendations thereon to the Secretary of the Business and Transportation Agency for consideration

(c) Under existing law, the maintenance of state-owned toll bridges is paid from funds in the State Highway Account in the State Transportation Fund

The bill would authorize the authority (1) to pay for such maintenance for any toll bridge from its revenues if all the bonds thereon have been redeemed or (2) to provide for such maintenance of any toll bridge whose revenues are pledged to secure bonds issued on or after January 1, 1976, from the bridge revenues.

(d) The bill would not be construed to prohibit the construction of a new Antioch Bridge or a new Dumbarton Bridge, and the pledge and use of the revenues of other toll bridges in connection with the issuance of revenue bonds to finance such construction if otherwise authorized by law. If the revenues of other toll bridges are used to finance such construction, the Department of Transportation would be required to maximize the amount of net revenues to be deposited in the account

(e) Under existing law, the department is authorized to expend up to $20,000,000 annually for the maintenance of landscaping and functional planting on state highways

The bill would increase that amount to $25,000,000 annually

Ch 1230 (AB 960) Sieroty Criminal justice and delinquency prevention

Under existing law the composition of the California Council on Criminal Justice is required to include specified persons among the appointees of the Governor and the Speaker of the Assembly and Senate Committee on Rules This bill would delete certain of such requirements and substitute various others

Existing law does not provide for the reimbursement of expenses of the Advisory Committee on Juvenile Justice and Delinquency Prevention appointed by the Governor pursuant to federal law This bill would provide for such reimbursement

Under existing law the California Council on Criminal Justice performs specified functions with regard to criminal justice. This bill would make specific provision for the performance of similar functions with regard to delinquency prevention and would extend various additional existing criminal justice planning provisions to include delinquency prevention

Existing law provides that local criminal justice planning board membership be

consistent with federal acts and guidelines under specified circumstances

This bill would require local boards to be consistent with state and federal statutes and guidelines, and to consist of not less than 21 nor more than 30 members, a majority of whom would be elected local officials. The bill would specify that such boards be representative of a broad range of community interests and viewpoints

Existing law requires approval of the California Council on Criminal Justice and local government units to change planning district boundaries

This bill would provide for such change only upon a ⅔ vote of the council under specified procedures.

Ch. 1231 (SB 2) Moscone. Records, public inspection.

Present provisions of law which require specified state and local governmental agencies to maintain their public records open to public inspection during office hours exempt from disclosure various specified categories of records.

(1) Present law exempts from disclosure applications filed with any state agency responsible for the regulation or supervision of financial institutions, as specified.

This bill would revise this exemption to apply only to financial statements, marketing plans and personal information obtained from applications filed with such an agency

(2) Present law exempts from disclosure geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person

This bill would revise this exemption to, instead, exempt plant production or mineral reserve data obtained by the Division of Mines and Geology of the Department of Conservation and crop, market or price information obtained by the Division of Marketing Services or the Bureau of Agricultural Statistics of the Department of Food and Agriculture, when such data or information is obtained voluntarily on the assurance of confidentiality.

(3) Present law exempts from disclosure specified types of records of the Attorney General, the Department of Justice, or other state or local police or other agency compiled for licensing purposes

This bill would revise this exemption to instead exempt such records compiled for the purpose of determining whether administrative or criminal action should be taken to restrain or prosecute purported violations of law, or to deny, suspend, or revoke a professional, vocational, or occupational license, certification, or registration, or when disclosure of such records of complaints or investigatory or security files would substantially interfere with specific enforcement action.

(4) Present law exempts from disclosure, library and museum materials made or acquired and presented solely for reference or exhibition purposes.

This bill would revise this provision to instead exempt library or museum materials received on condition that they remain confidential for a specified period or for the duration of a life or lives in being or materials too fragile or costly to display. It would also specify that this exemption shall not permit the concealment of evidence relative to any judicial, governmental, or administrative proceeding.

(5) Presently there is no express provision authorizing the award of court costs and attorney's fees to a plaintiff in an action brought under the provisions of the California Public Records Act to enforce the right to inspect or receive a copy of a record

This bill would authorize the award of court costs and reasonable attorney's fees payable by a public entity to a plaintiff in an action brought pursuant to the provisions of the California Public Records Act when it is found that a public entity wrongfully withheld records, with such provision to become operative only if AB 23 is not chaptered, or if AB 23 is chaptered, if it is not effective on or before January 1, 1976

(6) This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

(7) AB 23, if enacted into law would provide, in part, that any person may institute legal proceedings to enforce the right to inspect legislative records

This bill would specify that if this bill and AB 23 are both chaptered and become effective January 1, 1976, and this bill is chaptered after AB 23 that such legal proceedings would be against the appropriate rules committee.

Ch 1232 (SB 360) Behr Prisoner education

Existing law authorizes the county superintendents of schools of Santa Clara, Monterey, Marin, and Lassen Counties until December 31, 1975, to establish and maintain classes or schools for prisoners in any county jail, or any county industrial farm or county or joint county road camp for the purposes of providing instruction in certain specified subjects In addition, state law provides for state financial support for each unit of average daily attendance in such specified schools and classes

. This bill would make such provisions applicable to only Riverside and Marin Counties, and would extend indefinitely the legal effect and operation of these provisions, which is presently limited to December 31, 1975

This bill would also make a technical change

Ch 1233 (SB 385) Roberti Health care benefits

(1) Under the present law, subcontracts between a prepaid health plan and the subcontractor, and financial statements of the prepaid health plan, are not expressly made public records

This bill would provide that subcontracts and financial statements are public records and require all books and records of the subcontractor relating to the subcontract and all books and records of the prepaid health plan to be available for inspection by the department

(2) Presently, the law requires the State Department of Health to conduct an onsite review of prepaid health plans

This bill would make the criteria and procedures used in conducting the onsite review available to the plan, the Legislature and the public.

(3) Presently, the law requires a prepaid health plan to file with the department a financial statement not exceeding 120 days after end of its fiscal year.

The bill would reduce this to 90 days after the end of its fiscal year

Ch. 1234 (AB 2288) Vasconcellos Child sexual abuse

Existing law provides criminal penalties for the sexual abuse of children

This bill would require the establishment by the State Department of Health of a demonstration center for the prevention of the sexual abuse of children The center would be established in a county to be selected as designated

It would specify the purpose of the center including the development of programs for city and county personnel throughout the state relating to the prevention of sexual abuse of children

It would provide for the appointment of a review committee by the Director of Health to establish standards for the expenditure of state funds which are provided for the support of the center

Further, it would require the director to report to the Legislature, at designated intervals, regarding the degree of achievement of the goals of the act by the center.

Finally, the bill would appropriate $193,520 from the General Fund to the State Department of Health for the fiscal year 1976–77 to be allocated as follows (1) $168,520 to be used for personnel and operations, and (2) $25,000 to be made available to cities and counties on a matching basis for the purpose of sending personnel to training programs offered by the center

Ch 1235 (SB 244) Petris Bikeways· finance, design, and construction

Existing statutory law authorizes the Department of Transportation to establish general design criteria and prescribe uniform traffic control devices for nonmotorized transportation facilities adjacent to highways Statutes further provide for state financial assistance to cities and counties for the construction of bicycle lanes Additionally, statutory law also provides for the construction of bicycle paths and routes by cities, counties, and local agencies, in consultation with the Department of Parks and Recreation as to general design criteria

This bill would delete all such existing statutory provisions and enact the California Bikeways Act, which generally provides for the establishment of bicycle transit systems, consisting of bikeways (as defined) and related facilities The Department of Transportation would be required to establish minimum general design criteria and uniform specifications and symbols for signs, markers, and traffic control devices for

bikeways constructed by cities, counties, and local agencies The bill would also provide for bikeway planning, the utilization of highway rights-of-way as bikeways, and a set of priorities for the construction of bikeways and related facilities The Bicycle Lane Account in the State Transportation Fund would be continued in existence, and a Bikeway Account, consisting of an annual appropriation of $9,000,000 from the General Fund, would be created in the State Transportation Fund for financing 90% of the cost of local bikeway projects In this connection, the bill would eliminate the exemption from the cigarette tax presently applicable to certain federal installations Certain cigarette tax revenues that are not obligated for other purposes are presently deposited in the General Fund The bill would declare legislative intent that such revenues be the primary source for moneys appropriated to the Bikeway Account

Additionally, this bill would require the inclusion of bikeway signs, markers, and traffic control devices in the driver's license applicant's written examination

The bill would appropriate $9,000,000 annually to the Bikeway Account.

The bill would require the Legislative Analyst to report on the implementation of the California Bikeways Act to the fiscal committees of the Legislature on January 1, 1979

The bill would provide that there shall be no reimbursement nor any appropriation made by the bill to local agencies for any revenue loss incurred by them pursuant to the bill

This bill would incorporate changes in Section 12804 of the Vehicle Code made by Chapter 162 of the Statutes of 1975 and would incorporate additional changes in Section 12804 proposed by Senate Bill No 671, which would be effective only if SB 671 and this bill are chaptered and become effective January 1, 1976, and this bill is chaptered last

Further, this bill would incorporate additional changes in Section 21207 of the Vehicle Code proposed by Senate Bill No 939, which would be effective only if SB 939 and this bill are chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch. 1236 (SB 733) Whetmore Musician booking agencies· licensing

The existing law contains provisions for licensing, examining, and otherwise regulating employment agencies, with specified exceptions

This bill would specifically exempt musician booking agencies from these provisions, and would enact a comprehensive scheme prohibiting any person from engaging in the occupation of a musician booking agent, as defined, without a license from the Bureau of Employment Agencies

This bill would provide the procedure for obtaining a license to operate a musician booking agency, and the requirements and fees for such a license, with notice and hearing available if the license is refused, revoked or suspended by the Bureau of Employment Agencies

This bill would provide penalties for violation of specified provisions

This bill would also enact various related provisions

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch 1237 (SB 552) Beilenson County elections' limitations

Existing law authorizes counties to limit campaign expenditures or contributions in elections to county offices

This bill would authorize counties to limit campaign expenditures or contributions in county elections, rather than elections to county offices.

Ch 1238 (SB 758) Stiern Courts Kern County

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Kern County and specified judicial districts within Los Angeles County and to also audit and inspect such records and submit an annual report of the records to the boards of supervisors of Kern and Los Angeles Counties and the Legislature

(2) Existing law also prescribes salaries for regular court reporters and filing fees

required of parties to certain actions in the Superior Court of Kern County

This bill would revise the salary schedule for such regular court reporters and increase the amount of specified filing fees in the Superior Court of Kern County

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting only Kern and Los Angeles Counties

(4) Existing law prescribes compensation levels for court reporters and reporters pro tempore in various judicial districts in Los Angeles County This bill would make revisions in such compensation of court reporters and reporters pro tempore in specified municipal court districts in Los Angeles County

(5) Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

Ch 1239 (AB 266) McAlister State agency condemnation powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

AB 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise various eminent domain provisions in the statutes relating to state agencies, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

This bill would make the State Public Works Board the only state agency authorized to exercise the power of eminent domain to acquire property needed by any state agency for any state purpose or function, except that the Department of Transportation, Department of Water Resources, State Lands Commission, State Reclamation Board, Hastings College of the Law, Regents of the University of California, and the Department of Fish and Game would retain their existing condemnation authority The bill would eliminate the eminent domain authority of the Adjutant General, Trustees of the California State University and Colleges, Department of General Services, Department of Parks and Recreation, and district agricultural associations The exercise of the power of eminent domain to acquire property for these agencies would be by the State Public Works Board under the Property Acquisition Law, rather than by the individual state agencies

This bill would also require that any acquisition by the State Public Works Board be consented to by the state agency concerned and would delete a comparable provision that applies only to acquisitions for the California State University and Colleges

This bill would make any acquisition of property, and the appropriation therefor, for any state agency subject to the Property Acquisition Law if property for that agency is acquired by the State Public Works Board

Ch 1240 (AB 278) McAlister Eminent domain

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various codes, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law.

The bill would repeal provisions which provide the basis for condemnation authority for some public entities, privately owned public utilities, and private persons, but the right of various public entities, public utilities, and other persons to condemn property for their uses would be continued in other bills introduced as a part of the series recommended by the commission It would provide that cities, counties, and school

districts may condemn property for their purposes, and that privately owned public utilities may condemn any property necessary to carry out their regulated functions

The bill would repeal provisions for condemnation by private persons except in certain cases The condemnation authority of nonprofit educational institutions of collegiate grade would be continued without change The condemnation authority of nonprofit hospitals, as defined, would provide for condemnation not only to expand existing hospitals, but also to establish a newly organized and licensed hospital and to permit the acquisition of property adjacent to other property used or to be used for existing or newly established nonprofit hospitals The condemnation authority of certain nonprofit housing corporations which provide housing for low-income families would be modified The condemnation authority of cemetery authorities and mutual water companies would be continued without change

The bill would provide that a related cause of action must be asserted against the plaintiff in an eminent domain action or be barred It would eliminate the requirement that a claim be presented to a public entity as a condition to bringing a compulsory cross-complaint against the public entity in an eminent domain proceeding

The bill would continue a provision authorizing exercise of the power of eminent domain to restore destroyed local public records and would extend this authority to include destroyed state records

The bill would provide a procedure whereby the Public Utilities Commission would determine the character and location of public utility improvements required to be relocated by certain districts pursuant to a court order, judgment, or agreement This general provision would replace numerous special provisions

The bill would make changes in the authority of cities and counties to acquire open-space lands by condemnation, to be operative only if SB 576 and ~~SB~~ [AB] * 11 are chaptered and become operative

The bill would make other technical and conforming changes

Ch 1241 (SB 766) Rains Sexual equality

Existing law specifies that if a person entitled to bring an action is a married woman and her husband is a necessary party to such action the time of her marriage is not a part of the time limited for commencement of specified actions

This bill would delete such provision

Existing law provides that a married woman may be sued without her husband being joined as a party in all actions

This bill would provide that a married person may sue and be sued without joinder of his or her spouse

Existing law provides that if a husband and wife are sued together the wife may defend for her own right, and if the husband neglects to defend, she may defend for his right also

This bill would provide that either spouse may defend for his or her own right, and if one spouse neglects to defend, the other spouse may defend for such spouse

Under present law a mother may maintain an action for an injury to her illegitimate unmarried minor child caused by the wrongful act or neglect of another

This bill would instead provide that either parent may bring such an action

Present law provides an exemption from execution for a debtor's earnings received for personal services if necessary for the use of the debtor's family under designated circumstances unless the debts are incurred by the debtor, his wife, or his family for the common necessaries of life

This bill would instead provide that the exemption is not applicable if the debts are incurred by the debtor, his or her spouse, or his or her family for the common necessaries of life

Present law specifies that it is no defense in a summary action to obtain possession of real property that a tenant is a married woman, but if her husband is not joined, or unless she is doing business as a sole trader, an execution issued upon a personal judgment against her can only be enforced against property on the premises at the commencement of the action

This bill would delete such language

Existing law provides that in a proceeding for changes of name, if the father of the petitioner is not living, the petition must specify near relatives of the petitioner and their

place of residence

This bill would require the listing of such near relatives in the petition only if neither parent of the petitioner is living

It also would make various nonsubstantive changes

It would also make conforming changes in Sec 377, Code of Civil Procedure, contingent on enactment and prior chaptering of AB 428

Ch 1242 (SB 1117) Grunsky Municipal courts commissioners

Existing law does not provide for commissioners in the Carmel and Monterey Municipal Court District and in the Salinas Municipal Court District

This bill would provide for the appointment of one commissioner in the Carmel and Monterey Municipal Court District, and two commissioners in the Salinas Municipal Court District and would prescribe their qualifications, duties, and compensation

The bill states that there are no state-mandated local costs requiring reimbursement to local agencies pursuant to Section 2231 of the Revenue and Taxation Code because of a specified reason

Ch. 1243 (SB 1295) Alquist State highways: Route 101

Under existing law, funds for state highway purposes are allocated by the California Highway Commission from the State Highway Account in the State Transportation Fund, which account consists of state-imposed highway users tax revenues (i e , gas tax, diesel tax, registration fees, weight fees, and driver's license fees) and federal funds allocated from the Highway Trust Fund

This bill would appropriate $416,000 from the General Fund to the commission to match federal funds for the construction of a median barrier on, the installation of traffic signals on, and channelization of that portion of State Highway Route 101 from 0 7 mile north of Cochran Road in Morgan Hill to ½ mile south of Ford Road in San Jose

The bill would require the commission, not later than July 1, 1977, to reimburse the General Fund from the State Highway Account for the appropriation

The bill would take effect immediately as an urgency statute.

Ch. 1244 (SB 347) Beilenson Children.

Present law contains numerous distinctions as to the legal treatment of children deemed legitimate and those deemed illegitimate

This bill eliminates the distinction between legitimate and illegitimate children and enacts the Uniform Parentage Act to provide a procedure to establish the parent-child relationship without regard to distinctions based on legitimacy It also makes related changes.

It also would specify that no reimbursement or appropriation is made by the act as costs to local government are insignificant

Ch 1245 (SB 1066) Holden State highways· mapped highways· rights-of-way purchase

Under existing law, a city planning commission, upon receiving from the Department of Transportation a map showing the location of a proposed state highway in the city, is required to notify the department of any application for a building permit for a building costing $500 or more in sufficient time to give the department an opportunity to purchase the right-of-way from the applicant.

This bill would require that such notices be given only if the building permit is for a building costing $5,000 or more

The bill would also impose a similar duty on each county planning commission under similar circumstances with respect to proposed state highways in the county

The bill would appropriate $15,000 from the General Fund to the State Controller pursuant to Section 2231 of the Revenue and Taxation Code for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 1246 (AB 23) Ralph Public records

Existing law exempts from the California Public Records Act the records of the Legislature and the courts, and records in the custody of or maintained by the Governor or employees of the Governor's office employed directly in that office Also, under existing law no provision is made for the issuance of reports to the public concerning

the itemized expenditures of Members of the Legislature and the Governor, nor is provision made for the inclusion of an itemized statement of proposed legislative expenses and expenses for the Governor and the Governor's office in the Governor's Budget

Under existing law, state or local agencies may prescribe a reasonable fee or the fee specified by statute for a copy of a public record

This bill would enact a Legislative Open Records Act and make the records of the total expenditures and disbursements of the courts, and those of the Governor and the Governor's office, except those prepared on or before January 6, 1975 and specified records in the custody of or maintained by the Governor's legal affairs secretary, subject to the California Public Records Act The Legislative Open Records Act would provide that legislative records, as defined, are open to inspection by every citizen at all times during the normal office hours of the Legislature and that each house of the Legislature and the Joint Rules Committee shall adopt written guidelines stating the procedure to be followed when making legislative records available Excepted from this rule, would be (1) certain preliminary drafts, notes, or memoranda (2) records pertaining to pending litigation, (3) personnel, medical, or similar files, if the Assembly, Senate, or Joint Rules Committee determines there would be an unwarranted invasion of privacy, as specified, (4) records of the names and phone numbers of senders and recipients of telephone and telegraph communications; (5) records pertaining to the name and location of recipients of automotive fuel or lubricants expenditures; (6) in the custody of or maintained by the Legislative Counsel, (7) in the custody of or maintained by the majority and minority caucuses and, majority and minority consultants of each house of the Legislature, (8) correspondence of and to Members of the Legislature and their staff; (9) records the disclosure of which is excepted or prohibited pursuant to provisions of federal or state law, (10) communications from private citizens to the Legislature; and (11) records of complaints to or investigations conducted by, or records of security procedures of the Legislature The Legislative Open Records Act would also authorize actions for injunctive or declaratory court relief to enforce the right to inspect legislative records

In addition, this bill would, with respect to both the Legislative Open Records Act and the Public Records Act, require the award of court costs and reasonable attorneys' fees to a plaintiff who prevails in the action, and to the public agency when the court finds that the plaintiff's case is clearly frivolous

This bill would also require that both the Legislature and the Governor issue reports annually containing an itemized statement of expenditures by Members and committees of the Legislature and the Governor

With respect to the California Public Records Act, the bill would specify that the fee for a copy of a public record shall not exceed 10 cents per page, or the prescribed statutory fee, where applicable

The Assembly, Senate and Joint Rules Committee would also be required to submit to the Director of Finance each year an itemized statement of proposed expenditures from the contingent funds of the Legislature for inclusion in the Governor's Budget In addition, the Governor would be required to submit such a statement concerning the proposed expenditures for support of the Governor and the Governor's office

Ch 1247 (AB 259) Cline. County formation review commissions

Existing law provides a procedure, initiated by petition of registered electors, whereby hearings may be conducted and specified determinations made by a county formation review commission before elections on the question of creation of a new county The five members of such a commission are appointed by the Governor following his receipt of certification of a specified petition containing at least 25% of the electors residing within the territory of the proposed county Commission members are required to receive as compensation a per diem not to exceed fifty dollars ($50) a day for every day they are actually employed, together with actual expenses incurred in performing their duties

This bill would direct the Governor to appoint the five commission members within 120 days of his receipt of the petition certification

Existing law also requires that such a commission adopt a resolution making its determination and transmit its report in writing to the board of supervisors of each

affected county within 180 days of the date of notice and acceptance by the last appointed member

This bill would authorize the granting of up to 180 additional days for a commission to adopt such a resolution, make its determination, and transmit its report, upon a majority vote of a commission and the approval of the Governor

Also under existing law, if the proposed county is created, all expenses of any county formation review commission, together with the reasonable costs of stationery, postage, and incidental expenses are required to be borne by the new county, or, if the proposed county is not created, by each affected county, in equal shares

This bill would permit a commission to borrow up to $100,000 from outside sources or from the State Controller pending reimbursement from the new county or from each affected county if the proposed county is not created Loans from the State Controller would be at an interest rate equal to that of the Pooled Money Investment Fund. All loans would be required to be repaid within one year of the date on which the issue of county formation was voted on by the people.

Finally, the bill would create the County Formation Revolving Fund for purposes of making such loans by the Controller, and appropriate $100,000 for the support of such fund Repayments of loans made by the Controller, including interest, would be required to be deposited in such fund

Ch. 1248 (AB 637) Wilson Mobilehomes: licensing of commercial activities

Under existing law, mobilehome manufacturers, dealers, salesmen, and transporters are required to be licensed by the State Department of Motor Vehicles

This bill would require applicants for mobilehome dealer's and salesperson's licenses, on and after July 1, 1976, to take a written examination Further, applicants for manufacturer's, dealer's, salesman's and transporter's licenses would be required to indicate a past business history on the application, and supplying incomplete or incorrect information or information reflecting substantial business irregularities would be grounds for denial of the license The bill would make violations of specified provisions relating to mobilehomes by licensees grounds for disciplinary action

This bill would define the word "mobilehome" for purposes of such provisions and other provisions of the Vehicle Code and would revise the definition of "mobilehome," as used in provisions of the Health and Safety Code relating to mobilehomes and mobilehome parks

Ch. 1249 (AB 823) Dixon Schools temporary teacher-assistants' certificates

Existing statutes do not provide for the issuance of certificates for temporary teacher-assistants

This bill would require county superintendents of schools to issue, for a period not exceeding 2 years, a certificate authorizing service as a teacher-assistant, to the holder of a recommendation from an accredited college, university, or community college, prohibit use thereof in lieu of a teaching credential, and require holders thereof to work under the immediate supervision of a credentialed classroom teacher who is present or available at all times to provide guidance and direction

This bill would also provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because the duties, obligations, or responsibilities imposed on local government by this act are minor in nature and will not cause any financial burden to local government

Ch 1250 (AB 934) Badham. Bicycles registration and licensing

(1) Existing state law provides for the licensing of bicycles with respect to cities and counties which have a bicycle licensing ordinance or resolution, and imposes various duties on such cities and counties and the Department of Motor Vehicles in connection therewith

This bill would revise such provisions to include the registration of bicycles in connection with the bicycle licensing provisions, require bicycle license indicia to be of a size to permit it to be affixed to the front of the seat tube of the bicycle frame (rather than just to the frame itself), and revise provisions regarding the period of renewal of licenses and the fees for licensing

The bill would also specifically make it unlawful for any person to tamper with,

destroy, mutilate, or alter any license indicia or registration form, or to remove, alter, or mutilate the serial number or identification marks of a licensing agency's identifying symbol on any bicycle frame

The bill would impose certain duties on bicycle retailers and dealers regarding the sale of bicycles and information supplied to purchasers of bicycles, and on other persons who sell or dispose of bicycles, and would provide for the issuance of duplicate license indicia or registration form in the event such indicia or form is lost, stolen, or mutilated The bill would further require the purchaser of a bicycle to forward certain information supplied by a retailer or dealer to the appropriate licensing agency

The bill would authorize a licensing agency to impound and retain possession of any bicycle in violation of the bicycle licensing and registration provisions

The bill would make related changes, and would also make a nonsubstantive change

The bill would revise the definition of "bicycle" for purposes of bicycle licensing and registration provisions, and would add a definition of "bicycle dealer" for purposes of such provisions

(2) The bill would also provide that there shall be no reimbursement nor any appropriation made to any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1251 (AB 1130) Kapiloff Prisoners. work furlough

Existing law provides that a prisoner classified for a work furlough program may be released by the county work furlough administrator for a period not to exceed 72 hours for medical, dental, or psychiatric care, or for family emergencies or pressing business.

This bill would also allow the release of such a prisoner for the 72-hour period in order for the prisoner to attend such activities, as the administrator deems may effectively promote the person's successful return to the community, including, but not limited to, an attempt to secure housing, employment, or entry into educational programs, or participation in community programs

Ch 1252 (AB 1400) Cline Castaic Lake Water Agency

(1) Existing law defines the territory within the Castaic Lake Water Agency

This bill would add that territory annexed and exclude that territory excluded from the agency since its creation

(2) Existing law requires divisional directors of the Castaic Lake Water Agency to be an elector in the division and a resident of the county in which he is such elector or an owner of real property in the division and a resident of the county in which he is an owner of such real property, and existing law requires a director at large to be an elector or owner of real property in the agency and a resident of Los Angeles County or Ventura County

This bill would require divisional directors to be electors in the division and directors at large to be electors in the agency

(3) Existing law permits the directors to relocate the division boundaries when there is a sufficient change in the area of the agency

This bill would require the directors, using population figures as validated by the Population Research Unit of the Department of Finance as a basis, to adjust the division boundaries following each decennial federal census, as specified, so that the population in each division will be as equal as possible Further, the bill would provide that between adjustments of boundaries at the times of such decennial federal census, such directors may adjust the boundaries on the basis of a census ordered by Board of Supervisors for Los Angeles or Ventura County, as specified, or population estimates prepared by the State Department of Finance

(4) Existing law provides for notice for general elections and adoption of regulations, advertising for construction bids, notice for bond elections for the district or improvement districts, notice of formation, or annexation of areas to improvement districts, notice of annexation or exclusion of area to the agency, and notice of disincorporation of the agency

This bill would make uniform such publication requirements and require the notices to be published in a newspaper of general circulation published in the agency or, if none is so published, one distributed in the agency

(5) Existing law requires the registrar of voters or county clerk to prepare two ballots

and the precinct officers to furnish each voter of the precinct one of these ballots in accord with whether he is a voter of the agency or not

This bill would delete the requirements for two ballots

(6) Existing law provides for pay for district directors at $20 per meeting, limited to three per month

This bill would provide pay for the directors for meetings and per diem for services at the statutory rate for municipal water district directors, limited to three per month for meeting pay and five per month for per diem pay

(7) Existing law authorizes the agency to acquire specified properties and to make use of such properties

The bill would add water rights to the authorized properties the agency may acquire and importation of water to its authorized acts

(8) Existing law authorizes the agency to issue promissory notes at interest not to exceed 7% with maturity not later than 3 years from the date of issue

The bill would authorize the promissory note maximum interest to be the same as bond maximum interest with maturity not later than 5 years from the date of issue

(9) Existing law makes violation of the agency regulations a misdemeanor punishable by imprisonment or a fine of not more than $300

The bill would increase the maximum fine to $500

(10) Existing law specifies the amount of the performance bonds for agency directors and officers

The bill would permit the amounts of the performance bonds to be established by the directors

(11) Existing law provides for the agency to fix rates for water in improvement districts to pay the cost of water to the agency, and for water received under the State Water Plan the rates may not be less than paid to the state

The bill would delete the requirement that rates for water received under the State Water Plan not be less than paid to the state

(12) Existing law permits the agency to incur bonded indebtedness for specified purposes and permits payment from proceeds of sale of bonds for interest payable before the next tax levy after sale of the bonds, not to exceed 7% of the proceeds

This bill would permit the maximum interest to be the greater of 8% per annum, the maximum rate for municipal water district bonds or the maximum rate for local district bonds and permits the proceeds of sale, of the bonds up to the same percentage amount as the interest rate, to be used for interest payable before the next tax levy

(13) Existing law requires the notice which is required by the act to be given in each county where agency lands are located

This bill would require notice which is required by the act to be given only in those counties where more than 5% of the agency population is domiciled

(14) The bill reenacts the provision that prior enactments in conflict with this special agency law provisions are repealed

(15) The bill would incorporate additional changes in Section 15 proposed by Assembly Bill No 129, to be operative on the operative date of this bill only if this bill and Assembly Bill No 129 are both chaptered and become effective January 1, 1976, and this bill is chaptered last

The bill would provide that there shall be no appropriation made nor reimbursement of a local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1253 (AB 1770) Hart Public schools pupil disciplinary procedures

An existing statute authorizes governing boards of school districts to hold executive sessions to consider the expulsion, suspension, or discipline of a pupil, unless the pupil or his parent or guardian makes a written request for a public hearing This bill would (1) change such authorization to a requirement, (2) remove from such requirement, expulsions, (3) add any other action except expulsion, and (4) require, in public meeting held pursuant to such requests, that any discussion which might conflict with the right of privacy if any other pupil, be in executive session

Existing statutes do not address themselves to the powers of governing boards of school districts to suspend the enforcement of expulsions of pupils This bill would add provisions authorizing any governing board which has voted to expel a pupil, to suspend enforcement of such expulsion, for a specified period, upon condition of attendance in

specified rehabilitation schools, classes, or programs, which would, if they earn credit toward graduation, qualify for state apportionments based on a d a and, upon conclusion of such period, either to reinstate such pupil, with possible expungement of the expulsion record, or to enforce the expulsion

This bill would also add provisions requiring each governing board to adopt rules prescribing expulsion procedures, including written notices, various types of hearings, recordkeeping, and evidentiary matters

An existing brief statute provides for procedures for appeals from expulsion decisions of governing boards to county boards of education This bill would revise and expand such procedures, in detail More specifically, this bill would add provisions which would require county boards of education to adopt related regulations prescribing appeal procedures, including appeal notices, hearing dates, certification of record of governing board proceedings, hearing procedures, and record preservation, provide for related executive sessions unless the pupil or the parent or guardian makes a written request for a public hearing, prescribe basis upon which such appeals could be determined, and prescribe specified limits upon the decisions of the county board This bill would also make related changes

This bill would make additional changes in Sec 967, Education Code, proposed by SB 182, to be operative only if this bill and SB 182 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 182

This bill would make additional changes in Sec 11251, Education Code, proposed by SB 841, to be operative only if this bill and SB 841 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 841

This bill would also appropriate $3,750 to the State Controller for allocation and disbursements to local agencies for costs incurred by them pursuant to this bill

Ch 1254 (AB 2058) Siegler. Community colleges nonresident tuition

(1) The law presently authorizes a community college district to contract with another state, a foreign country, or the federal government for payment of the nonresident tuition of a student attending a college of the district

This bill would authorize a community college district to also contract with a county (of another state) which is contiguous to California, for payment of the nonresident tuition

(2) Existing law requires the nonresident tuition fee to be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter

This bill would require such fee to be paid in equal installments at the beginning of each term as determined by the governing board of the district

(3) Under existing law, the amount of the nonresident tuition fee is an amount equal to the average cost of educating students of the district during the preceding year

This bill would allow community college districts to fix nonresident tuition at an amount equal to either the average district cost, or the average statewide cost, of educating students in grades 13 and 14 for the preceding year The bill would provide that any loss in revenue generated by the nonresident tuition fee shall not be offset by additional state funding due to the loss of revenues derived therefrom

(4) Presently, the law prescribes a formula to be used in computing the nonresident tuition to be paid by part-time students. The formula is based upon semester units

This bill would establish a separate formula for use by community colleges operating on the quarter system

(5) Community college districts which, in 1962–63, enrolled a specified percentage of students from out-of-state are currently exempt from the mandatory nonresident tuition fee requirements Such exemption becomes inoperative commencing with the 1975–76 school year

This bill would delete the exemption and, instead, would exempt any community college district which borders another state and which has fewer than 500 average daily attendance

(6) Existing law, effective only until July 1, 1976, prescribes a method of calculating average daily attendance for "short-term" classes, as defined, conducted by community colleges

This bill would continue such law in effect until July 1, 1978

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred pursuant to this act

Ch 1255 (SB 345) Nejedly Well records oil, gas, geothermal

(1) Existing law provides that the records of any operator of an oil, gas, or geothermal well, when filed with the district deputy of the State Oil and Gas Supervisor, shall be open to inspection to those authorized in writing by an operator and to specified state officers Specified production reports for oil and gas wells are required to be open to inspection to the State Board of Equalization Specific provision is made regarding the use of such records as evidence in court proceedings and the use of records of any defunct operator or any operator whose well has been transferred to another

This bill would delete substantially all of such provisions and instead specify that all records, including production reports, of any owner or operator shall be public records for purposes of the California Public Records Act, except that any such records shall not become public for specified periods (depending on the type of well drilled) if the owner or operator requests limited access In such case, access would be limited to various specified persons Provision would be made for extending such period of limited access for extenuating circumstances Production reports would be required to be open to county assessors, in addition to the State Board of Equalization "Well records" would be defined for the purposes of these provisions Finally, notwithstanding such provisions, the bill would further provide that no well records shall be open to inspection or made available for copying by anyone, other than specified persons, prior to July 1, 1976

(2) Existing law requires the State Oil and Gas Supervisor, upon application of the owner and operator, to designate wells as "prospect wells," but such wells are not defined. Reports for such wells presently are not required until six months after suspension of drilling, with provision for an extension of an additional six months upon a showing of hardship

This bill would repeal such provisions, and would define "prospect well" as a well drilled to extend a field or explore a new, potentially productive oil or gas reservoir

Ch 1256 (AB 91) McAlister Unemployment compensation benefits

(1) Existing law specifies that the maximum "wages" subject to taxation under the unemployment compensation insurance law is $4,200

This bill would increase the amount of such wages subject to taxation under the unemployment compensation insurance law to $6,000, or $7,000, per calendar year depending upon specified criteria

(2) Existing law requires employers to pay into the Unemployment Fund contributions at a rate which is based upon charges and credits to the unemployment balancing account during the 36-month period ending upon the computation date immediately preceding the beginning of a calendar year

This bill would reduce such 36-month period to a 24-month period

(3) Existing law provides that whenever the balance in the Unemployment Fund on December 31st of any calendar year is less than 4 75% of the wages and employment subject to the unemployment compensation insurance law paid during the 12-month period ending upon the computation date immediately preceding such December 31st, employers are required to pay into the Unemployment Fund contributions for the succeeding calendar year upon all wages with respect to employment at a specified schedule of rates

This bill would, instead, require employers to pay such contributions for the succeeding calendar year whenever the balance in such fund on December 31st of any calendar year is less than 2 5% of such wages and employment

This bill would also increase the contribution rates required in such circumstances

(4) Existing law specifies that whenever the balance in the Unemployment Fund on December 31st of any calendar year equals or exceeds 4 75% in such covered employment, employers are required to pay into the Unemployment Fund contributions for the succeeding calendar year upon all wages with respect to such employment at specified rates

This bill would specify that whenever the balance in the Unemployment Fund equals or exceeds 2 5% of such wages and employment, employers would be required to make contributions for the succeeding year in such circumstances

This bill would also increase the percentage of contribution rates for such purposes

(5) Existing law provides that $90 is the maximum weekly benefit amount payable under unemployment compensation law

This bill would increase from $90 to $104 the maximum weekly benefit amount payable under unemployment compensation law, and revise the schedule of high-quarter base period wages required to qualify for such benefits from the current increment amounts to various increments in wages for each $1 increase in weekly benefits It would also provide that such increased benefit amounts shall apply only to new claims filed with an effective date beginning on or after January 1, 1976

This bill would appropriate $525,000 † to be allocated in specified amounts to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill, and to the Employment Development Department for costs incurred in making payments to state employees pursuant to this bill

Ch 1257 (AB 767) McVittie Vehicle violations trial scheduling; notices to appear

(1) Existing law (a) does not provide specifically for the simultaneous scheduling of arraignment and trial of traffic violations constituting infractions and, (b) permits entry in writing of a plea of not guilty, in lieu of appearing in person, to a notice to appear charging the commission of an offense constituting an infraction, upon the deposit of $25

This bill would, commencing January 1, 1976, permit any person so charged with an infraction to declare to the clerk of the court his intention to enter a plea of not guilty and deposit the amount of bail established for the offense charged, together with any required assessment The clerk thereupon would be required to set the case for arraignment and trial on the same date, unless the defendant requests a separate arraignment Commencing July 1, 1976, any person so charged with an infraction would be permitted, as an alternative, to enter in writing a plea of not guilty, in lieu of appearing in person, upon deposit of the amount of bail established for the offense charged, together with any required assessment (rather than upon deposit of $25)

(2) Under existing law, persons arrested for certain traffic law offenses are issued a written notice to appear in court

This bill would require the Judicial Council to prepare the form of the notice to appear and would specify that such provisions shall not be construed so as to require that any person issued a notice be informed of the amount of bail required to be deposited

(3) This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1258 (AB 1228) Lanterman Mental health

Under current law a mentally disordered person in a jail may be transferred to a local mental health facility under the Lanterman-Petris-Short Act (LPS)

This bill requires that the local mental health director or his designee, the prosecuting attorney, and the prisoner's attorney be notified of the transfer, provides that a person charged with or convicted of a criminal offense may be concurrently subject to the LPS act and allows jail inmates to obtain voluntary mental health services and to convert to voluntary inpatient status under certain circumstances

Under current law all information and records obtained in the course of providing community mental health services are confidential unless the disclosure comes within specified exception

This bill authorizes a probation officer charged with post conviction evaluation of a person to receive treatment information relative to the evaluation if the person being evaluated authorizes it in writing

In addition this bill allows the county Short-Doyle plan to include the establishment of mental health treatment programs for mentally disordered jail inmates and juvenile detainees

This bill requires the State Department of Health to evaluate each judicially committed patient to determine whether his behavior necessitates treatment in a secure setting

This bill also allows the Department of Corrections and the Youth Authority to provide time off with pay to security and treatment personnel who take approved courses on mental health treatment related to their jobs

Under current law LPS act conservatorship proceedings do not apply to mentally

† Appropriation reduced to $125,000 by action of the Governor

disordered persons in city or county jail custody

This bill allows such conservatorship to be initiated for criminal defendants placed on outpatient treatment, in a state hospital or local mental health facilities or transferred from a state prison and youth authority wards

In addition, this bill requires the State Personnel Board to conduct a feasibility study on authorizing a salary differential to be paid psychiatrists, psychologists and medical doctors who work in the Department of Corrections and the Youth Authority This bill requires the Director of the Youth Authority to study the feasibility of establishing on a required basis mental health treatment facilities for mentally disordered wards This bill requires the State Department of Health to undertake a five-county study to determine the extent to which the need for mental health services among jail inmates and juvenile detainees is being met The bill would specifically prohibit the department from publishing any patient name identifiers

Ch 1259 (AB 1287) Foran Worker's compensation selection of physician

(1) The existing law requires an employer to provide medical, surgical, and hospital treatment reasonably required to cure or relieve from the effects of an injury where liability for compensation exists under workers' compensation

This bill would, in addition, require an employer to provide chiropractic treatment, and would provide that the employee may be treated by a physician of his own choice or at a facility of his own choice within a reasonable geographical area after 30 days from the date the injury is reported

(2) Existing law requires the employer to tender the employee one change of physicians upon request, and specifies that when the employee requests a change of physicians, the employer or insurance carrier shall, within 12 days, nominate five physicians or, if requested by the employee, four physicians and one chiropractor, from among whom the employee may choose

This bill would, instead, specify that when the employee requests such a change of physicians, the employer or insurance carrier shall, within five working days, provide the employee an alternative physician or, if requested by the employee, a chiropractor

(3) This bill would also specify the means by which the employer may request a change of physicians or chiropractor, and would require the Director of the Division of Industrial Accidents of the Department of Industrial Relations to adopt specified rules pertaining to notices and other specified matters

(4) This bill would require an employee, upon selecting a physician, to notify the employer of the name and address of such physician, would require the physician to submit periodic reports to the employer at intervals to be prescribed by the Director of the Division of Industrial Accidents, and would require the employer to make payment for the services of such physician after receipt of the required reports

(5) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill, and would require the Legislative Analyst to report to the Legislature by December 31, 1977, on the net cost of this bill to local agencies

Ch 1260 (AB 1157) Torres Schools transporting adults, pupil transportation fees; schoolbuses

Under existing law, the governing board of any school district may contract for the transportation of pupils attending schools within the district In addition, governing boards are authorized, in limited instances, to transport persons in district-owned equipment Generally, the use of district-owned equipment is limited to field trips and excursions and carrying pupils to and from school

This bill would permit governing boards to contract for the transportation of matriculated or enrolled adults or to provide transportation to adults in district-owned equipment for educational purposes other than to and from school and to charge all or part of the costs of contracting for or providing such transportation services

This bill would authorize the governing board of any school district that provides transportation to pupils to and from school and which does not receive transportation allowances from the State School Fund to require the parents and guardians of pupils to pay a portion of the cost of such transportation.

In addition, this bill would require any governing board requiring such a payment to

exempt the pupils of parents and guardians who are indigent and prohibit the charging of such a payment for the transportation of handicapped children

(2) Existing law defines a schoolbus as any motor vehicle operated and designed in a specific manner which is used for the transportation of any school pupil at or below the 12th-grade level to and from a public or private school or to and from public or private school activities, except, among other vehicles, a motor vehicle operated by a common carrier, or by and under exclusive jurisdiction of a publicly owned transit system, on scheduled runs but not used exclusively for the transportation of school pupils

This bill would restate the definition of schoolbus, to be in effect only until January 1, 1977, to instead, exclude such motor vehicles operated by a common carrier or publicly owned transit system and which are available to the general public

Ch 1261 (SB 688) Alquist Pawnbrokers

Existing provisions of the Financial Code provide that a borrower who pledges goods to a pawnbroker has a right to redeem them at any time during the redemption period

Provisions of the Business and Professions Code relating to secondhand dealers, which are also applicable to pawnbrokers, provide for the holding or releasing of personal property to which those provisions are applicable

This bill would make a clarifying change in the Business and Professions Code provisions stating that they do not apply to the holding of personal property pledged to a pawnbroker with regard to the redemption of personal property by the pledger

Ch 1262 (SB 853) Moscone Department of Consumer Affairs

Existing law assigns consumer protection functions to the Department of Consumer Affairs

This bill would require the annual report of the Director of the Department of Consumer Affairs to include an evaluation of consumer programs of state agencies.

The bill would specifically permit the director to contract for the services of experts and consultants

The bill would specifically give the director or the Attorney General the power to commence legal proceedings to protect consumer interests

Existing law permits the director to establish a consumer library and bibliography This bill would specifically require the establishment of this library and bibliography

Existing law permits the director, as well as other specified persons, to intervene in matters before agencies or courts only where the matter does not involve an alleged violation or the suspension or revocation of a license This bill would permit such intervention in any matter which may affect substantially the interests of consumers, and would also permit commencement of legal proceedings to enjoin any unlawful act or practices or intended act or practice which are damaging to the interests of consumers, and to seek other appropriate relief

Ch 1263 (AB 469) Ralph Workers' compensation

Existing law excludes from coverage under the Workers' Compensation Law (1) any person whose employment is both casual and not in the course of the trade, business, profession, or occupation of his employer, (2) any person engaged in household domestic service (including the part-time care and supervision of children in a private residence), unless employed by one employer for more than 52 hours per week, and (3) any person engaged as a part-time gardener in connection with a private dwelling unless the number of hours devoted to such work for any individual employer exceeds 44 hours per month

This bill would remove such exclusions to bring such persons formerly excluded within the scope of such law, and would specifically include within the scope of such law persons employed by the owner of a private dwelling whose duties are incidental to the ownership, maintenance, or use of the dwelling, including the performance of household domestic service and babysitting services This bill would, however, exclude from such coverage those persons employed in such capacities by a parent, spouse, or child.

Existing law requires employers subject to workers' compensation to post specified notices stating their current compensation insurance carriers

This bill would exempt from such posting requirement employers of those employees

brought within the Workers' Compensation Law by this bill

Existing law makes it a misdemeanor for an employer to fail to secure the payment of workers' compensation, and allows an unpaid employee to attach the property of such an employer It requires the Director of Industrial Relations to enforce such provisions, and to require employers to provide him with certain information It also provides for the assessment of various penalties to be deposited in the Uninsured Employers Fund

This bill would exempt the employers of household domestic employees brought within the Workers' Compensation Law by this bill from the criminal provisions and from the demands of the director for information

Existing law specifies that, in computing average annual earnings for the purposes of temporary disability indemnity, the average weekly earnings shall be taken at not less than $52 50 nor more than $178 50

This bill would instead provide that, with regard to temporary disability indemnity only for household domestic employees and specified periodical sellers designated in the bill, the average weekly earnings shall be taken at not less than the lesser of $52 50 or 1 2 times the employee's actual weekly earnings, nor more than $178 50

Existing law limits liability for occupational disease or cumulative injury to those employers who employed the employee during the five years immediately preceding the date of the injury, or the last date on which the employee was employed in an occupation exposing him to occupational disease or cumulative injury, whichever occurs first

This bill would make such limitation inapplicable to employees brought within the scope of the Workers' Compensation Law by this bill, and, would instead, limit liability for occupational disease or cumulative injury which results from exposure during such employment to those employers for whom the employee actually worked during the last day of exposure, or, if such employers did not have compensation coverage, then to the last employer for whom the employee actually worked

This bill would also make related changes and repeal inconsistent provisions in the Workers' Compensation Law

This bill would also remove the prohibition contained in existing law against a county mutual fire insurer transformed into a general mutual insurer from engaging in workers' compensation insurance

This bill would provide that insurers admitted to transact liability insurance shall be deemed to be admitted to transact workers' compensation insurance covering employees covered by this bill

This bill would also prohibit, with designated exceptions, any policy of insurance providing comprehensive personal liability coverage, or endorsement thereto, from being issued, amended, or renewed in this state, on or after January 1, 1977, unless it contains a provision for coverage against liability for payment of workers' compensation to persons brought within scope of Workers' Compensation Law by this bill This bill would require deletion of such coverage by the insurer upon the written request of the insured certifying that the insured employs no employee included under the Workers' Compensation Law The bill would require insurance agents, brokers, or solicitors to inform the insured, prior to selling such a policy of insurance, of the nature of such coverage and the right to reject it, and of his right to execute a rejection form therefor

Existing law requires workers' compensation insurers to maintain a bond with the Insurance Commissioner, in a specified amount, for the beneficiaries of awards of compensation against the insurer, or against any other insurer upon a policy reinsured by the insurer, to the extent of such reinsurance

This bill would exempt insurers issuing workers' compensation insurance covering employees subject to this bill from such bond requirements

The bill also would make additional changes in Section 3352 of the Labor Code, to be operative only if SB 548 and this bill are both chaptered, and this bill is chaptered after SB 548

The bill would become operative January 1, 1977

Ch 1264 (AB 952) Papan Public utilities persons and corporations violations

Present law generally declares that any person knowingly stating as true under oath or certifying under penalty of perjury any material matter which he knows to be false constitutes perjury, and provides penalties therefor

This bill would specifically make any public utility on whose behalf any officer or agent knowingly states as true under oath or certifies under penalty of perjury any material matter which he knows to be false guilty of a felony, and would specify the punishment therefor

The bill would prohibit any documents or records of a public utility or person or corporation which purport to be statements of fact from being admitted into evidence before the commission or from serving as the basis for testimony by any person unless the documents or records have been certified under penalty of perjury by the person preparing or in charge of preparing them as being true and correct unless such person is dead or incompetent, in which case any person having knowledge of the facts may certify such records The bill would provide that if certification pursuant to these provisions is not possible for any reason, the records shall not be admitted unless admissible under the Evidence Code The bill would also specify that this provision shall not apply to any documents not prepared, directly or indirectly by, or under the supervision or direction of, the public utility or person or corporation offering the documents into evidence

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 1265 (SB 337) Wedworth Physician's assistants

Existing law provides that a person employed as an assistant to a physician must be supervised by a specific physician approved by the Board of Medical Examiners

This bill would authorize the director of an emergency care department in a hospital which has an approved physician's assistant program to apply to the board for authorization for such director to approve emergency care physicians on the staff of such hospital to supervise such assistant

The bill would provide that any violation of any of the provisions of law relating to physicians assistants is grounds for the suspension of such approval of the director and the hospital from further participation in a physicians assistants program

The bill would prescribe the fees for applications and approvals authorized by the act

Ch 1266 (SB 523) Presley Juvenile court law

Under present law, a minor's offense, in itself is not sufficient to support a finding that a minor is not a fit and proper subject to be dealt with under juvenile court law

This bill would, instead, provide that the circumstances and gravity of the offense and other factors, as specified, may support such a finding

Present law provides for a rehearing with regard to a hearing on the detention of a minor under designated circumstances

This bill would provide for a rehearing in such a proceeding on the issue of whether a prima facie case against the minor has been presented when the minor or his attorney requests evidence of a prima facie case

This bill provides that certain persons eligible for Youth Authority commitment may be remanded, prior to sentence, to the Youth Authority for evaluation and report

Additionally, it would provide that neither reimbursement nor appropriation is made by the act for costs incurred by any local agency pursuant to the act because such costs are minor

Ch 1267 (AB 1274) Sieroty Narcotics and drug abuse diversion

Existing law authorizes diversion of specified first-time drug offenders for treatment instead of criminal prosecution

This bill would permit the diversion of offenders meeting specified criteria who have not been diverted within the five years prior to the alleged commission of the divertible offense and would revise the procedures for diversion and reinstitution of criminal proceedings as specified

The bill would provide that a record pertaining to an arrest resulting in a successful diversion shall not without the divertee's consent be used in any way which could result in the denial of any employment, benefit, license, or certificate

This bill would delete the simultaneous possession of phenylacetone and methylamine with specified intent, and would include marijuana cultivation and related conduct for

personal use, inhaling poisonous fumes, being under the influence of a controlled substance, and certain possession of hypnotic and other specified drugs as offenses for which such diversion would be authorized

This bill also extends the termination date of January 1, 1977, to January 1, 1979, for the operation of these provisions

This bill would provide that there shall be no appropriation made for the reimbursement of local agencies

Ch 1268 (SB 868) Greene Children

Existing law provides that there may be paid for a period of not to exceed three years an amount of financial assistance to adoptive parents of a hard-to-place child, which amount of assistance shall not exceed that which would be paid for foster care of such child if the placement for the adoption had not taken place Existing law also permits additional financial assistance to such parents for a period of not more than two years under specified conditions

This bill would provide that the time limitation in which such financial assistance may be made available to such adoptive parents shall not exceed five years, but would permit, at the end of the initial period, if there is a continuing need related to a chronic health condition of the child which necessitated the initial assistance, a parent of such adopted children to petition for continual financial assistance

This bill would require that the provisions of this act amending Section 16120 of the Welfare and Institutions Code apply to all hard-to-place children who were adopted either prior to the operative date of this act or on or after the operative date of this act

Under present law juvenile court proceedings are commenced by the filing by the probation officer of a petition to have a child adjudged a ward or a dependent child of the juvenile court

This bill would provide that for the purpose of child abuse prevention and treatment grants to states the probation officer or a social worker who files a specified petition shall be the guardian ad litem to represent the interests of the minor in the related proceedings, unless another person is so appointed, in all cases in which a petition is filed based on neglect or abuse of a minor, or in which a prosecution arising from neglect or abuse of the minor is initiated and would prohibit the requiring of any bond from any such guardian ad litem

Ch 1269 (AB 1821) Montoya Schools vocational education school finance

(1) Under current law, there are several state, regional, and local entities which provide or coordinate vocational education in the state

This bill would repeal provisions which (1) establish within the state 15 vocational areas, establish area vocational planning committees in at least 4 such areas, and require the State Board of Education and the Board of Governors of the California Community Colleges to develop and annually update a state master plan for vocational education, (2) create Area Adult Continuing Education Coordinating Councils in areas of the state having a community college and an adult high school and which prescribe the membership and functions of such councils

This bill would provide for the creation of regional adult and vocational education councils, composed of representatives of local educational agencies, to review and make recommendations on vocational and adult continuing education courses and to prevent unnecessary duplication of such courses within a region The bill would also provide for the creation of advisory committees to such councils

This bill would prescribe the powers and duties of such councils and prescribe the duties of the Superintendent of Public Instruction and the Chancellor of the California Community Colleges with respect to such councils

(2) The bill would appropriate $3,100,000 † from the General Fund to the Department of Education, Chancellor's Office of the California Community Colleges, and the Board of Governors of the California Community Colleges to be allocated as specified, for the purposes of this bill

† Appropriation reduced to $1,850,000 by action of the Governor

Ch 1270 (AB 1031) Vasconcellos Postsecondary education student aid

(1) Current law prescribes a series of programs for providing aid to postsecondary students The State Scholarship and Loan Commission is given numerous and various powers and duties with respect to these programs

This bill would reorganize the provisions relating to these programs in a new division to be added to the Education Code The State Scholarship and Loan Commission would be renamed the Student Aid Commission The commission would have 11 members and this bill would prescribe the method of appointment

(2) This bill would establish a new grant program known as the California Educational Opportunity Grant program or "Cal Grant " The bill would specify that there shall be 20,425 new awards each year under the program, beginning with the 1977–78 fiscal year The bill would specify the terms and qualifications for each type of grant

(3) Current law provides for the state competitive scholarship program, the college opportunity grant program, and the occupational education and training grant program and prescribes various maximum numbers of awards which may be made under such programs

This bill would prohibit any new awards under such programs after the 1976–77 fiscal year and would repeal the provisions authorizing such programs

Ch 1271 (AB 600) Lewis Consumer credit reporting

The Consumer Credit Reporting Act in California provides regulation and disclosure procedures for consumers who are the subject of a credit reporting agency file and provides judicial relief for willful misrepresentation of credit data Reporting agencies are required to disclose the contents of files to the consumer upon proper request and allow consumers to rebut, in writing, contents of the file in dispute, with provision for the written rebuttal to be included in any subsequent reports

This bill would expand the coverage of the act to include reporting for employment and insurance purposes, as well as for consumer credit, and other related purposes It would prohibit the use of stale and obsolete credit data, impose restrictions on the compilation and use of credit data, limit the distribution of credit reports, expand consumer access to his credit file, including the obtaining of copies upon payment of a fee, and provide additional judicial relief

Ch 1272 (AB 601) Lewis Investigative consumer reporting agencies

Present law provides for nonlicensure regulation of credit reporting agencies providing credit information or credit ratings on a consumer The law, however, provides no specific nonlicensure regulation for investigative consumer reporting agencies engaged in the practice of assembling or evaluating employment and insurance information for the purposes of furnishing such reports to third parties

This bill enacts the "Investigative Consumer Reporting Agencies Act," which provides a nonlicensure program and establishes guidelines relating to persons, organizations, or businesses to which such reports may be released, and provides remedies for persons who have been the subject of reports by such agencies

Ch 1273 (AB 165) Murphy Mobilehomes standards inspections

(1) Existing law requires every mobilehome which is sold, offered for sale, rented, or leased within the state to bear the insignia of approval, issued by the Department of Housing and Community Development, indicating compliance with the regulations of the Commission of Housing and Community Development which were in effect on the date of manufacture of the mobilehome Existing law also requires that a permit be obtained from the department or the city or county which has assumed responsibility for enforcement each time a mobilehome which is required to be moved under permit is located or installed on any site for use as a dwelling The mobilehome being installed must be inspected for defects by the enforcement agency prior to occupancy

This bill would require the commission to adopt regulations re inspection of a mobilehome during the construction process and would prohibit the affixing of an insigma of approval on a new mobilehome which has not been inspected pursuant to such construction inspection regulations

The bill would require the enforcement agency, when making mobilehome installation inspections, to inspect specifically for defective workmanship, and would require

that the enforcement agency's notification report to the department, if the mobilehome cannot be approved for occupancy at the time of the mobilehome installation inspection, indicate health and safety defects and, in the case of new mobilehomes, substantial defects of materials and workmanship, as defined The bill would also delete the restriction that inside inspections of the mobilehome installation be limited to electrical, water, and gas systems

(2) Under existing law, the fee for a permit for the installation of a mobilehome is required to be commensurate with the cost of inspection but not to exceed $30

This bill would provide that the fee for inspection shall not exceed $40

Ch 1274 (AB 1229) Lanterman Mental health

Under current law the court is required to direct a defendant, who is not guilty of a crime by reason of insanity, to be confined in a state mental hospital or, in the case of a defendant incompetent to stand trial, to be confined to a state hospital or public or private hospital, sanitorium, or facility

This bill authorizes the court as an alternative to such confinement to direct, after certain evaluations, the defendant to an approved public or private mental health facility or to undergo outpatient treatment established pursuant to the bill It also provides that if a person has been found guilty of certain specified crimes, the court shall direct that the person be confined in a facility for at least 90 days before such person may be released on outpatient treatment In addition the bill authorizes the transfer of the defendant between a state hospital and a public or private mental health facility

The bill establishes an outpatient treatment procedure for a defendant who is not a danger to the health and safety of others and who will benefit from it and for the procedure upon restoration to competence

Under current law a defendant committed to a state hospital or other facility may be treated as an outpatient under certain circumstances upon approval by the court of notice of intent to do so

This bill requires certain procedures to be followed prior to such notice, during the outpatient treatment period, and upon restoration of the defendant to competence

The bill requires the Director of Health to conduct a study on cost and duration of treatment on patients committed to state hospitals and those committed to other facilities or placed in outpatient status

The bill provides for 100 percent state funding for defendants judicially committed to inpatient or outpatient local facilities or local care

Under current law the court may commit a mentally disordered sex offender to the state hospital for an indeterminate period

This bill authorizes the court as an alternative to such commitment to commit such person to the county mental health director for placement in an approved public or private mental health facility for an indefinite period after an evaluation and recommendation The bill also authorizes the transfer of such person between a state hospital and public or private facility under certain circumstances A person in a state hospital or other facility may be transferred to outpatient status if he is no longer a danger to the health and safety of others upon an approved court petition It also provides that if a person has been found guilty of certain specified crimes, a petition for outpatient treatment must not be filed by the superintendent of the facility in which the person is committed for at least 90 days

This bill would also require the court to advise the county mental health director or his designee of specified findings

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 1275 (AB 11) McAlister Eminent domain

This bill, to be operative July 1, 1976, with specified exceptions for actions commenced prior to such date, revises existing statutory provisions relating to eminent domain, to make substantive and clarifying changes, to incorporate recommendations of the California Law Revision Commission, including the following changes

(1) Under existing law, various public agencies are required to adopt resolutions of public necessity before exercising the power of condemnation

This bill extends the requirement to all public agencies with a uniform procedure to

be followed, except as otherwise provided

(2) Existing law does not prescribe any procedures for the condemnation of property for future use

This bill makes specific provision for such condemnation

(3) Under existing law various public agencies are specifically authorized to condemn property in exchange for property needed for public use

This bill would provide a procedure, applicable to public agencies generally, to accomplish such condemnation

(4) Under existing law a condemnor could acquire possession of the property upon deposit of money prior to judgment of condemnation only if the property is to be taken for right-of-way, or reservoir purposes

This bill would expand such authorization to all public agencies, specify procedures therefor, with various safeguards provided, including restrictions in cases of hardship

(5) Under existing law a condemnor may, prior to condemnation, enter property for purposes of surveys and tests, subject to damages for injury, including court costs and reasonable attorneys fees.

This bill limits the award of attorneys' fees to cases where the entry is unlawful or if the condemnor acts abusively or lacking in due regard for the owner, or substantially fails to comply with a court order

This bill, however, expands the recovery in such cases to include recovery for expenses of litigation, as defined

(6) Existing law contains various provisions relating to the condemnation of property of little market value which remains after a partial condemnation

This bill provides a general procedure for such condemnation

(7) Under existing law a procedure is specified to determine priorities in condemnation devoted to a public use

This bill makes various changes in such procedures, including the requirement of joint use of property sought to be condemned upon various conditions of compatibility

(8) Under existing law provision is made to provide procedures for the discovery of evidence in eminent domain proceedings

This bill makes several changes in the procedures, including discovery without court order in certain situations

(9) Under existing law compensation is awarded on the basis of the value of property at the time of the issuance of summons or, in certain cases, at the date of trial

This bill substitutes the date of commencement of the action for the date of summons issue as the date at valuation, authorizes a valuation date based on the date of court deposit of probable compensation for the property, makes specific provision for a valuation date in case of a new trial, and makes other changes

(10) Under existing law no provision is made to make compensable "business goodwill" in condemnation awards

This bill makes provision for such compensation

(11) Under existing law certain fixed equipment designed for manufacturing or industrial purposes in land to be condemned is included in determining compensation

This bill would extend the compensation to any machinery or equipment which cannot be removed without a substantial economic loss in value or without substantial damages to the condemned land

This bill would authorize extraterritorial condemnation by local public entities for specified purposes if they are authorized to acquire property by eminent domain for the purposes for which the property is to be acquired

This bill would make changes to conform provisions with changes relating to open space proposed by AB 1164, to become operative only if AB 1164 is chaptered and becomes effective January 1, 1976

Ch 1276 (AB 131) McAlister District eminent domain powers

The existing law relating to eminent domain is contained in the Code of Civil Procedure and in statutes regulating various specific governmental agencies and types of governmental agencies

This bill is part of a series of proposals recommended by the California Law Revision Commission to recodify the entire body of law relating to eminent domain

Assembly Bill No 11 contains the principal recodification of such law as the Eminent

Domain Law, in the Code of Civil Procedure

This bill would delete and revise eminent domain provisions in various special district acts, to become operative only if AB 11 is chaptered and becomes operative, the intent being that the eminent domain matters involved will be covered by the proposed Eminent Domain Law

This bill would also make technical, nonsubstantive changes

This bill would make additional changes in Section 7 of the Ventura County Flood Control Act, proposed by SB 530, to be operative only if this bill and SB 530 are both chaptered and effective January 1, 1976, and this bill is chaptered after SB 530

This bill would make additional changes in Section 2 of the Los Angeles County Flood Control Act, proposed by SB 920 or SB 921, or both, to be operative only if this bill and SB 920 or SB 921, or both, are chaptered and become effective January 1, 1976, and this bill is chaptered last

Ch 1277 (SB 120) Moscone Child nutrition financing

This bill would enact the Child Nutrition Facilities Act of 1975

(1) Existing statutes authorize food sales by student organizations on school premises but prohibit such sale during the school day of food items prepared on the premises, as determined by regulations of the Superintendent of Public Instruction This bill deletes such prohibition and, instead, directs the Department of Education to adopt regulations governing food sales by student organizations which shall insure optimum participation in school district nonprofit food service programs This bill would prohibit a statutory construction exempting such food sales which would otherwise be subject thereto, from the California Restaurant Act This bill also specifies that such provisions do not apply to community college districts

(2) Existing statutes authorize a school district override tax of not to exceed $0 05, in excess of the district's maximum tax rate, for purposes of providing school meals for needy pupils This bill would authorize use of such override tax revenues to provide related facilities and equipment

(3) Existing provisions of the Child Nutrition Act of 1974 provide for state disbursement to school districts, local agencies, and other institutions for school and child care and development meals provided thereunder to enrolled children, of $0 05 (with possible prescribed adjustments) for each breakfast and $0 05 (with possible prescribed adjustments) for each lunch served This bill would revise such provisions to, among other things, provide specifically for such disbursements to any school districts, county superintendents of schools, certain child development programs and any local agency, private school, or parochial school, which qualify for specified federal aid under the federal school lunch program or the federal child nutrition program This bill would also make various related, technical, and clarifying changes in the Child Nutrition Act of 1974 and the Moretti-Lewis-Brown-Rodda Child Development Act

(4) Existing statutes do not require school districts or county superintendents of schools to provide free or reduced-price lunches or breakfasts to needy pupils This bill would require, commencing on July 1, 1977, all school districts and county superintendents of schools maintaining any kindergarten or any of grades 1 to 12 to provide one free or reduced-price breakfast or lunch to each enrolled needy pupil, require specified school districts and county superintendents of schools to submit specified implementation plans to the Superintendent of Public Instruction by July 1, 1976, require the State Board of Education to adopt standards and guidelines and to define "needy pupil" within specified federal limitations, define "nutritious breakfast or lunch", authorize districts and county superintendents of schools having inadequate facilities to contract for such services, require the Superintendent of Public Instruction to supervise and investigate such program, and to certify noncompliances to the Attorney General who is required, when so requested, to investigate noncompliances and to seek injunctive relief, and provide a private right of action to secure compliance This bill would also provide, for specified reasons that neither appropriation is made nor obligation created for the reimbursement of any school district or county superintendent of schools for any costs incurred by it pursuant to these provisions, which are not otherwise reimbursed under state and federal law

(5) This bill would establish a State Child Nutrition Fund, a continuously appropriated fund, to carry out the purposes of specified provisions relating to child nutrition This

bill would require reimbursement (a) pursuant to the Child Nutrition Act of 1974, of all school districts, county superintendents of schools, local agencies, private schools, parochial schools, and child development programs, which participate in the federal school lunch program or the federal child nutrition program which are defined, and are hereinafter referred to, as child nutrition entities, on the basis of $0 05 (with possible prescribed adjustments) for each breakfast and $0 05 (with possible prescribed adjustments) for each lunch, and (b) of all school districts and county superintendents of schools, of the difference between the current fiscal year average statewide lunch or breakfast cost for all free and reduced-price meals, as determined by the Superintendent of Public Instruction, and the combined per meal income from pupil charges, federal funds, and the state funds provided pursuant to the provisions described in item (4) above, with reductions of reimbursements to school districts for computed school district contributions This bill would require the computation of the school district contribution by applying a $0 05 tax rate to the assessed valuation of the district and dividing the result by the number of meals served by the district to needy pupils in the current fiscal year This bill would prohibit combined state and federal reimbursements from exceeding current fiscal year average statewide lunch or breakfast costs and would provide, in such event, for expenditure of federal funds prior to the expenditure of any state funds This bill would require such allowances to be made 3 times during each fiscal year, as prescribed

(6) This bill would authorize expenditure, from funds in the State Child Nutrition Fund specifically appropriated therefor, of not to exceed 20% thereof for state administrative expenses and not to exceed 80% thereof for allowances to child nutrition entities for specified nutrition education programs and related administrative expenses of the Department of Education

(7) This bill would also appropriate to the State Child Nutrition Fund (a) (1) for fiscal year 1975–76, not to exceed $9,500,000, (2) the unexpended balance of Item 319 of the Budget Act of 1975, by reappropriation, for fiscal year 1975–76, and (3) for each fiscal year thereafter, the amount recommended as necessary for specified reimbursements by the Superintendent of Public Instruction and established pursuant to the annual Budget Act, and (b) not to exceed 2½% of such sum each fiscal year, for expenditure for purposes of item (7) above

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

Ch 1278 (SB 687) Rains Courts Santa Barbara County

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Santa Barbara County and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of each such county and the Legislature

(2) Existing law specifies annual salaries for regular official reporters and a per diem rate for reporters pro tempore of the superior and municipal courts of Santa Barbara County

This bill would set forth a biweekly salary schedule for regular official reporters of the superior and municipal courts and would add reporting proceedings before coroner's inquests to the services for which official reporters of the superior court are to be compensated under the salary schedule

The bill would specify the time sequence for advancement on the salary schedule

The bill would also require regular official reporters of the superior court to render, stenographic or clerical assistance, at no additional compensation to that court as directed by the presiding judge or court administrator when such reporters are not actually performing other lawfully imposed duties

The bill would further require that each regular official reporter be entitled to receive the equivalent of one day per month sick leave, cumulative year to year without limit, the unused portion of which would be returned to the reporter in monetary compensation in accordance with the policy in effect for employees of Santa Barbara County at

the time of the reporter's termination of employment Each such reporter would also be entitled to accrue and use vacation credit at the same rate and subject to the same conditions as regular county employees

The bill would specify also that reporters pro tempore of the superior and municipal courts be paid $76 per day

The bill would also provide that the rates of compensation of regular official reporters and official reporters pro tempore may be adjusted by the board of supervisors and a majority of the judges of the court, any such adjustments would be effective only until January 1, 1978, unless ratified prior to that date by the Legislature

(3) Existing law also makes provisions for personnel in the Santa Maria and Santa Barbara-Goleta municipal courts

This bill would add specified positions and make various revisions in such personnel classifications in the Santa Maria and the Santa Barbara-Goleta municipal courts The bill would also provide that salary increases authorized for employees in such municipal courts by the county board of supervisors would be effective only until January 1, 1978, unless ratified prior to that date by the Legislature

(4) The bill would make certain findings declaring that the subject of the bill requires legislative action affecting only certain counties

(5) Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

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

Ch 1279 (SB 1036) Zenovich Municipal court employees Fresno and San Luis Obispo Counties

(1) Existing law provides for the classification of and salaries and fringe benefits for municipal court employees in Fresno County

This bill would increase the salaries and fringe benefits for, and change some of the classifications of, municipal court employees in Fresno County

(2) Existing law also prescribes various salary levels and schedules for municipal court employees in San Luis Obispo County

This bill would make various revisions in such salary levels and schedules for municipal court employees in San Luis Obispo County.

(3) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch 1280 (AB 2229) Craven Courts

(1) Existing law specifies the classifications for municipal court employees in San Diego County, sets out a monthly salary, and specifies benefits for those employees

This bill would eliminate the monthly salary schedule for municipal court employees in San Diego County, and instead would incorporate the biweekly salary schedule adopted by the Board of Supervisors of San Diego County for compensation of classified municipal court personnel

The bill would also make minor revisions in the classifications of and the benefits for municipal court employees in San Diego County

(2) Existing law specifies the salaries for regular official reporters and official reporters pro tempore in Riverside, Imperial and San Bernardino Counties, and court filing fees in San Bernardino County This bill would increase the salaries for regular official reporters and official reporters pro tempore in Riverside, Imperial and San Bernardino Counties and would increase the court filing fees in San Bernardino County

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

This bill would require the Judicial Council to also provide for the maintenance of such records for San Bernardino County and to also audit and inspect such records and submit an annual report of the records to the board of supervisors of the county and the Legislature

The bill provides that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because this act is in accordance with the request of a local governmental entity or entities which desired legislative authority to act to carry out the program specified in this act

DIGESTS OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED IN 1975

1975–76 REGULAR SESSION

RESOLUTION CHAPTERS

Res Ch 1 (ACR 1) Dixon Legislative Counsel of California.
Designates George H Murphy as the Legislative Counsel of California

Res Ch 2 (SCR 1) Mills Organizational recess bill introduction
This resolution provides that following the meetings of the Legislature on December 2, 1974, each house shall be in recess from such time as the house determines, but not later than December 6, 1974, and until January 6, 1975
The resolution further sets forth a procedure for introduction, numbering, printing, and referral of bills during the recess, providing that such bills shall be read in each house for the first time upon reconvention of the Legislature in January The resolution additionally provides for the printing of journals and daily and weekly histories during the recess

Res Ch 3 (ACR 8) Beverly City charters
Approves amendments to Charter of City of Redondo Beach

Res Ch 4 (SCR 3) Holden Air pollution oxides of nitrogen control device violations
Under present law and administrative regulation oxides of nitrogen control devices are required to be installed on 1966 through 1970 model year vehicles having a manufacturer's gross weight rating of under 6,001 pounds in the South Coast Air Basin according to a schedule and in the remainder of the state upon initial registration and upon transfer of ownership and registration
This measure would request the California Highway Patrol not to cite vehicle owners whose vehicles violate the oxides of nitrogen control device requirements until March 4, 1975

Res Ch 5 (ACR 21) Hayden City charter
Approves amendment to the Charter of the City of Gilroy.

Res Ch 6 (SCR 12) Dills Joint Legislative Committee on Public Domain
This resolution would create the Joint Legislative Committee on Public Domain to continue the activities of a predecessor joint committee of the same name which expired on December 31, 1974 (see Resolution Chapter 71, Statutes of 1971, and Resolution Chapters 2 and 87, Statutes of 1973) The authorized functions of the committee would be the same as that of its predecessor, except that any power or duty now or hereafter assigned to the committee with respect to mineral resources would expressly include, but not be limited to, geothermal resources
The committee would be, as was its predecessor, empowered to make studies and recommendations in the subject areas of revenues from development of tidelands, land management policies of other states, lands and rights in lands owned or administered by the State of California, benefits from mineral resources on state-owned lands, access to wilderness and park areas in the public domain, and determination of whether the state is receiving a fair price for its mineral deposits
The resolution would ratify, confirm, and validate any acts taken by or in the name of the predecessor committee between January 1, 1975, and the effective date of the resolution
The resolution would provide that the committee shall cease to exist on July 1, 1975
The resolution would make available ~~an unspecified amount~~ [$40,700] *, or so much thereof as necessary, from the Contingent Funds of the Assembly and Senate for expenses of the committee

Res Ch 7 (ACR 7) Badham Passing of Assemblyman Carlos Bee
Expresses sorrow of Legislature at passing of Assemblyman Carlos Bee

Res Ch 8 (ACR 24) Kapiloff. County charters
Approves amendments to the Charter of the County of San Diego

Res Ch 9 (ACR 25) Carpenter City charter
Approves Charter of the City of Cypress

Res Ch 10 (SCR 18) Petris Honorable Harry K Tokatlides
Commends the Honorable Harry K Tokatlides, Member of the Parliament of Greece, and welcomes him upon his arrival in the capital of the State of California.

Res Ch 11 (SCR 9) Marks Sears, Roebuck, & Company
Urges that every effort be made to persuade Sears, Roebuck, & Company to take specified actions to extend the closing date of its Mission District store in San Francisco

Res Ch 12 (ACR 27) McCarthy Legislature meeting
Provides that each house of the Legislature shall convene on the day of February 13, 1975, at the Sacramento Community Center

Res Ch 13 (ACR 34) Perino. City charters
Approves an amendment to the charter of the City of Stockton

Res Ch 14 (SCR 19) Ayala City charters
Approves amendments to the charter of the City of San Bernardino.

Res Ch 15 (ACR 17) McAlister California Law Revision Commission
Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature

This resolution authorizes the commission to continue its study of numerous, specified topics which the Legislature has previously authorized or directed the commission to study, approves removal of one topic from the commission's calendar concerning the question whether the law relating to the right of nonresident aliens to inherit should be revised, and authorizes the study of five additional topics which the Legislature has not previously authorized the commission to study, including questions of whether the law should be revised as it relates to transfer of out-of-state trusts, class actions, offers of compromise, discovery in civil cases, and possibilities of reverter and powers of termination

Res Ch 16 (AJR 4) Lancaster. State and local assistance.
This measure would memorialize Congress to redefine "tax effort" for purposes of determining allocation of funds to local government under the State and Local Assistance Act of 1972, in order to allocate a larger share of such funds to cities and counties

Res Ch 17 (ACR 4) Cullen Telecommunications state
Present law does not provide for the review of state plans and controls for the use of data communications by state agencies nor for the preparation of a draft of a statewide data communication system master plan

This measure requests the Department of Finance to continually review the adequacy of state plans and controls for use of data communications by state agencies

The resolution also requests the Department of General Services, with the assistance of the Department of Finance, to develop and submit to the California Information Systems Implementation Committee by April 1, 1975, a draft of a master plan for a statewide data communication system

Res Ch 18 (ACR 19) Cullen State highways Route 405 ramp construction in City of Carson

Under existing law the Department of Transportation plans and constructs freeways, and interchanges therewith, on state highway routes designated by statute

This measure would request the department to commence construction of 2 planned interchange ramps connecting Route 405 and Avalon Boulevard in the City of Carson on or before July 1, 1976

Res Ch 19 (ACR 20) Keene State highways Route 162 bridge

Under existing law the Department of Transportation constructs highways and appurtenant structures on state highway routes designated by statute

This measure would request the Department of Transportation to study the feasibility of constructing a new, all-weather bridge and approaches on Route 162 at its crossing of the Middle Fork of the Eel River near Covelo, Mendocino County, and to report its findings to the Legislature by April 1, 1976

Res Ch 20 (ACR 23) Vicencia. State Highway Route 91 Bellflower

This measure would request the Department of Transportation (1) to expedite the environmental assessment of the proposed project to construct State Highway Route 91 ramp connections to Downey and Clark Avenues in the City of Bellflower so that environmental clearance for the project can be secured in 1975, and (2) to expedite, following such clearance, the planning and design of the project so that construction can commence during the 1976–77 fiscal year

Res Ch 21 (SCR 26) Dunlap City charters

Approves an amendment to the Charter of the City of Santa Rosa

Res Ch 22 (ACR 9) Antonovich Highways Route 210—Sunland Boulevard connection

Under an existing state contract, construction of a segment of Interstate Route 210 from Lowell Avenue to a point $^{9}/_{10}$ of a mile east of Sunland Boulevard in the City of Los Angeles, commonly known as the Foothill Freeway, is to be completed in early 1976

This measure would request the Department of Transportation to take whatever steps are necessary to effect construction of a temporary roadway connection between the end of the freeway construction $^{9}/_{10}$ of a mile east of Sunland Boulevard and Sunland Boulevard, such connection to be completed at the same time as the Foothill Freeway segment

Res. Ch 23 (ACR 44) Brown City and county charter

Approves amendments to the Charter of the City and County of San Francisco

Res Ch 24 (SCR 15) Zenovich Joint Committee on Community Development and Housing Needs continuance.

Authorization for the Joint Committee on Community Development and Housing Needs will expire March 31, 1975

This measure would continue the committee in existence until December 31, 1975, and would increase its membership from 6 to 8

Res Ch 25 (SCR 17) Whetmore Joint Committee on the Arts

Under existing rules of the Legislature, the Joint Committee on the Arts, created by Resolution Chapter 67 of the Statutes of 1974, consists of two Members of the Senate and two Members of the Assembly

This resolution would increase the membership of such joint committee to three Senators and three Assemblymen

Res. Ch 26 (SCR 11) Petris. Lewis F Sherman

Extends deepest sympathies to the family of the late Alameda County Superior Court Judge, Lewis F Sherman

Res Ch 27 (SCR 27) Mills Bills
This measure would adopt two temporary joint rules for the 1975–76 Regular Session of the Legislature The first rule would govern introduction of bills in the same manner as former Joint Rule 54 (1973–74 Regular Session) except there would be no restricted introduction based upon the date of submission of bill requests to the Legislative Counsel The second rule would establish a series of deadlines for consideration of bills by standing committees and action on bills by the respective houses

Res Ch 28 (SJR 8) Way Tractors rollover protection standards
This measure would memorialize the Secretary of Labor to withhold the adoption of federal rollover protection standards for farm tractors

Res Ch 29 (SJR 15) Marks Development of waterborne commerce
This measure would memorialize the President and Congress to appropriate funds to the Secretary of the Army for expenditure by the Chief of Engineers to provide a comprehensive program of commodity flow analysis for waterborne commerce and the maritime industry in this state in cooperation with the state

Res Ch 30 (SCR 31) Stevens Volunteer Recognition Week
Proclaims the week of April 20 through April 26, 1975, as Volunteer Recognition Week

Res Ch 31 (SCR 10) Mills Bikecentennial Route.
This resolution would officially designate portions of State Highway Routes 1, 5, and 101 as a Bikecentennial Route through 1983, and would request the Department of Transportation to erect and maintain appropriate signs on the route and to prepare adequate maps for bicyclists who may wish to use the route

Res Ch 32 (ACR 55) Duffy City charters
Approves an amendment to the Charter of the City of Visalia

Res Ch 33 (AJR 3) Keene Reforestation and timberland improvement
Under existing law, the federal government is empowered to administer and manage the timber resources of national forest lands, including providing for reforestation and timber stand improvement
This measure would memorialize the President to support, and the Congress to enact, laws appropriating funds for, and making such changes in statutes as are necessary or desirable to provide, an expanded program for reforestation and timber stand improvement work on national forest lands

Res Ch 34 (SCR 35) Mills Bills
This measure would adopt a temporary joint rule for the 1975–76 Regular Session of the Legislature
This rule would permit a bill to be heard or acted upon by a committee or by either house if the Legislative Counsel's Digest indicates it is to go to fiscal committee, has been introduced for 15 days, has been in print for 10 days, and, if enacted, will not take effect immediately
The rule would cease to be operative on May 16, 1975

Res Ch 35 (SCR 33) Petris City charters
Approves amendments to the charter of the City of Albany

Res Ch 36 (ACR 64) Thurman City charters
Approves amendments to the Charter of the City of Modesto

Res Ch 37 (ACR 36) Perino State Highway Route 120 Manteca
This measure would request the Department of Transportation to budget, from its contingency funds, for the initial construction of State Highway Route 120 between Interstate 5 and Route 99 south of the City of Manteca (the Route 120 Manteca Bypass) during the 1975–76 fiscal year, and to complete its construction as a two-lane expressway during the 1976–77 fiscal year

Res Ch 38 (SJR 13) Stiern Veterans' cemeteries
Memorializes the President and Congress of the United States to establish a National Veterans' Cemetery in Kern County

Res Ch 39 (ACR 80) Beverly City charters
Approves amendments to the Charter of the City of Torrance

Res Ch 40 (ACR 3) Ralph Joint Rules
Adopts Temporary Joint Rules of the Senate and the Assembly for the 1975–76 Regular Session

Res Ch 41 (ACR 53) Vasconcellos Educational goals and evaluation
Currently, the Joint Committee on Educational Goals and Evaluation will terminate on May 31, 1975
This measure would extend the termination date to July 31, 1975, and require the committee to render its report to the Legislature prior to its termination

Res Ch 42 (SJR 1) Cusanovich Ad valorem taxes
Memorializes the President and the Congress of the United States to amend Public Law 92-500 to permit the use of ad valorem taxes as one possible source of revenue for the operation and maintenance of waste water treatment facilities

Res Ch 43 (SJR 16) Collier Highway Trust Fund
This measure would memorialize the President and Congress (1) to take such steps as necessary to immediately release the impounded funds in the Highway Trust Fund to the states for any highway improvements, (2) to authorize the use of such funds, at the discretion of the states, without matching requirements, (3) to enact legislation to insure that no state's share of federal highway aid from the Highway Trust Fund shall be less than 85% of its contribution to that fund, and (4) to reduce the number of federal aid highway programs to only interstate, urban, and rural and to have the administration of these programs at the state level

Res Ch 44 (AJR 9) Foran Bilingual television "Villa Alegre"
This measure would memorialize the President and the Congress of the United States to enact legislation to assure the continuance of the bilingual children's television program, "Villa Alegre"

Res Ch 45 (ACR 86) Cullen City Charters.
Approves amendments to the Charter of the City of Long Beach

Res Ch 46 (ACR 5) Cullen Legislative printing
Joint Rule 12 of the Temporary Joint Rules of the Senate and Assembly for the 1973–74 Regular Session, which would serve as precedent for the current session in the absence of adoption of new joint rules, provides that the State Printer shall observe specified directions in the printing of all bills, constitutional amendments, and concurrent and joint resolutions
This measure would provide that notwithstanding any prior joint rule, the State Printer shall instead observe the directions of the Joint Rules Committee in the printing of such bills and measures

Res Ch 47 (ACR 57) Burke Joint rules, bills
This measure would require a member who is the first-named author of a bill which would amend, add, or repeal any provision of the Political Reform Act of 1974 to notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of such bill upon its introduction or amendment Thereafter, the Chief Clerk or the Secretary would be required to deliver a copy of such bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code

Res Ch 48 (SCR 47) Alquist Clark L Bradley
This resolution congratulates Senator Clark L Bradley on his retirement and commends him for his outstanding service to the people of the State of California

Res Ch 49 (SCR 52) Grunsky City charters
Approves amendments to the Charter of the City of Watsonville

Res Ch 50 (SJR 19) Stevens Fishing, tuna boats, seizure
Memorializes the President, Congress, and Secretary of State to take any and all appropriate actions to protect the tuna fishing industry of this nation and to ensure that Ecuador or any other country will not harass or seize tuna boats flying the United States flag on the high seas

Res Ch 51 (SCR 32) Grunsky Joint Legislative Budget Committee
This measure would make available to the Joint Legislative Budget Committee from the Contingent Funds of the Assembly and Senate the sum of $2,200,000

Res Ch 52 (SCR 50) Schrade Board of Medical Examiners
This measure requests the Board of Medical Examiners to withhold and desist from the issuance of physician and surgeon certificates to former doctors of osteopathic medicine who use the suffix "M D " and who now hold physician and surgeon certificates issued by the Board of Osteopathic Examiners until the legality of such acts is finally determined by the courts of this state

Res Ch 53 (SJR 9) Ayala California Air National Guard
Memorializes the United States Department of Defense to rescind its recommendation for the transfer of the California Air National Guard unit currently based at Ontario International Airport to March Air Force Base

Res Ch 54 (AJR 7) MacDonald Illegal aliens' medical care
Memorializes the President and Congress to enact HR 2159, or any similar legislation, providing reimbursement for the cost of emergency medical care for illegal aliens

Res Ch 55 (AJR 29) Thurman National cemetery
Memorializes Congress to enact legislation to establish a national cemetery near San Luis Dam

Res Ch 56 (AJR 2) Suitt Salton Sea salinity project
A salt-trapping impoundment project to protect the Salton Sea from increasing salinity has been proposed as a result of federal-state studies
This measure would urge the Department of the Interior to maintain the Salton Sea project as a high priority item for federal funding purposes

Res Ch 57 (ACR 83) Wilson Medical malpractice insurance
This measure would direct the Joint Legislative Audit Committee to conduct an investigation into the subject of medical malpractice insurance underwriting and claims as it affects physicians and surgeons in California, including audits of insurance carriers, as may be necessary for the committee's investigation and to employ independent actuary consultants in connection with such audits and investigations The committee would be directed to utilize the office of the Auditor General as staff, to the extent possible, in the completion of such investigation

Res Ch 58 (SCR 48) Petris City charters
Approves amendments to the Charter of the City of Albany

Res Ch 59 (ACR 26) Vasconcellos Pupil and school evaluations
Under current law, public school pupils and their parents, as a general rule, do not play an active role in the development of any educational evaluation program that evaluates pupils or their schools
This measure would express the desire of the Legislature that public school pupils and their parents be given the opportunity to play a meaningful part in the development of any educational evaluation program or system that evaluates pupils or their schools

pursuant to guidelines developed by the Joint Committee on Educational Goals and Evaluation and the Department of Education

Res Ch 60 (AJR 11) MacDonald Use of chlordane

By this measure the Legislature of the State of California would memorialize the President and the Congress of the United States to require the United States Environmental Protection Agency to delay any action that might eliminate chlordane or heptochlor from those pesticides acceptable for agricultural uses until a hearing regarding the use of chlordane where evidence of the sale and controlled use of chlordane can be presented to the Environmental Protection Agency and the results of such a hearing are made public

Res Ch 61 (SCR 43) Stevens Joint Rules enrollment of bills after passage

Under existing Rule 24 of the Joint Rules of the Senate and Assembly, an enrolled bill is required to be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor

This measure would amend Joint Rule 24 by deleting the requirement that an enrolled bill be signed by the presiding officers of both houses

Res Ch 62 (SJR 22) Presley Veterans' cemeteries

Memorializes the Veterans' Administration to establish a veterans' cemetery at March Air Force Base, California

Res Ch 63 (SCR 34) Rains Joint Committee on Legal Equality

Under present law the Joint Committee on Legal Equality is authorized to act until June 30, 1975, and to file its final report not later than such date The existence of the advisory committee to the joint committee is also authorized until that date

This resolution would continue such authorization until January 31, 1976.

Presently the advisory committee to the joint committee is required to contain two members selected from the Commission on the Status of Women

This resolution would require one member to be selected from the commission and one member from the California Legislative Round Table

Res Ch 64 (SCR 44) Moscone Social Security Amendments of 1972

The Joint Committee on the Federal Social Security Amendments of 1972 is presently authorized to function until June 30, 1975

The resolution would extend the existence of the Joint Committee on the Federal Social Security Amendments of 1972 through January 1, 1976

Res Ch 65 (AJR 15) Craven Labeling self-pressurized containers

This measure would memorialize the President and the Congress of the United States to support and enact legislation requiring that all aerosol and self-pressurized containers be labeled with a list of all ingredients, including inert ingredients, with the percentages of such ingredients, and designating propellants as such

Res Ch 66 (ACR 16) Vasconcellos Department of Education· report re Ed C

Chapter 1508 of the 1974 Regular Session of the Legislature (AB 27) added Section 7503, operative on January 1, 1975, and Section 7503 5, to become operative on January 1, 1976, to the Education Code These provisions will, upon their respective operative dates, permit the governing boards of school districts to initiate and carry on any educational program, in the case of Section 7503, and, in the case of Section 7503 5, to initiate and carry on any program, activity, or to otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purpose for which school districts are established

This measure would direct the Superintendent of Public Instruction to establish and maintain a central clearinghouse-depository for legal opinions concerning the implementation of Chapter 1508

This measure would also direct the Superintendent of Public Instruction and the Chancellor of the California Community Colleges to conduct continuing surveys of the manner in which local authority is being exercised by school district governing boards, including community college districts, to hold public hearings, to report to the Legisla-

ture annually and by January 15 during the years of 1976–1980 re findings and recommendations concerning the surveys and hearings, and to submit findings and recommendations concerning the anticipated costs incurred in implementing Chapter 1508

Res Ch 67 (ACR 66) Thurman Joint Committee on Aging continuation
This measure would continue the existence of the Joint Committee on Aging until July 31, 1976

Res. Ch 68 (ACR 89) Gualco Bicentennial Commission
Concurs with the actions taken by the American Revolution Bicentennial Commission of California endorsing a certain engineering and scientific conference and exposition, depicting 200 years of technical progress, as an officially endorsed project for the bicentennial celebration.

Res Ch. 69 (ACR 98) Wilson Legislative Audit Committee
This measure would make available $1,763,000 from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee

Res. Ch 70 (SCR 56) Dills Public employer-employee relations
Existing law, pursuant to Resolution Chapter 177 of the Statutes of 1972, creates the Joint Committee on Public Employer-Employee Relations, which is authorized and directed to ascertain, study, and analyze all facts relating to employment relations between public employers and public employees in the state Also under existing law the existence of such committee would be terminated on June 30, 1975
This measure would extend the termination date of the Joint Committee on Public Employer-Employee Relations to August 31, 1975

Res Ch 71 (SJR 3) Moscone Food advertising to children
Memorializes the President, the Federal Trade Commission, the Federal Communications Commission, and Congress to make such changes in laws and regulations as are necessary to limit or eliminate commercial segment broadcasts that represent a name brand product to children for which there is satisfactory evidence indicating that it contributes adversely to their nutritional well-being

Res Ch 72 (SJR 17) Russell Missing in action
Memorializes the President and Congress of the United States to determine the status of those missing in action in Vietnam

Res. Ch 73 (SCR 46) Roberti Vietnamese and Cambodian refugees
This measure would express welcome to the Vietnamese and Cambodian refugees to the United States and extend to them hopes for a prosperous new life

Res. Ch 74 (ACR 56) McCarthy. Bills.
Joint Rule 29.5 presently provides, among other things, that all meetings of any conference committee on the Budget Bill shall be open to the public, and that meetings of other conference committees shall be open to press representatives accredited by the Joint Rules Committee
This measure would amend Joint Rule 29 5 to provide, instead, that all meetings of a Budget Bill conference committee be readily accessible to the public, as well as open to the public, and to require that any conference committee on any bill would be required to be open and readily accessible to the public before any action may be taken on a conference report, except where the report is determined by the Legislative Counsel to be nonsubstantive The measure also sets forth requirements for public notice of conference committee meetings except conference committee meetings on the Budget Bill

Res Ch 75 (AJR 13) Ingalls. Federal Power Commission
Memorializes the President and Congress of the United States to consider legislation that would require the Federal Power Commission to audit supplies of power to cities in California

Res Ch 76 (SCR 24) Grunsky. Carmel Bay Ecological Reserve
The law presently provides authorization for the Department of Fish and Game, with the approval of the Fish and Game Commission, to establish ecological reserves
The bill would urge the department and the commission to establish an ecological reserve at Carmel Bay

Res Ch 77 (ACA 31) Beverly Public funds deposit in savings and loan associations
The existing provisions of the California Constitution authorize the Legislature to provide for the deposit of public moneys in any bank in this state.
This measure would, in addition, authorize the Legislature to provide for the deposit of public moneys in any savings and loan association in this state

Res Ch 78 (SCR 23) Carpenter Non-English-speaking citizens
There is no existing law requiring the Department of General Services to compile a current and comprehensive listing of state materials available to the public in languages other than English
This measure would request the Department of General Services to compile a list not later than January 1, 1976, of all materials available from state agencies in translation, including forms, instructions, signs, posters, films, tape recordings, and records, the prices thereof, and where each item may be obtained The department would be requested to make copies of such listing available to other state agencies and to the public

Res Ch 79 (SCR 36) Garcia Bilingual telephone service
Requests the Public Utilities Commission to undertake a comprehensive research study in specified areas concerning bilingual telephone service and report thereon to the Legislature one year following the filing of this resolution with the Secretary of State

Res Ch 80 (SJR 11) Presley Automotive research and development
This measure would request the Congress and the President of the United States to accord full and favorable consideration to the Automotive Transportation Research and Development Act of 1975, now pending before the Congress

Res Ch 81 (ACR 32) Thurman State Highway Route 99. improvements
This measure would urge the California Highway Commission to take specified action to improve to freeway standards that portion of State Highway Route 99 from Merced to Modesto which is not constructed to freeway standards

Res Ch 82 (ACR 39) McAlister California Law Revision Commission.
The California Law Revision Commission is not presently authorized to study the topics of whether a Marketable Title Act should be enacted in California and the related topics of whether the law relating to covenants and servitudes relating to land, and the law relating to nominal, remote, and obsolete covenants, conditions, and restrictions on land use should be revised
This measure would refer those topics to the commission for study

Res Ch 83 (ACR 38) MacDonald State highways Route 126
This measure would urge the California Highway Commission and the Department of Transportation to expedite the planning and allocation of funds for the earliest improvement of that portion of State Highway Route 126 between Santa Paula and Interstate Route 5 to a four-lane conventional highway.

Res Ch 84 (ACR 59) Knox Bridge George Miller, Jr , Memorial Bridge
This measure would designate the Benicia-Martinez Bridge as the George Miller, Jr , Memorial Bridge

Res Ch 85 (ACR 68) Maddy Coalinga-Avenal Rest Area
This measure would designate the safety roadside rest located on State Highway Route 5 near Lassen Avenue in Fresno County as the Coalinga-Avenal Rest Area

Res. Ch 86 (SCR 40) Alquist Traffic offenses· administrative adjudication study
Existing law provides for the trial of traffic offenses by courts.
This measure would request the Department of Motor Vehicles, with the cooperation of the Judicial Council, and in consultation with the League of California Cities and the County Supervisors Association of California. to study the feasibility of implementing a system of administrative adjudication of traffic offenses in specified areas and to report thereon to the Governor and the Legislature by April 1, 1976 This measure would also request the Legislature, the Judicial Council, Chairman of the League of California Cities, and the County Supervisors Association of California to appoint an advisory committee to study specified aspects of administrative adjudication, to review the department's progress in conducting the feasibility study, and to submit its own recommendations to the Governor and Legislature by April 1, 1976

Res Ch 87 (ACR 40) Egeland State highways Route 101.
This measure would request the California Highway Commission to immediately allocate funds for the construction of needed safety improvements on, and to grant a top priority rating for the freeway construction of, the 11-mile portion of State Highway Route 101 between Cochran Road in Morgan Hill and Ford Road in San Jose.

Res. Ch. 88 (ACR 54) Gualco. State employee merit awards
Authorizes the payment of specified additional merit awards approved by the State Board of Control to named state employees

Res Ch. 89 (SCR 21) Dunlap Retirement systems investments.
This measure would request all local retirement systems to establish committees to review shareholder proposals and to make recommendations to boards relative to the voting of shares of stock held by such systems.

Res. Ch. 90 (ACR 47) Keene. Jackson State Forest timber sales.
Under existing law, the State Forester is authorized to make sales of timber from state forests, and any such sale in excess of $1,000 is required to be by competitive bid Existing law does not limit the period which may be provided for under such timber sales agreement for the removal of the timber
This measure would request the State Forester, as to the sale of timber from Jackson State Forest, to sell, or solicit bids for the sale of, timber under an agreement which would allow a term of two years for the removal of timber

Res. Ch 91 (ACR 52) Arnett Ralph D Percival Memorial Vista Point
Officially designates the vista point on Interstate 280 adjacent to the northbound lanes at postmile 8 5± as the Ralph D Percival Memorial Vista Point
Directs the Department of Transportation to erect and maintain a suitable plaque or marker indicating such designation

Res Ch 92 (ACR 75) Maddy Rural public transportation demonstration projects
This measure would request the Department of Transportation, in cooperation with the Office on Aging and the Department of Rehabilitation, to consider rural public transportation demonstration projects and to secure federal and state funds for such projects to allow effective utilization of public transportation facilities and services by the elderly and handicapped

Res. Ch 93 (ACR 77) Lewis CSUC child care programs, temporary facilities
Under existing law, child care centers may be established on campuses of the California State University and Colleges.
This measure would request the Trustees of the California State University and Colleges to make an exception to their general policy with regard to acquiring or leasing temporary facilities in order to permit use of such facilities by student body associations as child care centers on campuses of the California State University and Colleges

Res Ch 94 (ACR 45) Collier Health effects of air pollution

Under this measure, the State Department of Health would be directed to compile a report summarizing, reviewing, and evaluating all significant specified information on the effects on health of air pollution, including, but not limited to, specified toxic trace metals, compounds of sulfur, and oxides of nitrogen The department would be directed to submit the report to the Legislature not later than January 1, 1976, with recommendations for further studies, experiments, or analyses necessary to understand the effects on health of air pollution

Res Ch 95 (ACR 101) Ralph Leaves of absence

Existing law prohibits state or municipal officers from absenting themselves from the state for more than 60 days, unless, among other exceptions, such absence is with the consent of the Legislature

This measure would grant leaves of absence for more than 60 days to the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of Board of Equalization and State Personnel Board, Senators and Assemblymen, such persons' successors and any person filling a vacancy in such an office

Res Ch 96 (ACR 114) Warren Solar energy research institute.

The Federal Energy Research and Development Administration has the authority to establish a Solar Energy Research Institute

This measure would urge the siting of the institute in this state, request the State Energy Resources Conservation and Development Commission to develop and coordinate the statewide effort to obtain the institute for this state, and request public and private research, educational, and industrial institutions to cooperate with the commission in this effort

Res Ch 97 (AJR 14) Lewis Postal rates

Memorializes the Board of Governors of the United States Postal Service, the Postal Rate Commissioner and the Congress of the United States not to increase postal rates.

Res Ch 98 (ACA 3) Leroy F Greene Lotteries bingo games

The California Constitution now provides that the Legislature has no power to authorize lotteries and shall prohibit the sale of lottery tickets in the state

This measure would authorize the Legislature to allow cities and counties to provide for bingo games, but only for charitable purposes.

Res Ch 99 (ACA 50) Foran. Bonds, investment· state refunding bonds

The existing Constitution, with minor exceptions, prohibits the Legislature from creating any debt, except by a law passed by a two-thirds vote in each house which is approved by a majority of the voters voting on the proposition at a general or direct primary election

This measure would authorize the Legislature, by a two-thirds vote and without the approval of the voters, to issue refunding bonds to refund any outstanding indebtedness

Res Ch. 100 (ACR 43) Ingalls Transportation planning

This measure would request the Office of Planning and Research to review the drafts of the State Transportation Plan prepared by the Department of Transportation and regional transportation plans to be contained therein and the draft transportation element of the California Coastal Zone Conservation Commission for conflicts and inconsistencies, to take appropriate measures to resolve any such conflicts and inconsistencies, to submit a progress report on its reconciliation of the two plans and its recommendations on what if any further action is necessary to resolve any unreconciled conflicts, and to submit its final report and to the Legislature on or before September 1, 1975

Res Ch 101 (ACR 33) MacDonald Property taxation urgency statutes

Expresses the intent of the Legislature to refrain from enacting urgency legislation which in past sessions has resulted in confusion in the orderly administration of the property tax laws by assessors throughout the state

Res. Ch 102 (ACR 49) Gualco American River. determination of public rights and boundaries

This measure requests the State Lands Commission to determine the boundaries and extent of vested public rights along the American River

Res Ch 103 (ACR 113) Thurman State Highway Route 33.

This measure would designate as Mission Tesoro Boulevard that portion of State Highway Route 33 located in the Mission Tesoro-Santa Nella business complex between State Highway Routes 5 and 152

Res Ch. 104 (ACR 62) Lanterman Motor vehicle noise study

Existing law requires the Office of Noise Control in the State Department of Health to collect and disseminate authoritative information on the adverse effects of noise and means for its control The Department of Transportation is presently required to measure and alleviate the impact of freeway traffic noise at certain schools The Department of the California Highway Patrol presently enforces various provisions of law pertaining to vehicular noise emissions

This measure would request the Department of the California Highway Patrol, the Department of Transportation, and the Office of Noise Control to develop, with the assistance of automobile manufacturers, a method of measuring overall motor vehicle noise emissions under roadway conditions and to report their findings to the Legislature by March 1, 1976

Res Ch 105 (AJR 19) Knox. Unemployed health benefits.

Memorializes the President and the Congress of the United States to enact legislation providing health benefit payments for the unemployed financed by general tax funds.

Res Ch 106 (SJR 14) Marks. Veterans' cemeteries

Memorializes the Veterans Administration to establish a veterans' cemetery in California

Res. Ch 107 (SJR 27) Stull. United States Navy Flight Demonstration Squadron

Requests the issuance of a postage stamp commemorating the 30th anniversary of the United States Navy "Blue Angels"

Res Ch. 108 (ACA 41) Priolo. Motor vehicle tax revenues use of surplus property acquired therewith for public park and recreational purposes

Under Article XXVI of the California Constitution, state-imposed motor vehicle tax revenues (i e , gas tax, diesel fuel tax, registration fees, weight fees, and driver's license fees) may only be used for public highway purposes and for exclusive public mass transit guideway purposes. With respect to state-imposed fees on motor vehicles and their operation (i e., registration fees, weight fees, and driver's license fees), such fees, under the article, may also be used for the administration and enforcement of laws relating to the use of vehicles on public highways and for the mitigation of the environmental effects of motor vehicles operation due to air and sound emissions

This measure would authorize any real property acquired by the expenditure of such tax revenues by an entity other than the state for the above presently authorized purposes, but no longer required for such purposes, to be used for local public park and recreational purposes

Res. Ch 109 (ACR 78) Cullen Public Utilities Commission undergrounding of electrical facilities.

This measure would request the Public Utilities Commission to expand its program for the undergrounding of electrical distribution facilities to include transmission facilities and, in cases of hardship or inequity, service connections

Res Ch 110 (SCR 49) Stevens Wilmington state highway directional sign.

This measure would request the Department of Transportation to erect a directional sign for southbound traffic on State Highway Route 11 (the Harbor Freeway) just prior to the State Highway Route 1 (the Pacific Coast Freeway) exit to read: "WILMINGTON NEXT 3 EXITS"

Res Ch 111 (SCR 58) Collier State highways Route 49 Auburn
This measure would request the Department of Transportation to include, in its present construction project of State Highway Route 49 through the City of Auburn, the installation of an irrigation system for the landscaping of the project

Res Ch 112 (SCR 63) Deukmejian Ivy Baker Priest
Extends sympathies upon the passing of Ivy Baker Priest and memorializes her illustrious record of dedicated service on behalf of the Republican Party and the citizens of the State of California and the United States of America

Res Ch 113 (SJR 10) Rains Social security. income disregards
This resolution memorializes the Congress of the United States to amend federal law to permit recipients of social security benefits to earn $7,500 annually without any loss of such benefits

Res Ch 114 (SCR 64) Collier State highway program reduction.
This measure would request the Department of Transportation to postpone any reduction of the state highway program until the Legislature has completed a study of the problem and has had an opportunity to act

Res Ch 115 (ACR 65) Lockyer State taxes depletion allowances
This measure directs the Franchise Tax Board to conduct a study of the depletion allowances authorized for oil and gas wells and various mines under the Personal Income Tax Law and the Bank and Corporation Tax Law and to report its findings and recommendations to the Legislature by not later than March 15, 1976

Res Ch 116 (SCA 12) Roberti Taxation of insurance companies
The Constitution now requires insurance companies to pay an annual insurance tax, which is in lieu of all other state, county, and municipal taxes with specified exceptions, among which is the requirement that insurance companies pay property taxes on their real estate However, if a domestic insurer, other than an ocean marine insurer, occupied real property as its home or principal office on January 1, 1970, or if construction had commenced on such office prior to January 1, 1970, the insurer is allowed to deduct from the insurance tax the amount of property taxes paid on such home or principal office. The entire tax on the property is deductible, whether or not the insurer actually occupies the entire premises in which the home or principal office is located

With respect to other insurers, except ocean marine insurers, the Constitution limits the home or principal office deduction to the taxes paid on that portion of the home or principal office which the insurer is deemed to occupy, which is determined according to a formula

This measure, if approved by the voters, would eliminate the home or principal office deduction from the Constitution

Res Ch 117 (SCR 60) Greene Joint Committee on Job Development
This measure would create the Joint Committee on Job Development and provide for its membership, powers, and duties relative to job development for the people of the state during the 1975–76 Regular Session until unemployment in the state has been reduced to 4 percent

Res Ch 118 (SJR 26) Collier Fish and game Coleman National Fish Hatchery
Under existing federal law, there exists the Coleman National Fish Hatchery which was constructed by the federal government to mitigate the loss of salmon spawning grounds due to their inundation by Shasta Dam, a unit of the Central Valley Project.

The measure would request the President and Congress of the United States to provide funding for the expansion of facilities at the hatchery due to the further impaction of the natural production of salmon and trout caused by the expansion of the Central Valley Project and the development of hydroelectric facilities

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Res Ch 119 (SJR 30) Collier. Highway Trust Fund

Under Public Law 94-30 (HR 3786), federal funds may be allocated from the Highway Trust Fund to any state for the construction of federal-aid highways without that state having to match the federal funds until January 1, 1977

This measure would memorialize the President and Congress to amend the federal law to except from that matching requirement any state whose allocation from the Highway Trust Fund is less than 85% of the amount it contributes to the fund. Such an amendment would exempt California since it is allocated only approximately 65% of the amount it contributes to the fund

Res. Ch. 120 (ACR 12) Brown SFSU student housing

Under current law, campuses of the California State University and Colleges may own and operate student housing facilities

This measure expresses the need for additional student housing at San Francisco State University and requests the Trustees of the California State University and Colleges to delay the planned demolition of existing family student housing until such time as an equivalent number of low-cost housing units are made available for student occupancy

Res. Ch 121 (ACR 37) Vincent Thomas. Office of Criminal Justice Planning

Requests the Office of Criminal Justice Planning to conduct a comprehensive study to determine the amount of money spent annually by the State of California and local governments on law enforcement within the state, to determine the sources of revenues that support such expenditure, and to establish an improved system for the regular reporting and analysis of such expenditure and sources of revenue.

Res. Ch 122 (ACR 76) Rosenthal Infant hearing defects

This measure would direct the Department of Health to conduct a study of the feasibility and costs of various programs for testing newborns for hearing defects

Res Ch 123 (ACR 103) Bane Practice of cosmetology.

This measure requests the enforcement division of the Department of Consumer Affairs to cease citing unlicensed individuals providing simple beauty services for violations of the Business and Professions Code until the Legislature acts on pending legislation

Res Ch 124 (SJR 12) Zenovich Federal-guaranteed or insured loans

This measure would request Congress to enact legislation exempting from the California usury limitation all mortgages or deeds of trust insured or guaranteed by the federal government or a mortgage intended for delivery to the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Bank or any other state or federal instrumentality.

Res. Ch. 125 (ACR 79) Z'berg Waste disposal sites environmentally dangerous substances.

This measure would request the State Solid Waste Management Board to conduct an investigation of environmentally dangerous sites (class I sites), in conjunction with the State Water Resources Control Board, the Department of Food and Agriculture, and the State Department of Health, and to report its findings and recommendations on the matter to the Legislature by July 1, 1976

Res. Ch 126 (SCA 1) Dunlap State taxes legislative vote for passage

Under existing law, a two-thirds vote of the membership of each house of the Legislature is required for passage of bills imposing a tax on banks, corporations, franchises, and insurers

This measure would, instead, require a majority vote of the membership of each house of the Legislature for the passage of such bills

Res Ch 127 (ACR 87) Cullen Medi-Cal

Under the current Medi-Cal Act the State Director of Health sets the rates for skilled nursing and intermediate care services based on reasonable costs

This measure would request the State Director of Health to review the existing

standards for setting the rates for skilled nursing and intermediate care services, would provide that such review also evaluate an alternative rate structure based on a random sampling of individual patient care profiles, and would request the director to report to the Legislature by March 1, 1976, concerning his findings pursuant to the review

Res Ch 128 (ACR 117) Keysor Joint Committee for the Revision of the Elections Code

This resolution would continue the existence of the Joint Committee for the Revision of the Elections Code through December 31, 1976

Res Ch 129 (ACR 124) McCarthy Relative to memorializing the Honorable Edwin L Z'berg.

Extends deepest sympathies to the family of the late Edwin L Z'berg, Assemblyman of the 4th Assembly District.

Res Ch 130 (ACR 129) Assembly Rules Committee Public Officers Compensation Commission

There is presently no provision in law for a commission or other body specifically to study and make recommendations relating to compensation of elected state officers.

This measure would create an advisory committee to the California Legislature to be known as the Public Officers Compensation Commission. The commission would be required to complete a study on matters relating to compensation and benefits of the Governor, the Lieutenant Governor, the Attorney General, the Controller, the State Treasurer, the Secretary of State, the Superintendent of Public Instruction, the Members of the judiciary and the Legislature

The commission would be prohibited from studying or making recommendations to revise the Political Reform Act of 1974

The commission would be required to draft a proposed constitutional amendment implementing its findings and recommendations, and would be required to submit such proposed measure, together with the report, on or before March 1, 1976 The commission would be abolished on March 2, 1976

The Legislature would consider the commission's study and would vote on the proposed constitutional amendment so that it may be submitted to the people at the November 1976 general election

$50,000 would be allocated from the Contingent Funds of the Assembly and Senate for expenditure by the commission

Res. Ch. 131 (AJR 37) Fenton Relative to veterans

This measure would memorialize the Congress of the United States to give full citizenship rights to all honorably discharged veterans

Res Ch 132 (SCA 19) Greene Usury

Presently the Constitution limits the rate of interest which may be charged by nonexempt lenders on any loan or forbearance of money, goods or things in action to not more than 10 percent per annum

This proposed amendment would provide that the maximum contract rate of interest collectible by a nonexempt lender for loans, forbearances of money, goods or things in action for personal, family or household purposes shall be 10 percent For any loan or forbearance of any money, goods or things in action for any other use, the interest rate shall be the higher of 10 percent per annum or 7 percent per annum plus the rate prevailing on the 25th day of the month preceding the earlier of (i) the date of execution of the contract to make the loan or forbearance, or (ii) the date of making the loan or forbearance established by the Federal Reserve Bank of San Francisco, on advances to member banks or the closest counterpart of such rate designated by the Superintendent of Banks

Res Ch 133 (SCR 16) Dills Aerosol or self-pressurized containers

This measure requests the State Department of Health to prepare a study of the propellants or other substances used in aerosol or self-pressurized containers which are being used to coat cooking utensils with a nonstick substance relative to the frying of foods to determine the public health hazards which may be created by continued use

of such containers

The bill requests the department to report the results of such study to the Legislature no later than March 1, 1976

Res Ch 134 (SCR 68) Roberti Memorializing Sigmund Arywitz

This resolution memorializes Sigmund Arywitz on the occasion of his lamented death

Res Ch 135 (SCR 69) Holden County charters

Approves amendment to Charter of the County of Los Angeles

Res Ch 136 (SCR 70) Mills Legislature recess

This measure provides that the Assembly and the Senate shall be in the Interim Study Recess from adjournment on Friday, September 12, 1975, until reconvention on Monday, January 5, 1976

Res Ch 137 (SJR 6) Nejedly Federal tax deduction geothermal drilling expenses

This measure would respectfully memorialize the President, Vice President and Congress of the United States to amend the Internal Revenue Code of 1954 to authorize the deduction of intangible drilling costs incurred in geothermal exploration ventures as current business expenses

Res Ch 138 (SJR 24) Deukmejian Televised violence

This measure would memorialize the Federal Communications Commission to consider the need for controls on televised violence and to determine ways in which televised violence may be reduced

Res Ch 139 (SJR 28) Way Certification of pesticide applicators

This measure would memorialize the California delegation in the Congress of the United States to support pending federal legislation regarding the certification of pesticide applicators

Res Ch 140 (SJR 34) Wedworth. Airline service: South Lake Tahoe

This measure would memorialize the Civil Aeronautics Board to rescind its Order No 75-6-135 and thereby restore to the Public Utilities Commission jurisdiction to regulate passenger air service between South Lake Tahoe and other points within California.

Res Ch 141 (SJR 36) Holden President Ford

Extends appreciation for the fair exchange of ideas in the closed session with the leadership of both houses and for the message delivered to the joint session, commends the stature and courage of the President following his near-fatal experience, and extends to the President the welcome of the members for the future

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103	681	222	327	379	638
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108	83	224	775	384	639
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129	586	256	44	413	169
130	587	257	42	415	98
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460	35	624	326	803	1011
463	319	628	237	804	912
468	193	636	271	805	239
469	1263	637	1248	807	426
473	53	639	607	813	512
475	54	640	338	817	128
480	420	652	120	822	704
483	269	654	423	823	1249
485	967	656	677	825	796
487	683	657	588	829	1171
488	1228	659	126	831	728
489	71	661	63	837	968
490	194	664	1229	843	177
494	145	665	875	844	427
496	421	671	424	850	513
501	172	673	930	851	498
509	943	675	238	852	643
521	944	681	593	857	833
522	195	683	573	858	834
524	485	686	148	861	949
525	1227	690	849	863	729
526	945	693	931	872	797
531	196	696	1076	873	150
532	385	697	463	879	244
533	13	701	1077	880	320
536	873	704	947	881	1199
537	684	706	850	882	776
542	18	709	876	883	969
546	88	711	948	884	574
548	146	712	1132	885	151
551	641	714	105	888	108
552	86	719	122	893	262
555	274	723	170	896	129
557	1098	725	197	899	1099
563	270	726	511	905	1079
564	261	727	464	906	109
565	508	728	106	907	110
571	642	730	256	908	130
576	422	732	911	909	321
580	68	745	425	910	152
589	236	749	243	913	730
590	874	752	198	916	851
593	509	754	107	918	686
597	901	755	1078	919	200
599	125	756	877	923	11
600	1271	767	1257	924	514
601	1272	775	224	927	139
602	91	776	794	929	852
604	147	778	795	930	131
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1683	657
1687	1102
1688	919
1690	540
1691	541
1692	733
1699	999
1700	920
1701	1147
1702	980
1703	620
1704	1045
1705	981
1706	696
1708	357
1709	211
1714	921
1715	1205
1716	886
1718	1148
1726	621
1727	542
1734	1149
1735	858
1749	1016
1750	814
1755	697
1758	957
1769	887
1770	1253
1771	370
1772	1046
1775	1105
1776	1178
1779	622
1782	982
1786	803
1789	543
1790	804
1791	805
1792	1226
1797	1206
1798	579
1800	358
1801	501
1803	840
1804	888
1806	698
1808	623
1812	1169
1813	890
1817	1207
1821	1269
1824	439
1825	392
1832	544
1835	935
1841	1208
1842	600
1846	545
1847	473
1848	212
1849	1209
1851	624
1853	481
1855	476
1856	779
1857	841
1858	1027
1860	699
1862	546
1864	1050
1865	440
1869	474
1873	1034
1874	1000
1878	625
1884	359
1886	700
1887	547
1889	475
1894	1090
1895	889
1899	609
1900	626
1913	1163
1917	936
1920	1051
1922	1082
1924	502
1925	601
1950	1035
1951	602
1952	1210
1958	171

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1959	1211
1961	1158
1965	393
1967	548
1969	1110
1971	589
1973	549
1984	503
1986	578
1987	784
1988	785
1989	1083
1991	859
1993	550
2003	891
2006	1084
2007	441
2008	394
2011	806
2012	627
2014	1052
2032	551
2033	1150
2034	922
2035	360
2036	1057
2039	983
2044	1036
2045	361
2046	1058
2048	701
2049	590
2050	1037
2052	552
2053	658
2058	1254
2061	923
2063	1085
2064	1028
2065	937
2071	246
2072	842
2073	610
2076	635
2079	504
2081	583
2084	1059
2090	603
2091	553
2092	604
2094	659
2098	628
2099	892
2101	505
2102	1164
2109	1038
2114	893
2117	213
2118	214
2119	702
2121	292
2122	554
2124	1039
2126	1165
2127	362
2129	894
2131	786
2132	780
2136	843
2141	1166
2143	629
2149	807
2152	895
2153	265
2161	605
2163	442
2164	1167
2166	896
2178	443
2181	703
2182	555
2183	860
2184	395
2187	1040
2188	323
2198	1041
2199	1060
2202	984
2215	861
2226	1053
2229	1280
2232	1212
2245	556
2247	396
2256	810
2264	229
2272	1213
2283	1214
2288	1234
2293	1042
2295	660
2298	1061
2306	661
2322	397
2326	924
2338	630
2339	631
2349	662
2357	1062
2365	809
2389	164
2392	482
2412	1017
2420	1134
2449	1151
2453	1215
2455	1018
2462	862
2463	863
2473	903
2474	897
2478	808
2488	1152
2524	734

SENATE BILLS

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
1	959	152	23	281	817
2	1231	153	64	283	1130
5	61	155	445	285	676
12	1	156	1066	287	1153
16	80	157	27	288	1111
18	293	160	961	291	167
24	1113	161	559	292	89
33	1064	163	815	293	300
35	123	165	446	294	301
37	278	167	298	296	329
38	16	170	255	297	818
39	24	171	65	299	904
41	40	172	39	301	1019
46	1136	179	299	307	741
48	787	181	1086	310	1022
49	112	182	816	311	1154
51	247	183	708	314	302
52	606	184	280	317	364
55	253	185	762	318	373
58	47	186	58	320	1067
62	81	187	1138	321	962
66	22	188	249	323	179
70	1065	192	1179	324	846
71	279	193	844	325	1106
72	29	197	483	327	925
74	26	199	176	330	1133
81	295	202	79	333	374
82	78	206	9	334	447
84	296	208	372	336	1155
85	38	212	266	337	1265
86	267	213	135	338	82
91	738	220	277	340	303
92	811	222	165	341	173
95	248	229	281	345	1255
96	230	238	166	346	31
99	48	241	178	347	1244
101	294	243	99	348	561
103	557	244	1235	349	119
104	254	246	66	350	180
106	1029	251	709	353	216
112	5	252	363	355	365
113	663	255	1170	357	97
114	6	258	1223	360	1232
115	558	260	1103	362	1088
119	62	261	1120	363	487
120	1277	263	740	364	562
122	1137	264	215	368	742
124	985	267	100	371	864
130	56	268	1087	380	304
131	1108	269	398	381	1068
134	739	271	1104	382	250
136	1118	273	560	385	1233
137	30	274	444	386	819
139	297	276	92	389	1126
142	57	277	136	392	305
145	1119	278	1004	393	710
146	938	280	763	394	1218

Senate Bill	Chapter
395	820
409	1180
420	1127
427	764
431	939
433	743
436	113
437	488
438	1181
439	306
445	448
446	137
449	399
450	1030
459	366
464	375
465	376
469	706
470	282
472	963
476	174
478	283
481	1182
487	1069
488	664
489	1112
490	1003
491	93
497	865
505	905
509	307
510	632
511	754
512	1116
516	1091
519	765
520	308
523	1266
524	1183
525	927
527	276
529	251
530	181
534	1121
536	309
542	325
545	744
548	928
549	489
552	1237
554	1114
555	1070
558	745
559	310
560	847
573	1109
579	477
580	1139
581	400
582	755
583	756
589	563
592	1122
598	289
601	284
607	285
610	1219
611	286
614	986
616	757
618	449
621	231
625	311
628	711
629	665
637	821
639	401
643	59
644	94
645	140
647	450
654	822
658	1184
659	748
663	1054
669	402
671	987
675	232
677	1185
678	182
680	252
681	1071
687	1278
688	1261
692	1186
694	712
696	451
701	1092
704	898
706	403
707	1187
714	452
717	1055
719	1094
721	758
723	404
724	666
726	823
732	367
733	1236
734	312
736	678
739	1031
740	377
743	1156
744	1128
747	484
749	233
751	234
753	1093
756	1131
757	929
758	1238
759	405
760	287
763	667
764	766
765	713
766	1241
770	1023
772	746
776	406
777	1216
784	407
786	759
790	824
794	747
796	1225
799	668
800	845
801	669
802	1188
810	313
811	316
819	183
824	825
825	1063
826	564
828	826
829	788
833	749
841	408
842	670
844	1189
846	235
847	1001
849	168
851	767
853	1262
855	184
856	138
857	781
858	490
860	1124
865	275
867	1190
868	1268
869	768
877	175
882	1191
883	714
887	988
891	671
895	769
899	827
903	565
905	453

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906	330
907	760
910	566
911	409
914	750
920	410
921	1072
922	567
924	899
925	491
926	568
927	906
933	989
936	1002
940	1157
941	492
943	378
944	900
946	770
948	379
949	907
950	454
951	411
953	368
955	908
970	1005
974	1123
975	751
977	715
978	1140
979	752
983	1006
984	771
988	351
989	288
990	493
993	772
996	1141
1004	412
1009	773
1010	494
1014	217
1017	716
1018	1125
1020	717
1021	1172
1022	1142
1023	926
1024	1192
1028	1193
1032	1020
1034	1095
1035	1224
1036	1279
1038	569
1040	495
1044	866
1046	828
1052	718
1053	1129
1055	314
1057	185
1058	1194
1061	570
1064	719
1065	480
1066	1245
1068	720
1072	990
1073	455
1074	1220
1079	721
1080	1021
1082	753
1084	829
1087	1221
1092	571
1093	577
1094	1073
1098	679
1099	672
1106	722
1111	991
1116	830
1117	1242
1119	782
1123	673
1124	674
1127	611
1128	1135
1141	723
1142	478
1146	1107
1151	724
1153	867
1155	1032
1156	496
1158	317
1165	1074
1167	479
1169	413
1171	909
1172	993
1179	725
1182	580
1188	726
1191	380
1192	572
1193	1089
1194	497
1196	1143
1205	761
1206	992
1209	831
1211	1195
1212	774
1213	802
1220	186
1225	315
1230	848
1231	141
1234	268
1236	381
1238	187
1243	371
1244	1196
1247	456
1257	868
1263	675
1267	1096
1295	1243
1297	1115
1304	910

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
3	98	31	77	41	108
				50	99

ASSEMBLY CONCURRENT RESOLUTIONS

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
1	1	36	37	68	85
3	40	37	121	75	92
4	17	38	83	76	122
5	46	39	82	77	93
7	7	40	87	78	109
8	3	43	100	79	125
9	22	44	23	80	39
12	120	45	94	83	57
16	66	47	90	86	45
17	15	49	102	87	127
19	18	52	91	89	68
20	19	53	41	98	69
21	5	54	88	101	95
23	20	55	32	103	123
24	8	56	74	113	103
25	9	57	47	114	96
26	59	59	84	117	128
27	12	62	104	124	129
32	81	64	36	129	130
33	101	65	115		
34	13	66	67		

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
2	56	9	44	15	65
3	33	11	60	19	105
4	16	13	75	29	55
7	54	14	97	37	131

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
1	126	12	116	19	132

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
1	2	23	78	46	73
3	4	24	76	47	48
4	3	26	21	48	58
9	11	27	27	49	110
10	31	31	30	50	52
11	26	32	51	52	49
12	6	33	35	56	70
15	24	34	63	58	111
16	133	35	34	60	117
17	25	36	79	63	112
18	10	40	86	64	114
19	14	43	61	68	134
21	89	44	64	69	135
				70	136

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
1	42	13	38	26	118
3	71	14	106	27	107
6	137	15	29	28	139
8	28	16	43	30	119
9	53	17	72	34	140
10	113	19	50	36	141
11	80	22	62		
12	124	24	138		

BILLS VETOED BY GOVERNOR

1975

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61, 69, 72, 122, 186, 188, 237, 240, 243, 251, 253, 268, 312, 342, 373, 406, 446, 479, 528, 572, 577, 582, 623, 688, 700, 729, 751, 770, 818, 821, 836, 856, 862, 886, 914, 942, 993, 995, 1004, 1006, 1058, 1090, 1097, 1108, 1201, 1234, 1262, 1286, 1319, 1330, 1332, 1338, 1382, 1429, 1469, 1489, 1505, 1507, 1509, 1529, 1532, 1550, 1553, 1554, 1573, 1594, 1600, 1603, 1607, 1609, 1623, 1643, 1746, 1759, 1774, 1777, 1793, 1796, 1850, 1905, 2001, 2023, 2027, 2062, 2074, 2107, 2123, 2130, 2145, 2200, 2212, 2270, 2460

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28, 65, 111, 154, 168, 196, 204, 209, 219, 226, 309, 315, 329, 344, 354, 390, 398, 421, 430, 440, 480, 492, 515, 517, 585, 590, 599, 642, 651, 662, 670, 691, 709, 710, 711, 730, 782, 789, 791, 827, 832, 834, 835, 852, 866, 881, 932, 985, 986, 1118, 1137, 1176, 1189, 1240, 1253