Volume 4

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1978

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Primary Election, June 6, 1978
and General Election, November 7, 1978

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

1977–78 Regular Session
1977–78 First Extraordinary Session

Compiled by
BION M. GREGORY
Legislative Counsel

CALIFORNIA LEGISLATURE

1977–78 REGULAR SESSION
1977–78 FIRST EXTRAORDINARY SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments) Adopted in 1978

and

1969–1978 Statutory Record

DARRYL R. WHITE
Secretary of the Senate

JAMES D. DRISCOLL
Chief Clerk of the Assembly

Compiled by
BION M. GREGORY
Legislative Counsel

CONTENTS

	Page
Preface	iv
Abbreviations	v
Effective Dates	vi
Bill Chapter Digests	3
Resolution Chapter Digests	409
Cross-Reference Tables (Chapter Number of Bills)	
Assembly Bills	431
Senate Bills	437
Resolutions	441
Vetoed Bills: List	443
1969–1978 Statutory Record	447
1969–1978 Resolution Chapters Affecting Those of Prior Years	1570
Superior Footnotes	1571
New General Laws, 1969–1978	1585
Index	1607

1977–78 First Extraordinary Session

Bill Chapter Digests	1707
Resolution Chapter Digests	1708
Cross-Reference Tables (Chapter Number of Bills)	1709
Index	1710

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 1978. 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 1969–1978, followed by a list of concurrent resolutions adopted in the years 1969–1978, which affect concurrent resolutions adopted in prior years, and lists of new general laws passed in the years 1969–1978 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 1977–78 Regular Session convened on December 6, 1976, and adjourned sine die on November 30, 1978. Statutes enacted in 1978, other than those taking immediate effect, will become effective January 1, 1979. 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 1977–78 First Extraordinary Session convened on January 5, 1978, and adjourned sine die on April 24, 1978. The 91st day after adjournment is July 24, 1978.

DIGESTS OF STATUTES ENACTED IN 1978

1977–78 REGULAR SESSION

BILL CHAPTERS

Ch. 1 (SB 373) Rains. Energy resources surcharge; pilot solar ~~water heating~~ [energy demonstration]* loan program.

(1) Under existing law a state surcharge is imposed on the consumption of electrical energy The rate is determined each year by the State Board of Equalization after approval of the Budget Act in order to produce sufficient revenues to fund the authorized expenditures. This determination is made before August 1 and applies to electric bills on and after September 1.

This bill would provide for the determination of the surcharge rate based instead on the Governor's Budget The determination would be made before February 1 and applied to electric bills after March 1. The bill also ~~provides~~ [would provide]* for adjustment of the rate, if necessary, after ~~approval~~ [enactment]* of the Budget Act.

(2) Present law contains no provisions authorizing a state loan program for residential solar water and space heating.

This bill would authorize the Department of Housing and Community Development to conduct a program of loans for residential installations of solar water and space heating equipment. Eligibility for participation in such loan program would be limited to owners of dwellings damaged or destroyed by disaster in areas for which a state of emergency is declared by the Governor on or after July 1, 1977. The State Energy Resources Conservation and Development Commission would be required to adopt criteria for such installations, and borrowers could be required to report monthly consumption of energy from conventional energy sources. The loans would be limited to $2,000, be interest free except for prescribed loan origination fees, and be payable in accordance with a prescribed schedule.

The bill would create, and appropriate $200,000 from the General Fund for transfer to, a Solar Energy Revolving Loan Fund, which would be continuously appropriated to the department, as prescribed, for purposes of such loan program The loan program would be repealed December 31, 1980, unless extended by a later enacted statute.

The bill would make provision for conforming to the renumbering of the Zenovich-Moscone-Chacon Housing and Home Finance Act as provided in Chapter 610 of the Statutes of 1977.

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

Ch. 2 (AB 644) McAlister. Unemployment insurance.

Existing law excludes from covered employment for unemployment compensation purposes, service performed in the employ of a state or local government, with broad specified exceptions.

This bill would instead include as covered employment for unemployment compensation purposes, all service performed by an individual for any public entity, except for certain elected or policymaking and advisory officials, legislative and judicial members, and military and temporary emergency employees.

Existing law does not include domestic service in a private home, local college club, local chapter of a college fraternity, or sorority as covered employment for unemployment compensation purposes or unemployment compensation disability purposes

This bill would include domestic service in a private home, local college club, local chapter of a college fraternity, or sorority as employment for such purposes if performed for an employer who paid $1,000 or more in wages to such domestics in specified calendar quarters

This bill would also·

(1) Require the Director of Employment Development to furnish specified information from the files of the department with respect to an individual upon request by any public agency

(2) Provide that the amendments made by this bill shall be operative with respect to wages paid on and after July 1, 1976.

(3) Provide that no employer contributions shall be payable based on remuneration paid prior to January 1, 1978, for service which first becomes covered for unemployment insurance by this bill

(4) Provide that no employer's reserve account shall be charged for unemployment compensation benefits if such benefits are reimbursable by the federal government under certain provisions

(5) Provide for a pooled fund arrangement for local government entities to finance unemployment insurance coverage of their employees, and establish a Local Public Entity Employees Fund in the State Treasury to be continuously appropriated without regard to fiscal year for such purposes.

(6) Make related changes in the Unemployment Compensation Law required to conform state law with the requirements of the Federal Unemployment Compensation Amendments of 1976 (Public Law 94-566).

(7) Provide that the bill is deemed to be a federal mandate within the meaning of specified provisions

This bill would provide funding for an Unemployment Insurance Management System and appeals program by requiring the transfer of $2 per covered employee from available interest earnings on investments of the School Employees Fund for apportionment to the county superintendent of schools, and would permit increases in specified tax rates and revenue limits and the levy and collection of specified taxes, in an amount sufficient to provide additional revenue equal to costs incurred in implementing specified provisions of this bill.

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 provide that there are no state-mandated local costs in the bill because the bill merely affirms for the state that which has been declared existing law through action by the federal government.

The bill would take effect immediately as an urgency statute, and would be retroactive to January 1, 1978.

Ch. 3 (AB 2198) Keysor Voter registration: cancellation.

Current law requires a county clerk, under prescribed conditions, to cancel the registration of a voter if a voter fails to vote at the previous direct primary election or previous statewide election, whichever is later, and the clerk receives an address correction notice, indicating that such voter no longer resides in the county or has moved and left no forwarding address.

This bill would authorize county clerks to utilize a different procedure, rather than the above, for purposes of cancelling persons' affidavits of registration. Generally, under such procedure, county clerks would be required to mail to each registered voter of the county a preelection residency confirmation card prior to the direct primary election. It would prescribe the actions, including, but not limited to, the cancellation of affidavits of registration, that the county clerks must take in connection with such mailings. It would also provide for certain mailings to persons who failed to vote at the general election and would prescribe the conditions for the cancellation of affidavits of registration of such persons.

This bill would take immediate effect as an urgency statute.

Ch 4 (AB 2151) Chel. Schools· governing boards.

Under existing law, a unified school district and a community college district which have coterminous boundaries may be governed jointly by the same school board

This bill would authorize such a particular common governing board for the Long Beach Unified School District, on its own initiative, to determine that a separate community college governing board be established and require members of the common board to elect which board to serve upon In addition, detailed provisions would be provided for the election and terms of the board members on the new community college district governing board.

This bill would take effect immediately as an urgency statute

Ch 5 (AB 1972) Cordova. California water districts· improvement districts.

Existing law provides for consolidation of coterminous improvement districts in a California water district and authorizes the unissued bonds of such improvement districts to be sold as bonds of the consolidated district but allows their use only for the

original authorized purposes

This bill would provide an alternate method for the consolidation of coterminous improvement districts in a California water district. Such alternate method would authorize the use of any assessment, standby charges, or other charges levied and collected in excess of the amount necessary to satisfy the obligations for which such charges or assessments were levied and collected for any of the purposes of the consolidated improvement district

The bill would also provide that outstanding or unissued bonds authorized by the coterminous improvement districts would be treated, for tax limitation purposes, as if they had been authorized by the consolidated improvement district and, for bonds authorized by the voters, as if they had been authorized by the voters of the consolidated district.

This act would take effect immediately as an urgency statute

Ch. 6 (SB 594) Rains Unemployment insurance.

Chapter 1143 of the Statutes of 1977 repealed Sections 2710 and 2711 of the Unemployment Insurance Code, effective January 1, 1978.

This bill would re-enact Sections 2710 and 2711 of the Unemployment Insurance Code, to remain in effect only until January 1, 1979, the operative date of Chapter 1143.

This bill would take effect immediately as an urgency statute.

Ch. 7 (AB 1962) Boatwright Chiropractic societies: discovery of evidence.

Existing law excludes the proceedings and records of hospital medical or medical-dental staff committees and of review committees of local medical and dental societies from discovery with certain exceptions.

This bill would extend the above provisions to review committees of local chiropractic societies.

The bill would take effect immediately as an urgency statute.

Ch. 8 (SB 1310) Roberti State park system: Pan Pacific Park

Chapter 787 of the Statutes of 1975 amended and supplemented the Budget Act of 1974 to appropriate $3,000,000 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 in the County of Los Angeles for the state park system, provided that none of such funds would be available for expenditure unless and until such project was recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency, and provided further that such acquisition would be accomplished in cooperation with the County of Los Angeles. The appropriation made by Chapter 787 reverted as of June 30, 1977, to the unappropriated balance of such fund.

This bill would amend and supplement the Budget Act of 1977 to reappropriate such sum from such fund to the department for such acquisition for expenditure during the 1977–78, 1978–79, and 1979–80 fiscal years, subject to the same provisos.

The bill would require, as a condition of such appropriation, that the County of Los Angeles agree to operate and maintain the park as a unit of the state park system at no cost to the state, and that the Los Angeles Flood Control District agree to hold the state harmless from any liability which may arise from the anticipated construction and operation of a flood control facility within such park site.

The bill would require any action which has been taken by any state agency, including, but not limited to, any action taken by the State Park and Recreation Commission and the Secretary of the Resources Agency, with respect to the acquisition of Pan Pacific Park pursuant to Chapter 787 to be applicable to the acquisition of Pan Pacific Park pursuant to this bill.

The bill would take effect immediately as an urgency statute.

Ch 9 (AB 2122) Mello Monterey Peninsula Water Management District. formation election

Existing law provides for a formation election before the Monterey Peninsula Water Management District may begin to function and exercise its powers. Such formation election is required to be called on or before February 1, 1978, and held not less than 75 days, nor more than 100 days, after January 1, 1978, and if the voters vote in favor of

the formation, the Board of Supervisors of Monterey County is required to enter on its minutes within 15 days after the election a specified declaration. Existing law also provides for 28 days to complete the canvass of votes at the statewide direct primary election.

This bill would extend the permissible call date to March 15, 1978, and the election date to not more than 180 days after January 1, 1978, for the express purpose of allowing consolidation of the formation election with the statewide direct primary election. The bill would also extend to 28 days after the election the time within which the board of supervisors is required to enter on its minutes the specified declaration.

The bill would make legislative findings and declarations of intent. The bill would exempt the formation election from existing filing dates and authorize the Registrar of Voters of Monterey County to determine reasonable dates for such filings. The bill would make actions pertaining to such election made pursuant to existing law apply to the election conducted on June 6, 1978, without refiling.

The bill would take effect immediately as an urgency statute.

Ch. 10 (AB 1012) Arnett. Public social services: developmental disabilities.

Existing law requires the State Department of Health, within the limitations of funds appropriated, to contract for the establishment of regional diagnostic, counseling, and service centers for developmentally disabled persons and their families. Regional centers are authorized, among other things, to purchase required out-of-home prehospital and posthospital care for developmentally disabled persons and are required to provide state funds to vendors of services to the developmentally disabled. Also under existing law $140,000 is appropriated to the State Department of Health for expenditure in the 1976–77 fiscal year to contract with appropriate parties for, or to allocate to such regional centers for contracting with appropriate parties for, continuation of a sensory motor training program for developmentally disabled persons. In the event federal or foundation funds are provided for this program, the amount available from such appropriation is required to be reduced equal to the amount of such funds.

This bill would appropriate $70,000 in furtherance of such purposes for expenditure in the 1977–78 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 11 (AB 1099) Agnos. Children's centers: payment of federal and state funds.

Existing law provides for the establishment and operation of child development programs, including children's centers, for prekindergarten and school age children and their parents under the supervision of the Department of Education. Public and private agencies providing child development services receive reimbursement from state and federal funds made available for that purpose and allocated by the Superintendent of Public Instruction.

Currently, there is no specific authority for making advance payment of such reimbursements. The law presently requires the Superintendent of Public Instruction and the State Controller to establish plans to advance the payment of funds received from the federal government for child development services, and further specifies that state funds appropriated for such purposes are to be allocated on a monthly basis.

This bill would, instead, direct the Superintendent of Public Instruction, with the approval of the Director of Finance, to provide the State Controller with a basic plan for the filing of claims and for the allocation of state and federal funds appropriated for child development services, and to include in such plan necessary procedures and controls permitting advanced payments of state and federal funds for subsidized child development services to the various school districts and other public and private organizations.

The bill would delete the existing requirement that state funds be allocated on a monthly basis, and would, instead, require that the frequency of state allocations be as prescribed in the plan adopted by the Superintendent of Public Instruction.

The bill would take effect immediately as an urgency statute.

Ch. 12 (SB 1366) Song. Discovery.

Existing law consolidates the procedure relating to serving, filing, and responding to, interrogatories and requests for admissions.

This bill would establish separate procedures for interrogatories and for requests for admissions by reinstating the law operative prior to 1978 with respect thereto, except with respect to the filing with the court of such documents and the responses thereto.

Specifically, this bill would, among other things, establish separate provisions governing the format for interrogatories and the format for requests for admissions, and reduce the period for responding to requests for admissions from 30 to 20 days. It would also substitute a noticed motion procedure for the filing with the court of interrogatories, requests for admissions, or responses thereto for a procedure making filing with the court wholly within the court's discretion.

This bill would take effect immediately as an urgency statute.

Ch. 13 (AB 719) Cullen Veterans: mobilehomes.

Existing law limits mobilehome purchases by the Department of Veterans Affairs under the Cal-Vet program to $12,500.

This bill would provide that the maximum purchase price under the Cal-Vet program of a mobilehome in a mobilehome park shall be $22,500. It would also require that the rate of interest charged for such purchases shall be 1% greater than that charged to purchasers of conventional housing or of a mobilehome on a lot owned by the purchaser.

[This bill would also prohibit a mobilehome financed under the program from being moved from its original site without prior approval of the department, and would make any person who moves, or causes to be moved, such a mobilehome without approval of the department jointly and severally liable for the full amount of the contract balance on the mobilehome]*

This bill would take effect immediately as an urgency statute.

Ch. 14 (AB 1465) Gualco. Municipal utility districts. conservation.

Existing law generally permits municipal utility districts to construct and operate facilities for furnishing light, heat, and power, among other things.

This bill would specifically permit a district to engage in the sale, rental, or lease of energy conserving materials. It would also regulate the interest rates charged on extended payment contracts for such materials.

The bill would state that it is declaratory of existing law

Ch. 15 (AB 1957) Greene. School and community college building construction inspectors.

Existing statutes specify that as of January 1, 1978, any person employed to inspect the construction, reconstruction, or alteration of school buildings shall be a registered construction inspector, except as otherwise exempted. An exemption is made in the case of an inspector approved by the Office of Architecture and Contruction and employed pursuant to a particular building contract prior to January 1, 1978.

This bill would extend that exemption to inspectors employed pursuant to such building contracts prior to January 1, 1980.

This bill would take effect immediately as an urgency statute

Ch. 16 (AB 1961) Gage Alcoholic beverages licensed winegrowers.

Existing law authorizes licensed winegrowers to sell only wine and brandy, to consumers for consumption on the premises in a bona fide eating place which is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and which is operated by and for the licensee.

This bill would authorize licensed winegrowers to sell all wines and brandies, regardless of source, to consumers for consumption on the above-described premises

Ch. 17 (AB 1140) Fenton. Officers and employees· counties.

Existing law generally prohibits a sheriff, clerk, or constable, or any of their deputies from practicing law or acting as a collector for a collection agency, or having as a partner a collector or a lawyer or anyone who acts as a collector or lawyer for a collection agency, except that a deputy sheriff, who is otherwise qualified to practice law, may give legal advice to his employer.

This bill would permit deputy sheriffs, who are otherwise qualified to practice law, to represent clients, except in criminal matters, matters adverse to their employers, or matters concerning an event or transaction if they have performed, or will perform, any

act relating to such event or transaction in connection with their duties.

Ch 18 (AB 394) Gualco Water supply loans.

Existing law authorizes public water agencies, as defined, which agencies may otherwise enter such agreements or contracts with the federal government, and which must otherwise submit such agreements or contracts to an election, to apply for, enter into, provide for the repayment together with interest thereon, and use funds from, agreements for drought relief financing, pursuant to specified federal acts, upon an affirmative vote of ⅘ of the members of the governing body as an alternate method to submitting the proposal to an election, unless otherwise prohibited by the California Constitution or unless a petition, as specified, is presented to the governing board, and provided certain specified conditions exist, including that the project will be completed not later than March 1, 1978. Existing law also exempts from the requirements of the California Environmental Quality Act a drought relief project which is federally funded, as specified, and which meets other specified conditions, including completion not later than March 1, 1978.

This bill would permit the Director of the Drought Emergency Task Force, or the Director of Water Resources if the Drought Emergency Task Force is dissolved, upon application by an agency which applied for federal funds for a project prior to January 1, 1978, to extend such required completion date to a date not later than September 30, 1978, if he finds that the project has been delayed by factors not controllable by the agency.

The bill would take effect immediately as an urgency statute.

Ch 19 (AB 1426) Papan. Skilled nursing and intermediate care facilities

(1) Under present law a skilled nursing and intermediate care facility must be relicensed upon any transfer of ownership and, in order to be eligible for such relicensure, there must be full compliance with the relevant statutory provisions and regulations of the State Department of Health or its successor, the State Department of Health Services

This bill would authorize the state department to issue provisional licenses upon such transfers of ownership if the initial relicensure inspection shows substantial compliance with such provisions and regulations, no violations exist which jeopardize the health or safety of patients, and the applicant has adopted a plan satisfactory to the state department for correction of any existing violations Such a provisional license could be issued for no longer than 6 months and could not be renewed

(2) Prior to January 1, 1978, the Director of Health was required to maintain a special reimbursement rate for intermediate care facilities and skilled nursing facilities under the California Medical Assistance Program (Medi-Cal) which was sufficient to provide the Medi-Cal portion of an average wage increase for nonadministrative employees of such facilities equal to 10 cents per hour above wage rates in effect in late 1976. All skilled nursing and intermediate care facilities participating in the Medi-Cal program were required to provide such wage rates to nonadministrative employees. However, the above requirements were repealed effective January 1, 1978

This bill would require the director to establish a reimbursement rate for such facilities effective March 1, 1978, which is sufficient to provide a wage and benefit increase for nonadministrative employees of $2.28 per patient-day for skilled nursing facilities and $1.84 per patient-day for intermediate care facilities.

The bill would require certification to the director that such funds be used for wages and benefits, unless specified minimum wages are paid, as specified, and provides for liability and penalties for failure to distribute funds received for wages and benefits as specified.

The bill would make Legislative findings and declarations of intent

(3) The bill would appropriate $7,000,000, or so much thereof as may be necessary, to the State Department of Health for allocation by the Department of Finance to fund the special Medi-Cal reimbursement rates required to be established under the bill

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

Ch 20 (SB 1319) Cusanovich Horseracing.

Under existing law racing associations with a parimutuel pool of less than a specified amount are exempt from other statutory provisions relating to the percentage payment of purses, license fees, and payments to owners and breeders, and instead pay out 5.5% as a license fee and 10.25% to owners and breeders as commissions and purses.

This bill would specify the amount in the parimutuel pool which will qualify an association, other than the California State Fair and Exposition or a district or county fair, for exemption from the other statutory provisions relating to the percentage payment of purses and payments to owners and breeders, and for reduced license fees to be $30 million. The provisions of the bill would apply to racing meetings held on or after the effective date of the bill and would be effective until September 1, 1978.

The bill would state legislative intent and also state the provisions of the bill are declaratory of existing law.

This bill would take effect immediately as an urgency statute.

Ch. 21 (AB 2069) Knox. Joint exercise of powers agreements.

Present law generally permits the agency or entity provided by a joint exercise of powers agreement to administer or execute the agreement to be a person, firm, or corporation as well as a public agency, and generally provides for annual audits by agencies or entities created therefor.

This bill would also provide for annual audits where an agreement designates a nonprofit corporation to administer or execute the agreement for the parties to the agreement.

Ch. 22 (AB 1965) Chappie. School and community college elections.

Under existing law, an election for a vacancy on a school or community college district governing board is not called when only 1 person has been nominated, no person has been nominated, or a petition signed by 25 voters of the district indicating that a write-in campaign will be conducted has not been presented to the county superintendent of schools. In such instances, the governing board at a meeting prior to the day fixed for the election appoints to the vacant position the person nominated or, if no person has been nominated, appoints any qualified person to such position.

This bill would remove the duty of a school or community college governing board to appoint a person to the board when only 1 person has been nominated and provide instead that such person if qualified shall take office

Ch 23 (AB 1011) Chimbole. Insurance: retaliatory fees

Existing law provides that where another state, commonwealth, or Canadian province requires by statute a countersignature fee, among other things, of a California resident insurance broker, such required countersignature fee shall apply to a resident of that state, commonwealth or Canadian province transacting business in California

This bill would delete such retaliatory requirement concerning countersignature fees.

Ch. 24 (SB 1) Behr Taxation

Under existing law, all taxable property on the secured roll is subject to taxation at the same rate, while property on the unsecured roll is subject to taxation at the rate applied to the secured roll for the prior fiscal year, and the first $7,000 of the full value of an owner-occupied dwelling is exempted from taxation.

This bill would provide for the taxation of owner-occupied dwellings at a different rate than other taxable property

Existing law limits the maximum property tax rate which may be levied by local agencies.

This bill would revise the method of computing maximum property tax rates so that local agencies shall receive a specified amount of tax revenues, reduced by certain reduced costs of specified social service programs.

Existing law authorizes a $37 credit against taxes due under the Personal Income Tax Law for qualified renters. If the amount of the credit exceeds income tax liability, the excess is paid to the claimant

This bill would change the amount of the credit or payment to $75, commencing with taxable years beginning on and after January 1, 1978

Under existing law, payments of state funds are made to homeowners and renters 62 years of age or older on the basis of a percentage (determined by total household income) of property taxes paid by homeowners or the statutory property tax equivalent

presumed to be paid by renters.

This bill would revise the schedule of benefits payable to homeowners and renters.

Existing law does not limit the amount of revenues collected by the State of California.

This bill would set a state revenue limit which is increased annually by the percentage increase in California Personal Income multiplied by a revenue elasticity factor.

Under existing law, counties are required to pay a specified share of the costs of the Supplementary Program for the aged, blind and disabled and specified Medi-Cal programs

This bill would alter counties' shares of such programs according to a formula

This bill would become operative only if Proposition 8 on the ballot for the June 6, 1978, election is approved by the voters and Proposition 13 on such ballot is rejected by the voters, or is declared unconstitutional by the courts.

The bill would take effect immediately as an urgency statute, but would specify various operative dates for its provisions.

Ch. 25 (AB 2495) Papan. State Capitol· restoration or rehabilitation of west wing.

This bill would make clarifying, nonsubstantive changes in the law governing the restoration or rehabilitation of the west wing of the State Capitol.

This bill would take effect immediately as an urgency statute.

Ch. 26 (AB 1849) Lancaster. Sales and use taxes.

Under existing sales and use tax law, the sale or use of tangible personal property is subject to the imposition of taxes. Moreover, counties, cities and certain transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

This bill would exempt from the use tax the storage, use, or other consumption of property by certain charitable organizations for the purpose of promoting the dissemination of medical health information.

The bill would also exempt from the use tax the storage, use, or other consumption of health and safety educational materials and insignia which are routinely purchased or sold by certain national charitable organizations in connection with health and safety and first aid classes.

This bill would provide that notwithstanding Sections 2230 and 2230.5 of the Revenue and Taxation Code there shall be no reimbursement, review, or appropriation for a specified reason.

[This bill would take effect immediately as an urgency measure.]*

Ch. 27 (SB 1188) Alquist Public water systems.

(1) Existing law requires that secondary drinking water standards which are adopted by the State Department of Health, or its successor the State Department of Health Services, and applied to public water systems under the jurisdiction of the Public ~~Utility~~ [Utilities]* Commission, shall be enforced in the same manner as primary drinking water standards

This bill would repeal such enforcement provision.

(2) Existing law requires a person operating a public water system, as defined, to obtain a permit from the State Department of Health, or its successor the State Department of Health Services. Such a system, which is subject to the jurisdiction of the Public Utilities Commission, may be required to install and operate additional facilities, if, after public hearing, the Director of Health, or his successor the Director of Health Services, determines such facilities are necessary, as specified.

This bill would, instead, require the Director of Health Services to allege in a formal complaint that additional facilities are necessary, as specified, and authorize, but not require, the commission to direct, after hearing, the public utility to make such changes in its procedures or additions to its facilities as the commission determines are necessary, as specified

Ch. 28 (SB 551) Ayala Milk· manufactured, raw, certified.

Under the existing law, generally, market milk is required to contain not less than

3.5% of milk fat and not less than 8.7% of solids not fat. Market milk produced and marketed as certified milk is required to contain not less than 3.5% of milk fat and not less than 8.5% of solids not fat which may vary by a prescribed percentage; provided, that the total combined percentage of milk fat and solids not fat, at the time of delivery to consumer, equals or exceeds 12%

This bill would include market milk produced and marketed as guaranteed raw milk and Grade A raw milk within such provisions regulating market milk produced and marketed as certified milk.

The existing law sets forth various designated requirements for manufacturing milk.

This bill would, in addition, require manufacturing milk to comply with the rules, regulations, and standards of the United States Department of Agriculture which govern quality standards of raw milk

Ch. 29 (AB 2075) Boatwright. Rape.

Under existing law, children under the age of 14 are incapable of committing crimes in the absence of clear proof that at the time of committing the act charged against them, they knew its wrongfulness, and no conviction for rape can be had against one who was under the age of 14 years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt.

This bill would repeal the provision relative to rape.

The bill would take effect immediately as an urgency statute.

Ch. 30 (AB 2004) Egeland. Waste recycling: crimes.

Under existing law every person who purchases or receives in pledge or by way of mortgage from any person under the age of 16 years any junk, metal, mechanical tools, or implements, is guilty of a misdemeanor.

This bill would exempt the sale of recyclable discards to a consumer recycling center, as defined, from such prohibition.

Ch. 31 (AB 1997) Suitt. Disaster relief: appropriation.

This bill would appropriate $117,054.36 to the Disaster Relief Special Deposit Fund, Office of Emergency Services, for the purpose of paying for disaster relief, including repayment of funds advanced to the state by the federal government.

This bill would take effect immediately as an urgency statute.

Ch. 32 (AB 1987) Vasconcellos. Community colleges: tuition.

Under existing law, where 50% or more of the enrollment in a police or fire training course consists of residents from other community college districts, all students enrolled are deemed to be residents of the community college district offering the course.

This bill would provide that where 50% or more of the enrollment in a police or fire training course consists of residents from other community college districts, all students enrolled may be, rather than shall be, deemed residents of the community college district offering the course

This bill would take effect immediately as an urgency statute.

Ch. 33 (AB 1897) Mello. Decedents' estates.

Existing law requires the public administrator to keep a book, labeled as the "Register of Public Administrator," containing specified information relating to decedents' estates.

This bill would authorize the public administrator to maintain such information separately, as to each particular estate, or collectively, as under existing law.

Ch. 34 (AB 1967) Keene. Court fees: Sonoma County.

Existing law requires payment of specified fees to the county clerk for filing documents in various actions or proceedings.

This bill would increase such filing fees in Sonoma County.

The bill would make such increase inseverable from specified provisions of existing law relative to the maintenance of records regarding court reporters in Sonoma County.

The bill would take effect immediately as an urgency statute.

Ch. 35 (AB 850) McAlister. Small claims court

Existing law limits a plaintiff to 6 claims per court day in small claims court.

This bill would repeal such limitation

Existing law provides that no person other than the plaintiff and the defendant shall take part in the filing or the prosecution or defense of litigation in small claims court.

This bill would provide that a corporation may appear through employees, officers, or directors, and any other entity other than natural persons may appear through employees; provided such persons are appointed, elected, or employed for purposes other than the exclusive representation of the corporation or entity in small claims court.

Under existing law, if the defendant did not appear at the hearing in a small claims court, as a prerequisite to appeal, he must file a motion to vacate the judgment within 20 days after receipt of actual notice of entry of judgment.

This bill would require that the motion to vacate be filed within 30 days after the clerk has mailed the notice of entry of judgment.

The bill would also provide that if the defendant did not appear at the hearing, and was not properly served with notice of the claim, then he may move to vacate the judgment within 180 days after he knows or should have known that judgment was entered against him. The notice of motion would be on forms approved or adopted by the Judicial Council.

This bill would take effect immediately as an urgency statute.

Ch 36 (AB 2319) Mori. Public social services. Indochinese Self-Support Program.

The federal Indochina Migration and Refugee Assistance Act of 1975 (P.L. 94-23 and P.L. 95-145) provides for federal aid for various social services for alien refugees in the United States who have fled from Cambodia, Vietnam or Laos

This bill would state legislative findings; would appropriate from the General Fund $337,500 to the State Department of Health to continue its Indochinese Refugee Self-Support Program from January 1, 1978, through June 30, 1978; would provide that such funds be matching funds for $1,012,500 of unallocated Title XX Social Services funds; and require both such amounts and all moneys advanced by the Director of Finance pursuant to Section 28 of the Budget Act of 1977 to be repaid to their respective sources when specified federal funds become available.

This bill would take effect immediately as an urgency statute.

Ch. 37 (AB 1768) Keene. Municipal water district bonds

Under existing law, a municipal water district may issue revenue bonds for any purpose for which general obligation bonds may be issued

This bill would permit a municipal water district that has outstanding revenue bonds which were approved by more than ⅔ of the votes cast at the election authorizing such bonds to incur a bonded indebtedness, in accordance with all provisions applicable to the authorization, issuance, and sale of district general obligation bonds, for the purpose of refunding such revenue bonds, and for the payment of all incidental expenses in connection with the refunding of such revenue bonds.

The bill would go into immediate effect as an urgency statute

Ch 38 (AB 1908) Gualco. Secured transactions

Existing law provides that no nonpossessory security interest, other than a purchase money security interest, may be given or taken in the inventory of a retail merchant held for sale, but these provisions do not apply to the inventory of a person making sales for resale in a specified percentage of his total sales

This bill would provide that the sale of goods to a contractor for the purpose of being incorporated into improvements or repairs to real property is deemed to be a sale for resale for the purposes of the above

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

Ch 39 (AB 1910) Lewis. Sales and use taxes PTAs.

Existing California Sales and Use Tax Law imposes a state tax on a retailer's gross receipts from the sale or on the use, based on the sale price, of tangible personal property in the state, unless such sale or use is exempted from such tax.

Moreover, counties, cities, and certain transit and rapid transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

This bill would provide that certain nonprofit parent-teacher associations and equivalent organizations performing the same type of service for public or private schools are consumers rather than retailers of tangible personal property sold by them for purposes of the sales and use taxes

This bill would take effect immediately as a tax levy and shall become operative as specified therein.

Ch 40 (AB 1944) Chappie Decedent's estates· real property.

Under existing law, an executor or administrator of a decedent's estate may cause real property in the estate to be sold at a public auction or private sale by bid, subject to confirmation of the court

This bill, in addition, would permit an executor or administrator, upon consent of the heirs or pursuant to the decedent's will, and upon a finding by the court that the rights of creditors will not be jeopardized, to cause real property in an estate to be sold at not less than the appraised value to a grazing or pasture association in conformity with the federal Consolidated Farm and Rural Development Act for the development and use of pasture and grazing land.

Ch. 41 (SB 1116) Ayala Municipal advisory councils.

Existing law does not specifically permit municipal advisory councils to represent the community to public agencies other than the board of supervisors, or to use revenues of a county service area.

This bill would so authorize.

Ch 42 (SB 1263) Alquist Water districts: sales of district property.

Existing law authorizes the Santa Clara Valley Water District to trade in, survey, sell or otherwise dispose of personal property held by the district and no longer necessary for the uses and purposes of the district. If such personal property has a sale value over $100 as determined by the board, the sale is required to be made on public bid.

This bill would authorize such sale of personal property which has a sale value over the value presented for fixed assets in the publication of the State Controller on Accounting for General Fixed Assets, as specified.

Ch. 43 (SB 117) Nejedly. Senior Citizens Property Tax Assistance.

Under existing law, qualified persons 62 years of age or older who own or rent their homes may claim state funds to reimburse them for a portion of the property taxes paid on their homes, and payment of the property taxes on homes owned by certain persons 62 years of age or older may be postponed

This bill would require that, for any fiscal year for which such assistance is claimed, the request for postponement of property taxes shall be made by the individual claiming such assistance, and would include part of a multidwelling or multipurpose building within the application of such assistance and postponement authorization.

This bill would also provide for the postponement of property taxes by a tenant-stockholder, as defined

This bill would also increase from $5,000,000 to $12,700,000 money made available from continuously appropriated funds for the Controller to pay certificates on postponed property taxes, the bill would also appropriate $33,849 from the General Fund to the Controller for the administration of the postponement law

The bill would take effect immediately as an urgency statute.

Ch 44 (SB 1265) Marks State government

Under existing law the Commission on California State Government Organization and Economy consists of 13 members, 9 of whom are members of the public, serving at the pleasure of the appointing powers and 4 of whom are members of the Legislature

This bill would establish 4-year terms for the public members, on a staggered basis and would provide that any public member who is absent for 3 consecutive regular meetings may be removed by the appointing authority unless the member is excused from such meetings by the chairman of the commission. In the event of removal, resignation, or death of a member, this bill would require the respective appointing authority to appoint another person to fill the balance of the unexpired term.

Ch. 45 (SB 1274) Johnson Property taxation: tax rate limit elections

Existing law provides a procedure by which the voters of a local agency may establish a maximum property tax rate for such agency by a tax rate limit election.

This bill would establish a procedure to permit a local agency which is formed without an election to obtain consents from all of the qualified voters of the local agency to approve a maximum tax rate.

The bill would take effect immediately as an urgency statute.

Ch 46 (AB 1922) N. Waters. California Beef Council members nomination.

The existing provisions of the California Beef Council Law require the Director of Food and Agriculture to appoint members and their alternates on the California Beef Council from a list of persons nominated by producers or slaughterers, as prescribed, for membership on the council.

This bill would revise the procedure of nominating persons for membership on the council. The director may hold nomination meetings, as prescribed, mail nomination forms to persons on department lists of producers and slaughterers, or, whenever and in any other manner deemed necessary and appropriate by him, obtain nominations for membership on the council. It would delete the requirement of publishing of a notice in a newspaper and revise the information that is required to be set forth on nominations made by mail.

Ch. 47 (AB 2033) Knox. State Treasurer.

Existing law provides that, unless expressly provided otherwise, whenever a power is granted to, or a duty is imposed upon, a public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law, by the officer and, expressly authorizes the State Treasurer to appoint one deputy treasurer and to designate and appoint any officer or employee of his office, in addition to the deputy treasurer, to have the powers and liabilities of a deputy.

This bill would expressly authorize the State Treasurer, subject to certain conditions, to designate any deputy of his office to act in his place and stead on any statutorily created state board, commission, committee, or governing board of a state agency with respect to the exercise of statutory powers and duties of any such body.

This bill would take effect immediately as an urgency statute

Ch. 48 (AB 2049) Chimbole. County service areas: revenues.

Existing law provides that whenever a county service area comprising the entire unincorporated area of a county is created, the board of supervisors may credit certain revenues which it deems generated from that area to the area.

This bill would provide that the board of supervisors may credit such revenues to any county service area comprising all or a portion of the unincorporated area of the county

Ch. 49 (AB 2062) Vicencia. Alcoholic beverages.

Existing law requires each manufacturer, importer, and wholesaler of beer to file and maintain on file with the Department of Alcoholic Beverage Control a schedule of selling prices charged by the licensee for beer sold and distributed by him to his customers in California under the Alcoholic Beverage Control Act. However, existing law exempts from such schedule filing requirement a transfer of beer between wholesalers who sell the same brand in packages

This bill would specify for the purpose of the above exemption that transfer includes the sale of beer between wholesalers

Ch 50 (SB 1259) Song Judges' Retirement Law. contributions.

Existing Judges' Retirement Law requires judges who redeposit withdrawn contributions to pay 3% interest This bill would instead require the payment of the same interest then being required under the Public Employees Retirement Law.

Existing Judges' Retirement Law permits contributions to be refunded to a judge who resigns prior to retirement

This bill would prohibit a judge who has filed a declaration of candidacy from withdrawing contributions until after the election and from withdrawing contributions until he has declined to accept office or ceased to hold the office to which he has been elected The bill would also prohibit a judge who has been appointed, commissioned, or nominated from withdrawing contributions until he has declined to serve or terminated service in the latter office

The bill would take effect immediately as an urgency statute.

Ch. 51 (AB 1649) Maddy. Agricultural association· racing facilities.

Under the existing provision of law, district agricultural associations may not lease their racetracks for running races of horses to any private person, firm, or corporation, except to a national or international exposition or its affiliated corporations or associations for the period of time which is permitted by law for fairs.

This bill would, notwithstanding such provisions, permit the 21st District Agricultural Association, with the approval of the Department of Food and Agriculture and the Department of General Services, to lease its racing facilities for conducting horseracing meetings, with parimutuel wagering, on days other than the days on which general fair activities are conducted. Such horseracing meeting may not be for more than 21 days and must be held prior to June 1st of each year. Further, such racing meetings would be required to include a program consisting of all breeds of horses, to designate certain days as charity days, and to encourage racing of the emerging breeds of horses.

Existing law provides that the maximum number of racing days which may be allocated to a county or district agricultural association fair or citrus fair shall be 14 days per year.

This bill would provide for an additional allocation of 21 days to the 21st District Agricultural Association.

Ch. 52 (AB 2060) Lehman. Contractors.

Under existing law contractors, other than plumbing contractors, are not required to identify commercial vehicles used in their contracting business.

Under existing law plumbing contractors are required to have their name, permanent business address, and contractor's license number, in letters at least 1½ inches high, on each side of each motor vehicle used in their contracting business which is registered as a commercial vehicle pursuant to the Vehicle Code.

This bill would require all state licensed contractors who are licensed as class C-45, electrical sign contractors, and who are engaged in the manufacture, installation, or maintenance of electric business signs to have their name, business address, and contractor's license number, on each side of each motor vehicle used in their contracting business which is registered as a commercial vehicle pursuant to the Vehicle Code. The letters would be required to be not less than 1½ inches high.

Ch. 53 (SB 1311) Dunlap. Schools: selection of county superintendent.

The State Constitution, as most recently amended, requires that the manner of selecting the county superintendent of schools in noncharter counties, whether by election or appointment, be determined by the voters of the county. Under existing law, elections for county superintendents of schools will be conducted in June of 1978 on the date of the statewide primary election, and runoff elections, if necessary, conducted in November of 1978 on the date of the statewide general election.

This bill would require the board of supervisors of each noncharter county to call and conduct a special election, to be held prior to, or consolidated with, the 1978 statewide primary or to be consolidated with the 1978 statewide general election, on the question of whether the county superintendent of schools shall be elected or appointed. The bill would require counties to refund the filing fees of all candidates for county superintendent of schools at the primary or general election, in the event that at the special election it is determined that the county superintendent of schools shall be an appointive office.

The bill would appropriate $10,000, or so much thereof as necessary, to the State Controller for the purpose of reimbursing counties for the cost of refunding filing fees.

The bill would declare that no other appropriation is made, nor any obligation for reimbursement created pursuant to Section 2231 of the Revenue and Taxation Code, for a specified reason.

The bill would take effect immediately as an urgency statute

Ch. 54 (AB 1868) Stirling. School districts: reorganization: elections: ballot arguments.

Existing law provides that the county superintendent of schools, who calls, holds, and

conducts a special election for the formation of a unified school district, must cause to be prepared and distributed a statement setting forth arguments for and against such reorganization

This bill would authorize the preparation and distribution of rebuttal arguments.

This bill would also provide that no appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act.

Ch. 55 (AB 2124) Nestande. Foster care AFDC

Existing law under the aid to families with dependent children program does not contain a specific provision establishing continuing assistance for persons between the ages of 18 and 21 who are receiving foster care.

This bill would provide that a child who is in foster care and receiving aid and who is regularly attending school or a training program prior to his eighteenth birthday may continue to receive aid following his eighteenth birthday so long as the child continues to reside in the foster care placement and continues to participate in the education or training program making progress according to standards set by the Department of Benefit Payments. Such aid would continue until the termination of the education or training program or until the age of 21 years, whichever occurs first. Aid would be required to be provided an individual age 18 or older pursuant to this provision without the necessity of a court order so long as both the individual and the foster care placement are in mutual agreement with and supportive of the education or training plan.

The bill would state that it is merely declaratory of existing law

This bill would take effect immediately as an urgency statute

Ch 56 (AB 1949) N. Waters State park acquisitions.

Existing law does not require advance notification to a property owner that his real property is to be acquired for the state park system

This bill would require the Director of Parks and Recreation to notify, within 90 days of the enactment of the Budget Bill, and within 180 days of the enactment of any other statute appropriating money for the acquisition of privately owned real property for the state park system pursuant to the Property Acquisition Law, or as soon thereafter as practicable, all owners whose real property lies within the tentative boundaries of the acquisition of the fact of probable acquisition.

Ch. 57 (SB 321) Ayala Property taxation: hearings.

Existing law requires the State Board of Equalization to prescribe rules and regulations to govern local boards of equalization when equalizing the assessment and taxation of property.

This bill would specify that the State Board of Equalization shall prescribe uniform procedures for the consideration and adoption of written findings of fact by local boards of equalization.

Existing law permits the county, under specified circumstances, to impose a reasonable fee to prepare findings and conclusions by the county board of equalization at the conclusion of a hearing, such fee not to exceed $10 per parcel

This bill would provide that the applicable fee shall not exceed $10 per parcel or a total of $50 for findings on contiguous parcels or assessments on the roll involving the same issues and owners.

Ch 58 (SB 1194) Johnson Inheritance tax revenues.

Under existing provisions of the Inheritance Tax Law, the county treasurer is required to pay all money received by him pursuant to such law to the State Treasurer within 15 days after the receipt of the money, and imposes interest, at the rate of 10% per annum on amounts which are not paid timely

This bill would authorize counties of less than 25,000 population to elect to make such payments on a monthly basis, to be paid within 5 days following the close of the monthly period

Ch 59 (SB 1430) Vuich Fruit, nut, and vegetable standards: nectarines

Existing law allows transportation of nectarines out of the state under permit and loose in containers when they meet quality standards defined by regulation of the director, except that nectarines are not required to meet quality standards relating to split pits.

A county agricultural commissioner may issue a permit for out-of-state transportation when the commissioner receives verification, as specified, from a similar officer of the state or country of destination, that the nectarines are to be transported for specified purposes. Existing law also requires that certain fees be paid by persons requesting a permit for out-of-state transportation.

This bill would repeal the above provisions and would take effect immediately as an urgency statute.

Ch 60 (AB 1906) Nestande School districts, county superintendents of schools, and community college districts: insurance.

Under existing law, school districts and community college districts are authorized to establish a fund for specified losses to school district property, and liability of the district, and the district's liability under workers' compensation insurance. Those districts may also contract for claim adjustment and related services the costs of which may be charged against such fund or funds

This bill would make such law applicable also to county superintendents of schools and would specify that a [county]* superintendent may participate in or administer insurance or self-insurance programs for itself or for one or more school districts or community college districts or any combination thereof. It would also permit payments arising from self-insurance programs to be charged against such fund or funds.

This bill would authorize contracts with firms, as defined, for investigative, administrative, and claims adjustment services, as specified, including establishment of a related trust fund and employment by the firm of legal counsel, and would authorize performance, in lieu thereof or in addition thereto, of such matters by an authorized school or community college employee

This bill would take effect immediately as an urgency statute.

Ch. 61 (SB 1038) Beverly. State 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 respect to the amortization of the amortizable basis of any certified pollution control facility which, among other things, is placed in service by the taxpayer before January 1, 1976. The period of such amortization is 60 months

This bill would require that such facility must have been placed in service by the taxpayer before January 1, 1988, and would authorize certain taxpayers to elect to make the amortization period of such facilities either 12 months or 60 months.

This bill would create the Tax Relief and Refund Account in the General Fund and would continuously appropriate from such fund to the Franchise Tax Board an amount needed to make certain payments and refunds.

This bill would take effect immediately as an urgency statute.

Ch 62 (SB 1364) Russell. Hollywood-Burbank Airport.

Existing law provides that in the County of Los Angeles, any agency, commission or board established pursuant to the exercise of the joint powers agreement entered into by cities for the purpose of maintaining the Hollywood-Burbank Airport as a public airport, is authorized to issue revenue bonds The power to issue such bonds terminates as of December 31, 1980.

This bill would extend the power to issue revenue bonds as long as the provision continues to be in effect if the entity has initially issued such bonds on or prior to December 31, 1980 The requirement of initial issuance of such bonds would be extended in the event issuance of bonds is prevented by litigation

This bill would take effect immediately as an urgency statute.

Ch. 63 (SB 1186) Johnson. Chico Area Recreation and Park District special assessment zone: tax rate

Existing law authorizes the imposition of a property tax within a special assessment zone in a recreation and park district at a maximum rate of 10 cents.

Regardless of such authorization, other provisions of existing law require that a maximum property tax rate be established by the voters of any such zone established after August 31, 1973

This bill would increase the maximum authorized rate to 25 cents, but only with respect to any such zone in the Chico Area Recreation and Park District. The bill would make legislative findings regarding the necessity for this special law.

Existing law grants a 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 government to compensate for property tax revenues lost by reason of such exemption.

Inasmuch as this bill would increase the amount of such appropriation by authorizing an increased rate of property tax, this bill would make an appropriation

This bill would take effect immediately as an urgency statute

Ch. 64 (AB 2102) Duffy Vehicles· length limitation.

Existing law generally prohibits any vehicle being more than 40 feet in length, but certain vehicles are exempted from this provision when the excess length is caused by auxiliary parts, equipment, or machinery, or by parts necessary to comply with various equipment or safety regulations or by certain devices used to assist handicapped persons in boarding or leaving buses. An articulated bus, an articulated trolley, or a semitrailer being towed by a motortruck or truck tractor, under certain conditions, is exempt. Certain combinations of vehicles are governed by a different provision. In addition, upon a showing of good cause, the Department of Transportation or local authorities, as specified, may issue a special permit authorizing a variance.

This bill would exempt certain vehicles designed and used exclusively for drilling water wells from the general length limitation, while imposing a maximum length limitation of 48 feet for such vehicles when operated in counties where drought conditions exist and a severe underground water shortage has been declared.

These provisions would be applicable only to vehicles operating under a variance permit on the date this bill is chaptered and would be effective only until January 1, 1980.

The bill would take effect immediately as an urgency statute.

Ch 65 (AB 1904) Knox. Local agency investments

Existing law specifies the investments that may be made by a local agency with surplus funds There is no provision for direct investment by a local agency in either commercial paper or certificates of deposit

This bill would permit such investments for a local agency having a population of 250,000 or more.

Ch 66 (AB 2059) Vicencia. Vehicles. identifying symbols.

Under existing law, 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, is required to have displayed prominently 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 Provisions of the Public Utilities Code also provide for the display of such identifying symbols.

This bill would delete the requirement that the identifying symbol be placed on the door of the vehicle and provide instead that it be displayed prominently as provided for in existing provisions of the Public Utilities Code which require display in the form prescribed by the Public Utilities Commission

This bill would take effect immediately as an urgency statute

Ch 67 (AB 2211) Lehman Urban Open-Space and Recreation Program, City of San Jacinto grant.

(1) The Roberti-Z'berg Urban Open-Space and Recreation Program Act authorizes annual grants to be made to cities, counties, and certain districts for recreational or open-space purposes. Under existing law, the Malaga County Water District is empowered to conduct community recreation programs, establish systems of recreation and recreation centers, including parks and parkways, and to acquire, construct, improve, maintain, and operate recreation centers within the district

This bill would provide that the Malaga County Water District is eligible to receive grants under such act

(2) The Budget Act of 1974, as amended and supplemented, appropriated $7,000 from

the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for a local assistance grant to the City of San Jacinto for Sallee Park. The Budget Act of 1976, as amended and supplemented, appropriated $9,694 from such fund for a grant to such city for Mistletoe Park

This bill would amend and supplement the Budget Act of 1977 to revert to such fund the unencumbered balance of the $9,694 appropriated for Mistletoe Park and appropriate that sum from such fund as a grant to the city for Sallee Park in augmentation of the $7,000 appropriation made by the Budget Act of 1974, as amended and supplemented.

The bill would take effect immediately as an urgency statute.

Ch. 68 (SB 1329) Zenovich. County highways: maintenance.

Under existing law, with specified exceptions, the minimum required width of a county highway is 40 feet.

The bill would authorize a county to maintain a highway of less than 40 feet if all the costs of maintenance thereof would be paid by a maintenance district created pursuant to the Improvement Act of 1911.

Ch. 69 (SB 23) Robbins State hospitals.

(1) Existing law requires the coroner to inquire into the death of any patient in a state mental hospital or state hospital for the developmentally disabled but does not require the State Department of Mental Health or the State Department of Developmental Services to determine if such death resulted from the negligence, recklessness, or intentional act of a state employee

This bill would require, whenever the coroner finds that the death of a patient in a state mental hospital or a state hospital for the developmentally disabled was by accident or by the hands of another other than by accident, the coroner to forward a copy of his report to the state agency responsible for the state hospital, and the State Department of Mental Health or the State Department of Developmental Services to determine if the death resulted from the negligence, recklessness, or intentional act of a state employee. It would direct such department to terminate any state employee whose negligence, recklessness, or intentional act is determined to have directly caused such a death.

(2) Existing law enumerates what constitutes cause for disciplining a state civil service employee.

This bill would add to the list any negligence, recklessness, or intentional act which results in the death of a patient of a state hospital serving the mentally disabled or the developmentally disabled.

(3) Existing law provides for the confidentiality of records of patients of state mental hospitals and state hospitals for the developmentally disabled but authorizes the disclosure to coroners of all factual and clinical information about a patient who dies while so hospitalized

This bill would permit disclosure of such records to any board or bureau which licenses and certifies mental health professionals pursuant to state law, when the Director of Mental Health or the Director of Developmental Services believes there has been a violation within the jurisdiction of such board or bureau, and would provide that the records shall be sealed after a decision regarding the suspected violation is reached This bill would prohibit the release, where a patient dies while so hospitalized, to the coroner of any notes, summaries, transcripts, tapes, or records of conversations between the patient and health professional hospital personnel relating to the patient's personal life and not related to diagnosis and treatment of the patient's physical condition.

Ch. 70 (SB 479) Beverly. Weapons

Existing law makes possession, sale, gift, manufacture, or importation of specified weapons an alternative felony-misdemeanor, but does not include any bullet containing or carrying an explosive agent or compound subject to such prohibition.

This bill would make such bullets subject to such prohibition, except that the prohibition against possession of such bullets would not take effect until July 1, 1978, and would specifically provide that such bullets are not destructive devices for purposes of other provisions of law

Existing law exempts certain devices from the above provision of law, but does not

exempt tracer ammunition manufactured for use in shotguns.

This bill would exempt such tracer ammunition from the above provision of law

The bill would provide that there shall be no reimbursement or appropriation pursuant to this bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 71 (AB 2481) Torres. State hospital operating costs.

The Budget Act of 1977 appropriated funds to the State Department of Health for the state's share of state hospital expenditures.

This bill would appropriate $19,056,053 to the State Department of Health, in augmentation of Items 244, 245, and 247 of the Budget Act of 1977 as prescribed, for the purpose of bringing state hospitals up to licensing standards and complying with court orders for the treatment of 72-hour hold patients.

This bill would take effect immediately as an urgency statute.

Ch. 72 (SB 1289) Alquist Home furnishings: board membership and labeling

Existing law requires members of the California Advisory Board of Home Furnishings to be, among other things, at least 30 years of age.

This bill would delete such age requirement.

Existing law does not require home furnishings made from, or which contain, cellular foam to be labeled as to potential dangers.

This bill would require any upholstered furniture or mattress which is made from or contains non-flame-retardant cellular foam to be labeled in a manner which will alert the consumer of the potential hazards of the product should it become ignited.

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 take effect immediately as an urgency statute.

Ch. 73 (AB 672) Rosenthal Public Employees' Retirement System

Existing Public Employees' Retirement Law provides that a person in full-time employment, which in the opinion of the Board of Administration of the Public Employees' Retirement System is on a seasonal or temporary basis, is excluded from membership in the system unless the employment is compensated and the appointment or employment contract fixes a term of employment in excess of six months or, if a term is not fixed, the employment under such appointment or contract continues for more than six months or the person is a member at the time of entering such employment.

This bill would, in addition, permit persons in full-time employment on a seasonal or temporary basis to be members of the system when employed by the Department of Forestry in compensated positions whose principal duties consist of active fire suppression or supervision.

The bill would take immediate effect as an urgency statute.

Ch. 74 (AB 1422) Cordova. City of Newport Beach: tide and submerged lands.

Chapter 494 of the Statutes of 1919 grants to the City of Newport Beach all tide and submerged lands that were within the city's boundaries on July 25, 1919, and bordered upon and were in front of the upland then owned by the city or such other upland as the city might have acquired after that date. Chapter 70 of the Statutes of 1927 grants tide and submerged lands bordering upon, in, and under Newport Bay and not granted to the City of Newport Beach or the County of Orange prior to July 29, 1927, to the city Both grants are subject to the conditions that (1) the lands be used for a harbor and related facilities, as specified, for the promotion or accommodation of commerce and navigation, (2) the lands may be leased under certain circumstances, (3) the harbor be improved by the city and remain a public harbor, (4) no discrimination be permitted with respect to the harbor and related facilities, and (5) public fishing rights be reserved. Chapter 813 of the Statutes of 1929 grants tidelands, submerged lands, and filled lands lying within the corporate limits of the city, bordering upon, in, and under the Pacific Ocean, and not granted to the city or county prior to August 14, 1929, to the city subject to the identical conditions. Chapter 574 of the Statutes of 1929 supersedes a grant to the county made by Chapter 526 of the Statutes of 1919 and the grants to the city made by Chapter 494 of the Statutes of 1919 and Chapter 70 of the Statutes of 1927 by authorizing

leases for 50, rather than 25, years (Chapter 526, Statutes of 1919, however, was amended by Chapter 575, Statutes of 1929 to provide for such 50-year period). Chapter 142 of the Statutes of 1929 and Chapter 200 of the Statutes of 1931 confirm the line of ordinary high tide in various parts of Newport Bay as established in specified judicial decrees, and Chapter 200 declares that certain lands lying above such line constitute natural accretion to described uplands and belong to and are a part thereof

This bill would repeal all of the foregoing provisions of existing law and would grant in trust to the city all tide and submerged lands, whether filled or unfilled, bordering upon and under the Pacific Ocean or Newport Bay, which were within the corporate limits of the city on July 25, 1919 This grant would be subject to conditions similar to those to which the aforementioned grants of 1919, 1927, and 1929 were subject and would also be subject to the following additional conditions·

(1) The city would be required to use the lands for specified recreational purposes and facilities and to preserve, maintain, and enhance the lands in their natural state

(2) The city would be authorized to lease specified lots, as described, with rent therefor to be the fair market rental value of such lots as finished subdivided lots.

(3) The city would be authorized to transfer granted lands to the state acting through the State Lands Commission for lease to the Department of Fish and Game for an ecological reserve or wildlife refuge, or both, and other compatible uses to be undertaken by the department.

(4) The city would be required to establish a separate tidelands trust fund and to manage and expend tidelands revenues in a specified manner.

(5) The city's compliance with the terms of the grant would be subject to review by the State Lands Commission, and the grant would be subject to revocation under certain circumstances

(6) The city would be required to pay to the state all revenues received from the production of oil, gas, and other minerals derived from, or attributable to, specified real property Whenever practicable, the city would be required to obtain mineral rights in certain real property

Further, the bill would require the city to establish a city tideland capital fund, into which revenue from the lots mentioned in (2), above, would be required to be deposited Such revenues would be available only for the acquisition of real property that will further the purposes of the trust created by the bill and only with the approval of the commission.

Further, the bill would release the lands consisting of the described lots mentioned in (2), above, from the public trust for commerce, navigation, and fisheries upon the city's acquiring or transferring other lands, as approved by the commission, that will further the purpose of the trust

The bill would also specify that the Legislature reserves the right to amend, modify, or revoke, in whole or in part tidelands and submerged lands granted and conveyed in trust pursuant to the bill, provided that the state would thereupon be required to assume all lawful transactions and obligations related to such lands.

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

The bill would take effect immediately as an urgency statute.

Ch 75 (AB 1423) Cordova Public agencies: payment by personal check.

(1) The existing law requires, subject to certain conditions, public agencies to accept personal checks drawn in favor of the public agency in payment of any license, permit, fee, or fine, or in payment of any obligation owing to the public agency or trust deposit

This bill would revise such provisions to permit checks to be drawn in favor of an official of the entity as well as the entity itself

(2) The existing law authorizes, with respect to such provisions, a public entity to impose a reasonable charge for a check offered in payment and returned without payment for any reason.

This bill would permit the charge to be added to and become part of any underlying obligation other than an obligation which constitutes a lien on real property The charge for a returned check shall not exceed $10.

In addition, this bill would provide that charges imposed by a court for a returned check shall be retained by the treasurer of the county in which the court is situated

Ch. 76 (AB 1531) Knox. Local agencies: organization and reorganization: filing requirements.

(1) Existing law contains various provisions which have been superseded by more recent enactments relating to the documents required to be filed regarding incorporations and changes in the boundaries of cities.

This bill would repeal such existing provisions.

(2) Under existing law, there are occasions when a new district may be formed without election or by a resolution confirming an order for the formation of a new district after confirmation by the voters.

This bill would require the executive officer of the local agency formation commission to file a certificate of completion, as specified, with the county recorder after determining that such district formation is in compliance with its resolution making such determinations.

(3) Under existing law, when there is a change of boundaries affecting the tax assessment boundaries of a city or district, as specified, the city or district is required to prepare a statement of such change and forward it to the appropriate tax or assessment levying authority.

This bill would modify the contents of such statement and would provide that filings by the executive officer of the local agency formation commission, as specified, would satisfy the above requirement.

(4) Under existing law, the organization or reorganization of a district is complete from the date of filing of the certificate of completion with the Secretary of State.

This bill would designate the completion date of such organization or reorganization as the time of the execution of the certificate of completion.

This bill would take effect immediately as an urgency statute.

Ch. 77 (AB 1699) Lehman. Elections: absent voters.

Existing law provides that an absentee ballot must be made available to any registered voter who is unable to appear at his polling place for any 1 of 5 specified reasons.

This bill would delete the requirement that a registered voter specify a reason for the request for an absentee ballot, and it would provide that an absentee ballot must be made available to any registered voter.

It would also state that no appropriation or reimbursement is made to local agencies for costs incurred by them pursuant to this bill.

Ch. 78 (AB 1899) Mello. Controlled substances: seizure of vehicles.

Under existing law, certain specified vehicles, boats, or airplanes used in direct relation to specified violation of the California Uniform Controlled Substances Act are subject to seizure and sale under specified terms and conditions. When such seizure is made by the Department of Justice, the proceeds from the sale of such vehicles, boats, or airplanes are payable first to the bona fide or innocent purchaser, conditional sales vendor, or mortgagee of the vehicle, boat, or airplane, when the court rules such a distribution, to the extent of interest in the vehicle, boat, or airplane; then to the Department of General Services for costs incurred in the sale; then to the Attorney General for costs incurred in the forfeiture proceedings; then to the Department of Justice for costs incurred by it after the seizure and in connection with the forfeiture of the vehicle, boat, or airplane; then to the General Fund.

This bill would require that any seizure of a vehicle, boat, or airplane pursuant to the provisions of current law is subject to such order of priority for the distribution of proceeds from the sale of the vehicle, boat, or airplane. This bill would also revise the order of distribution of proceeds to require that after the costs are paid to the Department of Justice, as specified, the proceeds, if any, are distributed as follows:

(1) If such seizure is by a state officer, to the State Treasury for credit to the General Fund.

(2) If such seizure is by an officer of a county or city, to the State Controller for transfer to the General Fund of the county or city for any expenditures made or incurred in connection with the seizure, as specified.

(3) The remainder, if any, to the State Treasury for credit to the General Fund.

Ch 79 (AB 2055) Egeland Resource conservation district directors' nominees.

Existing law requires that each person nominated as a candidate for the office of director of a resource conservation district be an owner of land, or a designated agent of a landowner, within the district

This bill would require such an agent to reside within the district to be eligible for nomination.

Ch. 80 (AB 2005) Chappie. Public water systems: backflow protection.

Present regulations of the State Department of Health relating to suppliers of domestic water, require that prescribed backflow protection be installed where a user's auxiliary water supply is interconnected with the public water system.

This bill would specify, with respect to any public water system in a county not exceeding 500,000 population which supplies both domestic and untreated irrigation water in separate pressurized systems and which is operated by an incorporated or unincorporated association of users, that protection against backflow into the domestic water system from premises receiving both such water services and having available no other source of water shall not be required except where interconnection between such systems has taken place.

The bill would make it a misdemeanor to knowingly interconnect such water services without installing a backflow protection device approved by the association.

The bill would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason

The bill would take effect immediately as an urgency statute

Ch. 81 (AB 2121) Bates. School buildings: Field Act.

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

This bill would permit the continued use of 4 specified buildings for classroom facilities in the Anderson Valley Unified School District until the completion of replacement facilities, or until June 30, 1979, whichever occurs first, and would exempt the building from provisions of the so-called Field Act during the period of such continued use.

This bill would also authorize the continued use of Oakland Senior High School in the Oakland Unified School District until completion of replacement facilities, or until June 30, 1979, whichever occurs first, and would exempt the buildings which comprise such school from provisions of the so-called Field Act during the period of such continued use.

This bill would take effect immediately as an urgency statute.

Ch. 82 (SB 1239) D. Carpenter Bail bond forfeitures

Existing law provides a 10-day period after which a summary judgment against a bail bondsman for which payment has been demanded may be enforced by execution and no other bonds may be posted until its payment.

This bill would make the period 20 days, instead of 10 days.

The bill would take effect immediately as an urgency statute

Ch. 83 (SB 1286) Nejedly. Electrified fences.

Existing law requires the Department of Food and Agriculture, in consultation with the Department of Industrial Relations, to recommend to the Legislature by July 1, 1977, minimum standards of safety for electrified fences, as defined The recommendations are required to at least prescribe maximum force or duration, or both, of the electrical shock of the fence. Existing law also provides that such provisions not be construed to preclude regulation of such fences by cities and counties. Such provisions of existing law remain in effect only until January 1, 1979.

This bill would prohibit the sale, installation, or use of electrified fences, as defined, unless the electric current is limited and regulated by an electrical controller which meets the specifications of the National Electrical Code of the National Fire Protection Association or the Underwriters Laboratories for intermittent type electric fence or electrified fence controllers Violation of the provision would be a misdemeanor

The bill would authorize cities and counties to regulate such fences, but would prohibit the installation or use of fences which do not conform to the requirements of the bill

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 for a specified reason.

Ch. 84 (SB 1254) Johnson. Traffic officers witnesses. distinctive uniforms.

Under existing law, with specified exception, every officer arresting, or participating or assisting in the arrest of, a person charged with a violation involving the speed of a vehicle, while such officer is on duty for the exclusive or main purpose of enforcing specified provisions of the Vehicle Code relating to accidents and accident reports and rules of the road, is incompetent as a witness if, at the time of arrest, the officer was not wearing a full distinctive uniform.

This bill would, instead, make such officer incompetent as a witness if, at the time of arrest, the officer was not wearing a distinctive uniform

Ch. 85 (AB 2154) Chimbole. Municipal courts. San Bernardino County

Existing law provides for 1 judge in the Victorville Division of the San Bernardino County Municipal Court District.

This bill would increase the number of judges in the Victorville Division of the San Bernardino County Municipal Court District from 1 to 2.

This bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by this bill for a specified reason.

Ch 86 (AB 1241) Calvo. Landowner liability· recreational use

Existing law provides that an owner of any estate in real property owes no duty of care to keep the premises safe for entry or use by others for fishing, hunting, camping, water sports, hiking, spelunking, riding, including animal and all types of vehicular riding, rock collecting, or sightseeing or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, with certain specified exceptions.

This bill would make such provision applicable to any recreational purpose, including the above and other specified activities

Ch 87 (SB 651) Nejedly State litter control, recycling and resource recovery assessment.

Existing law provides for a comprehensive litter control, recycling and resource recovery plan, under which an annual assessment is imposed on persons holding a sellers' permit under the Sales and Use Tax Law.

This bill would revise the state litter control, recycling and resource recovery assessments, would revise the administration and enforcement of such assessment, and would make minor changes in the Litter Control, Recycling and Resource Recovery Act of 1977.

The bill would appropriate the sum of $2,000,000, or as much as may be necessary, from the General Fund to the State Controller as a loan to the State Litter Control Recycling and Resource Recovery Fund.

The bill would provide that there is no reimbursement or appropriation made by this act to local agencies for a specified reason.

The bill would take effect immediately as a tax levy, and would terminate on July 1, 1983

Appropriation: yes.

Ch. 88 (AB 1858) Chimbole Subdivisions

Existing law requires a tentative and final map for all divisions of land which create 5 or more parcels unless, among other things, each parcel is 40 acres or more, in which case only a parcel map is required, though a local agency may require a tentative and final map under certain conditions

This bill would remove the authorization for a required tentative and final map where each parcel is 40 acres or more

Ch. 89 (SB 254) Campbell Cal-Vet duration of benefits

Present law terminates a veteran's benefits under the Veterans' Farm and Home Purchase Act of 1974 after 25 years from discharge or release from active duty except for those who were wounded, disabled, or prisoners of war

This bill would revise such provision to provide that, on and after January 1, 1981, such benefits will terminate after 25 years from the date of discharge except for veterans who were wounded, disabled, or prisoners of war. It would also direct the department to conduct a public information program designed to inform veterans of these provisions

Ch 90 (SB 29) Russell. Alcoholic beverages.

Existing law prohibits the sale or exposing for sale of alcoholic beverages within 1½ miles of the California Institute of Technology. Existing law contains certain exceptions from this prohibition for premises existing when the prohibition took effect, and authorizes the Department of Alcoholic Beverage Control to issue a retail off-sale alcoholic beverage license to any person who owns premises within 1½ miles of the California Institute of Technology provided· (1) the premises, which is now unlicensed, was so licensed within the past 3 years; (2) application is made within 30 days; and (3) the applicant is otherwise qualified to be so licensed. Such provision is to be operative until January 1, 1979, and on such date is repealed.

This bill would repeal such provision as contained in the Penal Code and instead add a provision to the general laws to authorize the Department of Alcoholic Beverage Control to issue a retail off-sale alcoholic beverage license to any person who owns premises within 1½ miles of the California Institute of Technology provided: (1) the premises, which is now unlicensed, was so licensed within the past 4 years; (2) application is made within 30 days; and (3) the applicant is otherwise qualified to be so licensed The bill would provide that such provision is to be operative until January 1, 1979, and on such date is repealed

This bill would take effect immediately as an urgency statute.

Ch. 91 (SB 1069) Alquist Community care facilities fees

Under existing law, the fee for issuance or renewal of a license or special permit for a community care facility is established by statute.

This bill would delete such provision and would prohibit the State Department of Health, or its successor, the State Department of Social Services, from charging a fee for the issuance or renewal of such a license or special permit or for processing an application therefor.

This bill would take effect immediately as an urgency statute

Ch. 92 (AB 1578) Mori Business and professions.

(1) Existing law prohibits public members of the State Board of Cosmetology and members who participate in the management of a school of cosmetology from directly assisting in the preparation, approval, and review of examinations.

This bill would specifically authorize public members of the board to assist in the preparation and review of such examinations, and it would apply the above-mentioned prohibition to all members of the board who participate in the management of a school of cosmetology.

(2) Under existing law only the certified public accountant members of the State Board of Accountancy are authorized to determine whether the education and licensure requirements of an individual are adequate to permit the board to waive the examination requirements

This bill would require the entire board, rather than only the certified public accountant members, to make such a determination, and would make certain technical changes.

(3) Except with respect to partnerships engaged in the practice of public accountancy, existing law does not require each office of a certified public accountant, public accountant, or accountancy corporation to have work supervised by a certified public accountant or public accountant

This bill would impose such a requirement.

(4) Existing law prescribes a 2-year statute of limitations for purposes of commencing a disciplinary action against a licensee under the jurisdiction of the State Board of Architectural Examiners

This bill would impose a 3-year statute of limitations, rather than a 2-year limitation

(5) Effective January 1, 1978, any person seeking or renewing a license, registration, or first renewal of such license as a licensed clinical social worker and any person seeking a license as a marriage, family and child counselor or psychologist would be required to

show evidence of completed training in human sexuality, as defined, as a condition of licensure or registration

This bill would delay the operative date of such provision of law until January 1, 1980, rather than January 1, 1978.

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

Ch. 93 (AB 1798) Chacon Witnesses: blood sample affidavits

Existing law provides that a witness in an action can be heard only in the presence and subject to the examination of all parties to such action.

Existing law also precludes, with certain exceptions, the admission of hearsay evidence.

This bill would permit, notwithstanding the foregoing, the admission of the evidence of the technique used in taking blood samples by the affidavit of a registered nurse, licensed vocational nurse, licensed clinical laboratory technologist, or clinical laboratory bioanalyst, if the party offering the affidavit as evidence has served a copy of such affidavit on all other parties, or their counsel no less than 10 days prior to trial

This bill would provide that its provisions shall not preclude any party or his counsel from objecting to the introduction of the affidavit at any time, and requiring the attendance of the affiant, or compelling attendance by subpoena.

Ch. 94 (SB 1246) Roberti. Postsecondary education: governing boards: per diem.

Current law makes provisions concerning the Trustees of the California State University and Colleges and the Board of Governors of the California Community Colleges, but does not specify a salary for these officers.

This bill would provide that each appointive, but not ex officio, member of these boards would receive $50 for each day he or she is attending to official business. Such members of the trustees would also receive the amount for actual and necessary travel expenses

Ch. 95 (AB 1943) Chappie. DeWitt State Hospital: transfer of property.

This bill would require the County of Placer to quitclaim to the state all the property of the DeWitt State Hospital facility, and would require the Director of General Services to quitclaim to the County of Placer specified property, all without charge. It would declare provisions respecting competitive bidding inapplicable to any lease of any portion of such property conveyed to the County of Placer, unless the lease given by the county includes an option to purchase.

The bill would repeal certain provisions of existing law directing a transfer of the property in question.

Ch. 96 (SB 1349) Zenovich. Appropriation: payment of claims against the state.

This bill would appropriate $715,000 to the Department of Justice to pay the claims of Pete J. Gonzales and Susan Gonzales against the State of California. This appropriation is conditioned upon receipt and deposit in the General Fund of $135,000 from the insurance company of the claimant's employer.

This bill would take effect immediately as an urgency statute.

Appropriation: yes.

Ch. 97 (AB 1660) Ellis. Teaching credentials: blind and partially seeing pupils.

(1) Existing law provides for the issuance of various types of credentials authorizing specialist instruction in special education.

This bill would provide for a specific specialist instruction credential for teachers of the blind and partially seeing.

(2) Existing law prohibits a school district or county superintendent of schools from employing a person to teach the blind or partially seeing unless the person holds a valid credential authorizing such teaching (i e., a specialist instruction credential) or a designated subject credential in the area of vocational education

This bill would instead require a school district or county superintendent of schools to employ a person with a valid specialist instruction credential for teaching blind and partially seeing pupils or a specialist instruction credential in special education issued on or prior to January 1, 1981, to teach the blind or partially seeing.

(3) 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 the bill for a specified reason.

(4) This bill would become operative on September 1, 1979.

Ch. 98 (SB 1063) Foran. Juries: peremptory challenges.

Existing law provides for 8 peremptory challenges to each party in a civil case, or if there are more than 2 parties, 10 peremptory challenges to each side.

This bill would reduce the number of peremptory challenges in a civil case to 6 and 8 respectively.

Existing law, with respect to penal trials not involving offenses punishable by death or life imprisonment, provides for 13 peremptory challenges for both the defendant and the state.

This bill would reduce such amount to 10 peremptory challenges.

Under present law, when 2 or more defendants are tried jointly for a public offense , other than an offense punishable with a maximum term of imprisonment of 90 days or less, the allowed peremptory challenges must be exercised jointly, however, each defendant is entitled to an additional 7 challenges which may be exercised separately.

This bill would reduce the amount of additional challenges to 5, which may be exercised separately.

Ch 99 (SB 1189) Nejedly Courts.

Existing law does not authorize the appointment of a reserve deputy marshal in any judicial district.

This bill would authorize 5 positions of reserve deputy marshal in specified municipal court districts in Contra Costa County. Such reserve deputy marshals would serve without pay, would not have civil service status, and would not receive any benefits provided for other employees of the municipal courts in Contra Costa County.

Ch 100 (SB 1196) Garamendi. Clinical directors.

Present law requires that a clinical director for a state hospital for the developmentally disabled shall be a physician, psychologist, registered nurse, clinical social worker, physical therapist, or psychiatric technician and licensed as such under the Business and Professions Code

This bill would, in addition, authorize a rehabilitation therapist or a person with a special education specialist credential for teaching in public schools or community colleges or a person with at least 5 years of experience teaching the developmentally disabled to be a clinical director.

Ch. 101 (SB 559) Stiern. Medi-Cal: eligibility.

Existing law provides that the county shall determine the eligibility of persons for health care benefits under the California Medical Assistance Program (Medi-Cal). Persons qualify for such benefits by virtue of otherwise being a recipient of public assistance or by filing an affirmation setting forth specified qualifications. When an applicant for such public assistance is incapable of completing the required affirmation, the affirmation may be completed on his behalf by a relative or close personal friend or a representative of a public agency who has all necessary knowledge regarding the applicant's circumstances.

This bill would provide that if a patient at a county health facility is received in a comatose condition or suffering from amnesia and dies before he can provide eligibility information, he shall be presumed eligible. Such presumption could be rebutted by the State Department of Health Services. All care costs incurred under such presumption would be reimbursable under Medi-Cal to the extent permitted by federal law. If such a patient subsequently is determined ineligible, the State Department of Health Services would be required to make reasonable efforts to recover the costs of care incurred.

The bill also would provide that there shall be no reimbursement to local agencies nor any appropriation because there are savings as well as costs in the act which, in the aggregate, do not result in additional net costs.

Ch. 102 (SB 1139) Nejedly. Insurance state employees.

Existing law provides that no state department or agency shall negotiate any life or disability insurance or annuity or require the placing of such insurance through particu-

lar agents, brokers, or companies, except to the extent that the state has a direct financial interest in the subject of the insurance. Such law further provides that in any case in which a tax-sheltered annuity plan is to be placed or purchased for an employee, the employee shall have the right to designate the licensed agent, broker, or company through whom the employee's employer shall arrange for the placement or purchase of the tax-sheltered annuity.

Existing law does not specifically provide that the University of California is included among those state departments or agencies.

This bill would add such a provision.

Ch. 103 (SB 1331) Song. Juries: peremptory challenges.

Chapter 1260 of the Statutes of 1977, which will take effect on January 1, 1979, amends the law to provide that in trials for an offense punishable with a maximum term of imprisonment of 90 days or less, the defendant and the state are each entitled to 6 peremptory challenges In joint misdemeanor trials for such offenses the defendants will be entitled to the same number of challenges jointly as a single defendant would have, each of the joint defendants will also be entitled to 4 additional challenges which may be exercised separately. The state will be allowed an equal number of challenges.

This bill would make the same changes in the law, but would take effect immediately as an urgency statute.

The bill would provide that if it is chaptered after Senate Bill No. 1063, and if both bills amend Sections 1070 and 1070.5 of the Penal Code, that the amendments made to those sections by this bill would remain operative until the effective date of Senate Bill No. 1063, at which time the amendments made by that bill would prevail.

Ch. 104 (AB 154) Suitt. Alcoholic beverages.

Existing law prohibits the issuance of an on-sale general alcoholic beverage license for seasonal business for more than 3 consecutive calendar quarters during any 12-month period.

This bill would authorize the Department of Alcoholic Beverage Control to issue an extension to such a seasonal license if the department finds that the seasonal business has been impaired because of conditions resulting from natural disaster.

This bill would take effect immediately as an urgency statute.

Ch. 105 (SB 1270) Roberti. Oleomargarine: margarine: labeling: colored.

(1) The existing law, generally, prohibits certain designated persons from placing before any patron or employee, for use as food, any oleomargarine or margarine or any substitute for butter, unless there is displayed a prescribed sign, in each room in which any such product is served, designating that fact in a prescribed manner or such information is printed on a menu, as prescribed, which is furnished to patrons or employees.

This bill would, in addition, exempt from the above provisions prohibiting the serving of oleomargarine or margarine or any substitute for butter under prescribed conditions, when a patron or employee specifically requests that oleomargarine or margarine or any substitute for butter be served to him or her.

(2) The existing provision of law prohibits, with prescribed exceptions, the serving of colored oleomargarine or colored margarine to any patron in any restaurant or any other place where food is served to the public for consumption on the premises.

This bill would repeal such provision relating to colored oleomargarine and margarine.

(3) 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. 106 (AB 2293) Brown. Alcoholic beverages.

Existing law does not authorize the Department of Alcoholic Beverage Control to issue a license to any nonprofit organization for the purpose of buying or selling wine on special occasions.

This bill would authorize the department, upon payment of a $100 fee, to issue a special temporary on-sale wine 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 buy and sell wine.

The bill further provides that such license shall be issued for a one-day period and only one such license shall be issued to any such corporation in any 12-month period.

This bill would take effect immediately as an urgency statute.

Appropriation: yes.

Ch. 107 (AB 1656) Vicencia. Guide dogs for the blind.

Existing law provides for the creation in the Department of Consumer Affairs of the State Board of Guide Dogs for the Blind.

This bill would specify that the board is to have the exclusive power to issue licenses for the instruction of the blind in the use of guide dogs, for the training of such dogs, and for the operation of schools for such purpose.

Existing law makes no provision for funding to establish a licensed guide dog school in this state.

This bill would permit the board to issue licenses to solicit such funds for a period of 1 year with provision for a 1 year extension, as specified.

Existing law provides for a sighted escort to sightless board members during performance of official duties and traveling incident thereto.

This bill would remove such provision.

Ch. 108 (SB 697) Marks Radiologic technology.

(1) Under existing law, the provisions for certification of persons in radiologic technology and approval of schools for radiologic technologists have no force or effect on and after January 1, 1980.

This bill would delete the expiration date of such existing law.

(2) Existing law requires specified students of radiologic technology to be supervised by an instructor, as specified, when administering X-ray upon a human being and provides for certification of prior qualified personnel.

The bill would delete provisions of such existing law governing certification of prior qualified personnel and supervision of students of radiologic technology.

(3) Existing law authorizes the appointment of a Radiologic Technology Certification Committee of specified professional membership.

The bill would repeal the provisions of existing law authorizing the appointment of the Radiologic Technology Certification Committee, effective January 31, 1982.

(4) Existing law authorizes the State Department of Health to approve a licentiate to give on-the-job training, subject to specified conditions, to a student of radiologic technology until July 1, 1978.

The bill would delete such expiration date on such authority of the department or its successor, the State Department of Health Services.

(5) Existing law authorizes the denial, revocation, or suspension of certificates or permits issued pursuant to the provisions relating to radiologic technology for specified acts or omissions

The bill would also authorize the denial, revocation, or suspension of such certificates or permits for a conviction of a crime involving moral turpitude which was committed during the performance of radiologic technology duties

(6) In addition to the provisions of existing law, the bill would authorize the State Department of Health or its successor, the State Department of Health Services, to conduct inspections for purposes of the radiologic technology law and to obtain an injunction or other order in cases of violations.

This bill would also require the State Department of Health or its successor, the State Department of Health Services, to keep certificate and permit holders apprised of changes in radiologic technology and its regulation by means of biannual reports furnished to them.

(7) This bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the act because of a specified reason.

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

Ch. 109 (SB 1338) Stiern. County superintendents of schools: county boards of education: county committees on school district organization: legal counsel.

Under current law, the county superintendent of schools is authorized generally to

appoint a legal counsel. Legal services may be provided to a county committee on school district organization by the county counsel or district attorney, or by private legal counsel if the county counsel or district attorney is unable to provide such services. There is no provision specifically authorizing the county board of education to appoint a legal counsel.

This bill would clarify the law with respect to the employment of a legal counsel by the county superintendent of schools, and would authorize the county board of education to appoint a legal counsel. This bill would permit a county committee on school district organization to appoint a legal counsel in a specified manner. The bill also would require a county board of education and the superintendent of schools of the same county to appoint the same legal counsel.

This bill would take effect immediately as an urgency statute

Ch. 110 (SB 1392) Marks Elections: cancellation of registration.

(1) Existing law requires the county clerk to cancel affidavits of registration, within 45 days of an election, of each voter who fails to vote at the previous direct primary or statewide general election, and for whom the clerk receives a notice indicating that the voter no longer resides in the county or has moved and left no forwarding address.

This bill would require the clerk to cancel the affidavit of registration within 60 days after the election if he is notified that the voter is not known at the address shown on his affidavit of registration or has moved and left no forwarding address.

(2) This bill would provide that if the return postal notice from the sample ballot indicates that the voter has moved within the county, the clerk shall notify the voter that the voter's affidavit of registration shall be corrected to reflect the voter's new address.

(3) Current law provides that voter lists reflecting the cancellation of voters at the direct primary shall be made available to candidates at that election.

This bill would repeal such provision

(4) This bill would also require computer tapes of registered voters and copies of the index to the precinct register prepared 60 days after an election to reflect the cancellation of voters and address corrections.

(5) This bill would require the clerk to either reinstate erroneous cancellations of affidavits of registration or to supply each polling place with a list of voters whose affidavits were cancelled. In addition, at every election, any voter whose affidavit has been cancelled because of erroneous postal notification may be reinstated by attesting, under oath, to continuous residency in the precinct.

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

Ch. 111 (SB 1433) Garamendi Courts: San Joaquin County.

Existing law does not specifically provide for a commissioner in the Lodi Municipal Court District This bill would provide for the appointment of one commissioner in the Lodi Municipal Court District.

The bill would provide that its provisions shall not become operative until the Board of Supervisors of San Joaquin County determines, by resolution, that adequate funds and facilities are available for the commissioner.

Ch. 112 (SB 1434) Garamendi. Courts: San Joaquin County.

Existing law does not specify the compensation of a traffic court referee in the Stockton municipal court

The bill would prescribe the compensation for a traffic court referee in the Stockton municipal court

The bill would provide that its provisions shall not become operative until the Board of Supervisors of San Joaquin County determines, by resolution, that adequate funds are available for the traffic court referee.

Ch. 113 (AB 507) Fazio Postsecondary education.

Existing law creates the Student Aid Commission which administers the program of scholarships provided by the state.

This bill would require the commission to establish a 15-member project grant advisory committee of specified composition and to apportion funds for the support of pilot projects, meeting designated criteria, and designed to increase the accessibility of post-

secondary educational opportunities to low-income high school students and assist low-income community college students, upon completing community college, to transfer to four-year institutions

It would also appropriate $307,500 for the purposes of this act, as specified.

Appropriation: yes

Ch. 114 (AB 2036) Chappie. School districts: buildings: lease-purchase agreements

Under existing law, a school district does not have specific authority to enter into a lease-purchase agreement for real property and buildings to be used by the district for administrative offices [or other school purposes]* for a period longer than 12 years.

This bill would specifically authorize a school district to enter into a lease-purchase agreement for buildings for administrative offices [or other school purposes]* and associated real property for not to exceed 30 years under specified conditions

This bill would take effect immediately as an urgency statute.

Ch 115 (AB 2525) Lehman. Property tax assistance: drought.

Chapter 476 of the Statutes of 1977, among other things, provided for state assistance for property taxes to owners or lessees of nonirrigated land in an area declared to be in a state of disaster due to the drought if such owners or lessees met specified requirements and made application for such assistance on or before December 15, 1977.

This bill would authorize such assistance for qualified owners and lessees meeting such qualifications if they make application for such assistance during the period commencing May 1, 1978, and ending May 31, 1978, inclusive, and would provide for the proration of such assistance, if the total amounts of assistance exceed the total amount appropriated.

Chapter 476 of the Statutes of 1977 also appropriated $10,000,000 from the State General Fund to provide such assistance.

This bill, by extending the filing period, would make additional expenditures possible from such appropriation.

This bill would take effect immediately as an urgency statute.

Appropriation. yes.

Ch. 116 (SB 259) P. Carpenter. Use of health facilities.

Administrative regulations of the State Department of Health adopted to implement statutory provisions regarding licensure of health facilities do not make provision for staff membership and clinical privileges for licensed psychologists.

This bill would authorize health facilities on local determination to grant either staff membership or clinical privileges, or both, to licensed psychologists meeting prescribed requirements. The bill would prohibit specified types of discrimination against health facilities which allow use thereof by psychologists as provided in the bill. It would also permit any health facility to limit, restrict, or revoke the exercise of privileges in the health facility for the violation of such health facility's rules, regulations, or procedures which are applied, in good faith, in a nondiscriminating manner to all practitioners, as specified

Ch. 117 (SB 1295) Greene. Boxing and wrestling.

Existing law exempts from the licensing and other regulatory provisions pertaining to boxing and wrestling any amateur boxing or wrestling contests conducted by a nonprofit organization to which an admission fee is not charged.

This bill would require a $3 yearly registration fee for such nonprofit organizations which charge an admission fee for such contests

The bill also would extend the exemption to include boxing and wrestling contests to which an admission fee is charged, by a nonprofit organization, subject to approval by the State Athletic Commission, but only if the entire net proceeds are used for contestant expenses, equipment or medical expense, or other reasonably necessary expenses. It would also require such nonprofit corporation which charges a fee to file a statement of revenues and expenses from such contests, within 90 days, with the State Athletic Commission.

Ch. 118 (SB 1339) Deukmejian. Certification qualifications: administrative services credential.

Under existing law, a person who wishes to obtain an administrative services credential must hold a valid teaching credential based on a baccalaureate degree and a fifth year of study. The designated subjects credential held by vocational educators does not meet that requirement.

This bill would allow a person who holds a baccalaureate degree and a designated subjects credential and who completes all the other requirements to qualify for an administrative services credential.

Ch. 119 (SB 1402) Nimmo. Motor vehicle keys.

Existing law requires any person who makes a motor vehicle key for another person by any method other than by duplication of an existing key to obtain and record on a work order specified information regarding the identity of the person requesting or purchasing the key. A copy of the work order must be retained for 3 years and must be open to inspection by any peace officer during business hours.

This bill would delete from such information the key code number if any, would require the information to be obtained only with respect to such making of a key capable of operating the ignition of a motor vehicle, and would require retention of the work order for only 1 year.

This bill would take effect immediately as an urgency statute.

Ch. 120 (AB 2119) W. Thomas Vehicles: warning lights

Existing law authorizes certain vehicles, as specified, to display flashing amber warning lights when an unusual traffic hazard exists or, in the case of some vehicles, a flashing or steady burning red light during an emergency or when an extreme traffic hazard exists.

This bill would authorize vehicles engaged in construction, removal, maintenance, or inspection of any oil or gas pipeline to display flashing amber lights when parked on a highway or moving slower than the normal flow of traffic if an unusual traffic hazard exists.

Ch. 121 (AB 2189) Boatwright. Unclaimed property.

Existing law requires that unclaimed stolen or embezzled property in the custody of law enforcement officials, after notice is given to the owner, if any, and after a specified period of time, be sold by the county purchasing agent.

This bill would provide that the sale of such property may also be made by the law enforcement officials having custody at public auction in a specified manner. It also would require notice to be given to a person having a security interest in the property.

Ch. 122 (AB 2228) Wray Vehicles: right-of-way.

Existing law requires vehicles about to cross or enter a highway to yield the right-of-way to vehicles and bicycles

This bill would require that vehicles about to cross or enter a highway yield the right-of-way to all approaching traffic, as defined, including pedestrians, ridden animals, street cars and other conveyances.

Ch. 123 (AB 1840) Mori Taxation.

Under the existing Personal Income Tax Law and Bank and Corporation Tax Law, stock owned by persons having a specified relationship to the taxpayer is treated as being owned by the taxpayer, for purposes of determining gain from those transfers of stock which are taxable.

This bill would eliminate those provisions which treat such stock as being owned by the taxpayer, for such purposes, except for certain stock held in trust or certain stock owned by a partner or beneficiary of an estate

Under existing provisions of Personal Income Tax Law, the taxation of gains from disposal of realty is computed on specified base periods.

This bill would revise those specified dates.

Under existing provisions of Personal Income Tax Law, a deduction for amounts distributed currently is allowed in determining taxes for certain trusts.

This bill would specify that any amount, within specified limitations, distributed by certain cemetery perpetual care funds for the care and maintenance of certain gravesites for which there is an obligation to furnish care and maintenance shall be considered

a distribution solely for purposes of such authority to deduct such amounts in determining taxable income.

Under existing provisions of Personal Income Tax Law, a reasonable extension of time for filing any return or document or for payment of any tax required by such law may be granted by the Franchise Tax Board whenever in its judgment good cause exists.

This bill would require that the Franchise Tax Board determine that good cause exists in granting a reasonable extension for payment of tax and would authorize such board to grant a reasonable extension of time for filing returns and documents without determining that good cause exists.

The Personal Income Tax Law limits the deduction of expenses for foreign conventions.

This bill would limit such deductions under the Bank and Corporation Tax Law.

Under existing law, qualified persons 62 years of age or older who own or rent their homes may claim state funds to reimburse them for a portion of the property taxes paid on their homes.

This bill would provide that unmarried surviving spouses, regardless of age, may claim such state funds if Proposition 8 on the ballot for June 6, 1978 is approved and Proposition 13 on that ballot is rejected.

Existing provisions of the Personal Income Tax Law authorize the deduction of certain casualty losses in the taxable year preceding the taxable year in which the disaster occurred, if such a loss is attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the federal government under the Disaster Relief Act of 1970.

This bill would revise such deduction authorization to apply to losses attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the federal government under an applicable federal disaster act, instead of specifying the Disaster Relief Act of 1970.

Existing provisions of the Bank and Corporation Tax Law authorize certain accrual basis taxpayers to deduct accrued expenses or interest when paid, rather than when accrued.

This bill would eliminate such authorization.

This bill would make technical changes to provisions of Chapter 24 of the Statutes of 1978, would revise procedures for the administration of taxes pursuant to such act, and would eliminate that provision of such act which would repeal a provision of such act requiring assessors to identify properties subject to taxation as owner-occupied dwellings if Proposition 8 on the June 6, 1978, ballot is not approved by the voters or Proposition 13 on such ballot is approved by the voters.

This bill would take effect immediately as an urgency statute, but its operative effect would depend upon its effective date.

Ch. 124 (AB 2258) Duffy. Parent and child.

Existing law delineates a procedure for the judicial declaration of a child's freedom from the custody and control of his or her parents.

This bill would require that such actions shall be set for hearing not more than 45 days after filing of a petition and completion of service thereon, and that final determination of such matter shall be made as expeditiously as possible. It would also delineate circumstances justifying and procedures for obtaining a continuance in such actions.

Ch 125 (AB 2374) Wray. Harbor improvement districts: expenditure of funds.

Existing law authorizes harbor improvement districts to acquire, develop, operate, or maintain public beaches or inland parks and recreation areas without complying with the requirements of specified provisions relating to environmental quality and general plan conformity when there is compliance with other specified provisions; provided that a public hearing is held before a project is approved.

This bill would authorize the expenditure of harbor improvement district funds prior to the hearing for the purpose of complying with the specified provisions

Ch 126 (AB 2376) Wray. Local funds: interest.

Existing law requires that interest on moneys deposited in a depositary by an officer of a local agency belongs to, and shall be paid quarterly into, the general fund of the local

agency, unless otherwise directed by law.

This bill would require, notwithstanding such provisions of existing law, except as otherwise directed by law, that, if the governing body of the local agency so directs, interest on moneys deposited shall be paid to the fund which contains the principal on which the interest accrued.

Ch. 127 (AB 2402) Deddeh. Municipal water districts: recreational facilities.

Existing law provides that a municipal water district may construct and operate public recreational facilities appurtenant to any water reservoir operated by the district, and may provide regulations to govern the use of the facilities.

This bill would allow a district to construct or operate public recreational facilities appurtenant to facilities operated by the district, rather than appurtenant to any water reservoir

Ch. 128 (SB 1108) Holden Practice of medicine.

Existing law provides that an applicant for a physician's and surgeon's certificate must pass a written examination in specified subjects. Existing law authorizes the issuance of a physician's and surgeon's certificate to an osteopathic physician and surgeon who was issued a degree of doctor of medicine by a medical school prior to 1962.

This bill requires the Division of Licensing of the Board of Medical Quality Assurance to issue a physician's and surgeon's certificate, without examination, to anyone who meets specified requirements including, among other things, having maintained licensure as an osteopathic physician in California since 1961, filed an application for a degree of doctor of medicine from a medical school in 1961 and was eligible for such a degree in 1961.

The bill would take effect immediately as an urgency statute. It would be repealed 91 days after its effective date.

Ch. 129 (AB 1386) Vicencia. Horseracing.

(1) Existing provisions of the Horse Racing Law prescribe the maximum number of weeks which may be allocated for the different types of horseracing in the three different zones.

This bill would raise the maximum number of weeks of harness racing and of quarter horse racing in the northern zone from 11 to 15 weeks

(2) Existing law limits a license granted to a horseracing association other than a fair to one type of racing unless the board approves a combination meeting of harness and quarter horse races.

This bill would increase the maximum for harness racing conducted by a lessee of the California Exposition and State Fair from 8 to 12 weeks, change the maximum of 8 weeks for quarter horse racing for a lessee of the California Exposition and State Fair to a maximum of 12 additional weeks of quarter horse racing, and delete the provisions authorizing the board to approve combination meetings of harness and quarter horse races.

(3) Existing law provides reduced license fees for fairs and other specified associations which handle $20,000,000 or less during a racing meeting and requires fairs conducting a racing meeting at which the average daily handle is $400,000 or less to pay a cumulative daily license fee at graduated rates.

This bill would, in addition, require any association with an average daily handle of $650,000 or less to deduct 15.75% and to pay a daily license fee at new graduated rates instead of paying the license fee otherwise specified in the Horse Racing Law. The bill would require fairs and racing associations conducting racing allocated to fairs to deduct 15.75% for license fees, commissions, and purses, and to pay a daily license fee at graduated rates.

(4) Existing law authorizes associations, other than fairs or associations with a total handle less than $30,000,000, conducting a harness or quarter horse meeting to deduct an additional 3% from daily double, quinella, exacta, and other multiple wagering pools for distribution for commissions and purses in accordance with specified percentages.

This bill would delete such existing law and, instead, would authorize any association with an average daily handle of more than $650,000 to deduct an additional 3% from multiple wagering pools for distribution in accordance with such specified percentages.

The bill would authorize associations with an average daily handle of $650,000 or less to deduct an additional 3% for such races for distribution as commissions and purses pursuant to an agreement between the association and the organization representing the participating horsemen for specified meetings and on a 50% commission and 50% purse basis for other specified meetings.

(5) Existing law authorizes the 18th District Agricultural Association to conduct parimutuel wagering on a mule racing meeting. Such law requires the association to withhold 16¾% of the total moneys wagered and to pay a license fee as set forth in Section 19612.5 of the Business and Professions Code

This bill would delete such existing law on the withholding of 16¾% and the payment of license fees and, instead, would require that such association deduct from parimutuel pools the same percentages for license fees, commissions, and purses as provided for in the Horse Racing Law, and would authorize deduction of an additional amount, not exceeding 3%, on multiple wagering pools.

(6) The bill is an urgency statute which would take effect immediately.

Ch 130 (AB 1301) Fazio. Emergency medical services.

Under existing law, the State Department of Health is required to maintain, in cooperation with local agencies, an emergency medical services program An emergency medical care committee is required to be established in each county in the state to carry out duties and responsibilities with respect to emergency medical services

This bill would authorize the inclusion of optional programs involving the training of people in cardiopulmonary resuscitation and lifesaving first aid techniques within the state department and county programs.

The bill would add provisions giving governmental agencies, persons, ~~and~~[5] firemen, policemen, or other local law enforcement officers, and mobile intensive care paramedics, who render emergency medical services, immunity from liability from civil damages under specified circumstances, which would be in addition to immunity provided by other statutory provisions.

The bill would require the trier of fact to consider specified matters in actions for damages involving a claim of negligence by a physician and surgeon arising out of emergency medical services provided in a general acute care hospital emergency department.

Ch. 131 (AB 1026) Vicencia. Administrative regulations.

(1) Existing law authorizes, subject to certain conditions, a state agency to adopt a regulation as an emergency regulation when such agency makes a finding, including a statement of facts, constituting the emergency in writing that the adoption of a regulation or order of repeal is necessary for the immediate preservation of the public peace, health, and safety or general welfare.

This bill would require that any finding of an emergency have a written statement containing specified information included and that such statement be filed immediately with the Senate Committee on Rules and the Speaker of the Assembly and published in the next issue of the notice supplement to the California Administrative Register.

In addition, it would prohibit any board or commission from adopting emergency regulations to interpret, implement, or make specific provisions of the law relating to campaign disclosure except by a unanimous vote of all members of such board or commission present at the proceeding at which such regulations are adopted.

(2) Existing law contains no express provision prohibiting a state agency from readopting as an emergency regulation a regulation adopted as an emergency regulation

This bill would make such prohibition

(3) Existing law requires state agencies to give specified notice of proposed action at least 30 days prior to the adoption, amendment, or repeal of a regulation.

This bill would revise provisions relating to the contents of such notice, require the Office of Administrative Hearings to make the California Administrative Register available to the public and state agencies at nominal cost, and provide that such notice shall be effective for not to exceed 1 year. In addition, it would require the State Printer to provide the same priority for printing the notice supplement to the California register as is provided for printing legislative publications

(4) Existing law expressly exempts the Public Utilities Commission and the Industrial

Accident Commission from specified provisions of the law relating to the adoption of regulations.

This bill would revise such provisions to require such agencies to comply with provisions relating to the filing of notice of certain proposed actions with the Senate Committee on Rules and the Speaker of the Assembly.

In addition, this bill would make other changes relating to the adoption of regulations by state agencies.

Ch. 132 (SB 583) Foran. Vehicles: reciprocity with other states.

Under existing law, there is a Reciprocity Commission empowered to enter into agreements or arrangements with other jurisdictions for the reciprocal use of highways by commercial vehicles.

This bill would authorize the commission to enter into an agreement for participation in the International Registration Plan for the proportionate registration of commercial vehicles, under specified conditions.

Ch. 133 (SB 1391) Greene. Mediation.

Existing law permits the Department of Industrial Relations to investigate and mediate labor disputes, and to arbitrate or arrange for the selection of arbitration boards.

This bill would provide that such services be conducted by a unit within the department to be known as the California State Mediation and Conciliation Service.

Ch. 134 (SB 1398) Zenovich. Nonprofit corporations.

Existing law provides that no corporation shall engage in the trust business, unless, among other things, it has received a certificate of authority from the Superintendent of Banks to do so. The definition of "trust business" includes acting as a receiver under appointment of any court.

This bill would provide that none of the foregoing shall prohibit a nonprofit corporation from acting as a receiver, pursuant to the appointment of any court.

Ch. 135 (AB 2201) Lanterman. Validations.

This bill would enact the First Validating Act of 1978, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities.

This bill would take effect immediately as an urgency statute.

Ch. 136 (AB 2238) Lockyer Child abuse.

Existing law provides that no person required to make reports of suspected child abuse shall incur any civil or criminal liability as a result of making such report unless it can be proven that a false report was made and the person knew or should have known that the report was false.

This bill would also give such immunity to persons required to make such reports, and persons taking photographs at their direction, as to the taking or causing to be taken of photographs of suspected victims of child abuse and the dissemination thereof, as specified.

Ch. 137 (AB 1955) Gualco. State civil service: layoff seniority.

The existing law expressly provides that a state civil service employee whose continuity of employment in state service is broken for 6 months or longer by a permanent separation, including resignation, shall not be credited for service prior to such separation for purposes of layoff.

This bill would specify that state civil service employees who have a break in the continuity of state employment exceeding 6 months but not 3 years which is not because of dismissal or rejection, shall receive ½ the seniority credit accumulated for service prior to such resignation for purpose of layoff if such resignation was the employee's first resignation from state service, exceeding 6 months It would impose upon the employee the responsibility of contacting the State Personnel Board in writing, as to the applicability of the calculation of credits, with respect to that individual.

In addition, this bill would expressly provide that such provisions would be applicable to transactions occurring after its effective date.

The bill would take effect immediately as an urgency statute.

Ch. 138 (SB 1382) Alquist. State general obligation bonds.

Existing law provides that the State Treasurer shall sell state general obligation bonds to the bidder whose bid will result in the lowest net interest cost on account of such bonds. The net interest cost under each bid is determined by ascertaining the total amount of interest the state is required to pay under that bid, on the date of the bonds to the respective maturity dates of the bonds then offered for sale, at the coupon rate or rates specified in such bid, less the total amount of the premium, if any, offered by such bid.

This bill would provide that the method of determining the lowest bid shall be prescribed in the bond resolution and limited to either the net interest cost method or the present worth basis method (also referred to as the true interest cost, bond book basis and the Canadian interest cost method). It would also set forth the procedure for determining the lowest bid under the present worth basis method.

Ch. 139 (SB 1441) Gregorio. Marine reserve.

Under existing law, eels were included, until January 1, 1978, among various designated fish and mollusks which may be taken under a sport fishing license within the James V. Fitzgerald Marine Reserve.

This bill would include the monkeyface eel and the rock eel among such designated fish and mollusks and would make other changes in such designations. The bill would also permit any such fish having fins to be taken in such reserve only by hook and line or by spearfishing.

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

Ch. 140 (SB 1618) Johnson. Road projects: federal funds.

Existing law requires a city or county to submit documents for construction of off-system road projects to the Department of Transportation within 2 years after the federal fiscal year of apportionment in order to qualify for federal funds for that year, and requires that lapsed funds be reallocated for expenditure.

This bill would change the 2 year document submission requirement to 3 years and would authorize the reallocation of lapsed funds instead of requiring such reallocation.

This bill would take effect immediately as an urgency statute.

Ch. 141 (AB 2375) Wray. County Employees Retirement Law of 1937: contributions.

Existing County Employees Retirement Law of 1937 permits a member, prior to retirement, to redeposit accumulated normal contributions which have been withdrawn if regular interest, as defined, is paid on such contributions from the date of separation.

This bill would revise the definition for "regular interest" in such existing law.

Ch. 142 (AB 2111) Fazio. Court reporter fees.

Existing law provides for court reporter fees in various counties.

This bill would exempt state and local public agencies from the payment of such fees, and provide that such fees shall be recoverable as costs to be added to the amount of the judgment.

Ch. 143 (AB 2042) Maddy. Cemetery districts: burial fees.

(1) Under present law cemetery districts are authorized to fix and charge fees for burials in cemeteries of the district. Such fees are required to include the minimum deposit to the endowment care fund specified by statute if an endowment care fund exists.

This bill would authorize the trustees of a cemetery district to increase the required deposit to the endowment care fund above the statutory minimum, but the bill would limit the amount of such deposits to the amount required to produce sufficient income to defray the cost of maintaining the cemetery or cemeteries for which the endowment care fund has been established.

(2) Under present law, certificates of deposit or interest-bearing accounts in banks, and investment certificates or shares in savings and loan associations, are not eligible investments for the principal of cemetery districts' endowment care funds.

This bill would include within the list of eligible investments for such endowment care funds (a) certificates of deposit or other interest-bearing accounts in any bank in this state insured by the Federal Deposit Insurance Corporation and (b) investment certificates or shares in any state or federally chartered savings and loan association insured

by the Federal Savings and Loan Insurance Corporation.

Ch. 144 (AB 1433) Mello. School districts: revenue limits: special education.

Under existing law, revenue limits are computed for school districts and are utilized in determining the maximum tax rate of the districts. School districts are also required to reimburse county superintendents of schools for the cost of educating certain residents of the district enrolled in special education programs operated by the county superintendent.

This bill would authorize the increase of the revenue limit of school districts by an amount sufficient to raise proceeds equal to the amount necessary to make the required payments in the preceding fiscal year less the amount paid, if any, for the same purpose in the 1972–73 fiscal year, such increase to occur only if the county superintendent discontinues the levy of a specified tax.

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. 145 (SB 1545) Stiern Domestic water supply systems.

Under existing law (the California Safe Drinking Water Bond Law of 1976) the Legislature may, by statute, authorize, subject to specified limits, the use of bond proceeds in the California Safe Drinking Water Fund for a grant program, with grants provided to water suppliers that are political subdivisions of the state, if it is determined that such suppliers are otherwise unable to meet minimum safe drinking water standards established pursuant to applicable provisions of law.

This bill would authorize a grant in the amount of $200,000 from the California Safe Drinking Water Fund to the Rand Communities County Water District for the purpose of improving its domestic water system to meet, at a minimum, safe drinking water standards. The bill would make legislative findings in such connection. The bill would require the Department of Water Resources to verify that such expenditures are necessary and appropriate

The bill would take effect immediately as an urgency statute.

Ch. 146 (AB 2192) Chel. Municipal and justice courts.

Under existing law, municipal and justice courts have original jurisdiction of civil cases where the amount in controversy is $5,000 or less, except in specified cases.

This bill would increase such $5,000 jurisdictional ceiling to $15,000 and would provide that such change in the jurisdictional ceiling shall not constitute a basis for transfer of a case pending on the operative date of this bill to another court

This bill would become operative on July 1, 1979.

Ch. 147 (SB 1333) Johnson. Courts

(1) Existing law specifies the conditions of employment of superior court reporters in Shasta County.

This bill would prohibit such court reporters from engaging in, or soliciting, other employment in their professional capacity during the hours that the court is open

(2) Existing law provides for a marshal and deputy marshals of the Chico Judicial District.

This bill would provide that the sheriff of Butte County and his deputies shall hold such positions ex officio.

Ch. 148 (AB 2054) Keene. Water districts: fire protection

Under existing law, districts organized under the California Water District Law are not authorized to provide fire protection services.

This bill would authorize the Irish Beach Water District to acquire, construct, and operate facilities for providing fire protection to the district and its inhabitants.

The bill would also authorize the Irish Beach Water District for the purpose of providing fire protection services to exercise any of the powers, functions, and duties which

are vested in, or imposed upon, a fire protection district pursuant to the Fire Protection District Law of 1961 The bill would specify that if such district includes any part of a city, fire district, or other local agency which provides fire protection service, or if the Department of Forestry provides fire protection service to any territory in the district, such district shall have no authority to provide for protection service to such territory in the district unless consent is obtained from the local agency or the Department of Forestry.

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

Ch 149 (AB 2284) Stirling. Storage of property.

Existing law provides for the payment of fees for the keeping, caring, inventorying, and driving of motor vehicles and other property under attachment, execution, or claim and delivery and for the additional payment of fees when extra keepers are needed.

This bill would provide for an increase in such fees.

Ch. 150 (SB 1395) Deukmejian Parol evidence rule

Under existing law, the parol evidence rule provides that when the terms of an agreement are reduced to writing by the parties, the writing is to be considered as containing all the terms of the agreement, as specified, with certain exceptions. The statutory rule has been interpreted in numerous court decisions.

This bill would restate the parol evidence rule and would include in the statement of the rule many of the court interpretations of the rule.

Ch. 151 (SB 1425) Deukmejian. Courts: attachment.

Existing law specifies various judicial duties as subordinate judicial duties which may be performed by appointed officers such as court commissioners as authorized by the Constitution.

This bill would add thereto judicial duties relating to attachments with certain exceptions.

Ch. 152 (SB 930) Deukmejian. Criminal records.

(1) Existing law requires the first agency receiving certain persons for booking after such persons' arrests to furnish the State Bureau of Criminal Identification and Investigation copies of the persons' fingerprints.

This bill would delete such requirement.

(2) Under existing law certain disposition reports are required to be made by law enforcement agencies and courts with respect to persons arrested and, in the case of disposition reports made by the courts, of persons in which criminal complaints or accusations have been filed. In addition, operative July 1, 1978, the law will require that for each arrest made certain reports must be made to the Department of Justice and will require the appropriate agency to report on a court's disposition of each case.

This bill would change the substance and the procedures employed in the making of such reports.

This bill would incorporate additional changes in Section 11117 of the Penal Code proposed by Assembly Bill 3336 to be operative only if Assembly Bill 3336 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

This bill would appropriate $795,000 for support of the Department of Justice.

The bill would take effect immediately as an urgency statute, to be operative on July 1, 1978, except for the appropriation which would be operative immediately.

The bill would provide that it contains no state-mandated local costs requiring state reimbursement because it makes only technical changes to existing law

Appropriation: yes

Ch. 153 (SB 1185) Johnson. Siskiyou County Flood Control and Water Conservation District: bonds

Under existing law, the Siskiyou County Flood Control and Water Conservation District may issue general obligation bonds, but the district is not authorized to issue revenue bonds

This bill would authorize the district to issue revenue bonds pursuant to the Revenue Bond Law of 1941, except that such bonds would be authorized to have maturity dates

not exceeding 50 years.

Ch. 154 (SB 1279) Alquist. Earthquakes: prediction and reduction of hazards.

Under existing law the Seismic Safety Commission is generally responsible for reducing earthquake hazards and coordinating governmental efforts to that end.

This bill would require the commission to undertake a study of earthquake hazard reduction and earthquake prediction of specified content and to submit a report thereon to the Legislature on or before June 30, 1980. The commission would be required, to the extent practicable, to coordinate the study with local, regional, and federal governmental agencies, the private sector, and with specified state agencies.

The bill would appropriate $12,000 to the commission for expenditure, during the 1977–78 fiscal year in performing the study. The bill would also require the commission to include a request for funds to complete the study in its budget proposals for the 1978–79 and 1979–80 fiscal years.

The bill would take effect immediately as an urgency statute.

Ch. 155 (SB 1602) D. Carpenter. Bank and Corporation Tax Law: estimated tax: overpayment adjustment.

Under the existing Bank and Corporation Tax Law, certain taxpayers are required to make payments of estimated tax liability. A taxpayer may receive a refund of overpayments upon filing a return for the income year.

This bill would permit a taxpayer who overpays its estimated tax liability to file an application and receive an adjustment of the overpayment before filing a return for the income year.

Ch. 156 (SB 2086) Greene. Workers' compensation benefits.

The Budget Act of 1977 appropriates money to the Department of Industrial Relations for payment of additional compensation for subsequent injuries, as provided for in specified provisions of the Labor Code. The appropriation is subject to specified conditions.

This bill would appropriate $700,000 in augmentation of, and upon the same terms and conditions of, such appropriation.

The bill would take effect immediately as an urgency statute.

Ch. 157 (AB 1869) Dixon. State Civil Service: certification of persons eligible for employment.

Existing law generally requires, with certain exceptions, that there be certified to the appointing power the names and addresses of the 3 persons standing highest on the employment list for the class in which the position belongs and who have indicated their willingness to accept appointment under the conditions of employment specified. If fewer than 3 names of persons willing to accept appointment are on the list from which certification is to be made then additional eligibles are required to be certified from the various lists next lower in order of preference until 3 names are certified. If there are fewer than 3 names on such lists, there is required to be certified the number thereon. In such case the appointing power may demand certification of 3 names and examinations must be conducted until 3 names may be certified. The appointing power is required to fill the position by appointment of 1 of the persons certified. Special provisions are made with respect to positions designated by the State Personnel Board as professional, scientific, administrative, management or executive whereby the names and addresses of all those eligibles whose scores, at the time of certification, represent the 3 highest ranks, as defined, on the employment list for the class, and who have indicated their willingness to accept appointment under the condition of employment specified are certified to the appointing power.

This bill would, with respect to the general provisions, require that the certification to the appointing powers of the three persons standing highest be from the promotional employment list rather than the employment list and would make the special provisions applicable to any open employment list as well as to classes designated by the board, as professional, scientific, administrative, management, or executive.

In addition, this bill would expressly provide that its provisions shall be applicable to names certified from employment lists after the date the bill becomes operative even

though the examination was given prior to such operative date. It would also allow the board to certify less than three ranks where the certified group is disproportionate to the number of vacancies.

Ch. 158 (AB 2400) Arnett. Court interpreters.

Existing law generally authorizes the appointment of a foreign language interpreter to aid the court under specified circumstances and requires the interpreter to take an oath that he will interpret to the best of his skill and judgment. Existing law also requires specified agencies to provide language assistance at certain adjudicatory hearings, as of July 1, 1978. Existing law does not establish a program for the training and testing of court interpreters.

This bill would require the superior court in each county to establish, maintain, and publish a list of recommended court interpreters. The interpreters on the list would be required to be utilized unless good cause is found by the judge for the appointment of an interpreter not on the list. Interpreters would be required to pass a written and oral court interpreter examination conducted by the State Personnel Board, and a superior court could consider additional standards, as necessary for equity or to recognize local conditions.

The bill would require the Judicial Council to adopt rules to implement the provisions thereof and to establish standards for determining the need for a court interpreter in particular cases, to establish standards for ensuring a court interpreter's understanding of the technical terminology and procedures used in the courts, to establish standards of professional conduct for court interpreters, and to establish a requirement for periodic review of each recommended court interpreter's skills and for removal from the recommended list of those court interpreters who fail to maintain their skills.

The bill would appropriate to the State Controller $35,000 from the General Fund for allocation to the State Personnel Board for fiscal year 1978–79 for the purpose of improving court interpreter services in the Spanish language in several specified counties, would appropriate $65,000 from the General Fund for allocation to the Judicial Council, without regard to fiscal year, for the purpose of establishing appropriate rules for all trial courts, and collecting, analyzing, and reporting data to serve as a basis for legislative determination of the need to establish interpreter's programs in additional courts and in additional languages, and would appropriate $60,000 for allocation to local agencies for fiscal year 1978–79 for costs incurred by them pursuant to the bill.

The bill would take effect immediately as an urgency statute.

Ch. 159 (AB 1982) Dannemeyer. Regional occupational centers and programs: nonpublic high school students.

Existing statutes do not make specific provision for attendance computation for State School Fund purposes with respect to nonpublic high school students who are concurrently enrolled in a regional occupational center or program.

This bill would require, for such purposes, the classification of any nonpublic high school student who is concurrently enrolled in a regional occupational center or program, as a regular student enrolled in a regular high school program.

Ch 160 (AB 1176) Goggin. Mental health patients and disclosure of records

Under present law, records concerning treatment of mental health patients are generally confidential except that information about the patient may be referred to law enforcement agencies when the physician or the person in charge of the facility reasonably believes the patient while hospitalized has committed, or has been the victim of, certain listed crimes

This bill would revise these provisions: to require such physician or person to release relevant information to law enforcement agencies when he has probable cause to believe that a patient while hospitalized has committed or been the victim of any of certain listed felonies; and to authorize such release of information when such physician or person has probable cause to believe that such a patient has committed or been the victim of assault or battery.

This bill would also state that no reimbursement shall be made for state-mandated local costs pursuant to Section 2231 of the Revenue and Taxation Code and that no appropriation is made hereby, for a specified reason.

Ch. 161 (AB 1911) Dixon. Labor: jury duty

Existing law prohibits employers from discharging employees for taking time off to serve as required by law on an inquest jury or trial jury if the employees give the employers reasonable notice, prior to taking the time off, that they are required to serve.

This bill would add the prohibition against discriminating in any manner against such employees

It would also prohibit an employer from discharging or otherwise discriminating against an employee for taking time off to appear in court as a witness as required by law, if the employee provides the employer with reasonable notice, prior to the time the time is taken off, that the employee is required to appear in court.

The bill would also provide that any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of such employment by his employer because such employee has taken time off to serve on an inquest or trial jury or to appear in court as a witness shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by such acts of the employer. Any employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who has been determined to be eligible for such rehiring or promotion by a grievance procedure, arbitration, or hearing authorized by law, would be guilty of a misdemeanor.

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement to any local agency or school district for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 162 (AB 582) Montoya. Vehicles: student licenses

Existing law requires the application for a student license and statement of consent to be forwarded by the principal of a school offering driver training and issuing student licenses, or a staff member assigned the duty, to the Department of Motor Vehicles, and requires student licenses to be surrendered and returned to the department whenever canceled or upon completion of the course of instruction for which they were issued.

This bill would delete these provisions.

Ch. 163 (AB 2001) Dannemeyer. Small claims court

Existing law makes no provision for the award of costs in a small claims court action.

This bill would provide that the prevailing party in a small claims action shall be entitled to costs of the action and costs of execution of judgment, including costs of service of the order for appearance of the defendant in the action.

Ch. 164 (AB 2125) Gualco. Tax-deeded property: proceeds.

Under existing law, any party of interest may file a claim for excess proceeds remaining after the sale of tax deeded property, and when more than 1 party of interest files a claim for the excess proceeds, the claimants are entitled to a hearing before the county board of supervisors to establish the priority and extent of their claims.

This bill would permit the county board of supervisors to authorize any county officers to perform on its behalf any act required or authorized to be performed by the board of supervisors which pertain to these claims.

Ch. 165 (AB 2232) Mori Dublin-San Ramon Services District

Existing law prescribes the powers of a community services district for the purposes designated in the petition for formation or thereafter approved by the voters in a special election.

Existing law does not authorize a community services district to conduct studies of the transportation needs of the district

This bill would authorize the Board of Directors of the Dublin-San Ramon Services District to conduct such a transportation study if such board determines by resolution that it is feasible, economically sound, and in the public interest for the district to exercise such power for such purpose and adopts such purpose, as specified. It would permit the board to divest itself of such power in the same manner as it is acquired. It would also make certain findings and declarations with respect to the district's special need for such power.

Ch. 166 (AB 2345) Lehman. Milk: pooling: production bases.

The Gonsalves Milk Pooling Act provides for the establishment of pooling plans for fluid milk in the state and for the allocation of milk pool quotas and production bases.

The existing law provides, with prescribed exceptions, that producers who do not, in the months of September, October, and November of any year, market the amount of fluid milk equal to their pool quotas shall lose their prescribed amount of their production bases.

This bill would authorize the Director of Food and Agriculture to waive such provisions for any year, if he determines, prior to June 1 of any such year, that there will be sufficient market milk during such months to satisfy market milk needs.

This bill would take effect immediately as an urgency statute

Ch. 167 (AB 2123) Duffy. Nurses

Existing law requires a registered nurse, upon license renewal, to submit proof that during the preceding 2-year period he or she has informed himself or herself of recent developments through continuing education in the registered nurse field or special area of practice, or by other means deemed equivalent.

This bill would require providers of such continuing education programs to make available for inspection records of continuing education courses given to registered nurses.

Ch. 168 (AB 1566) Thurman. Table grapes: commission: public member.

Under existing law, the California Table Grape Commission consists of 21 fresh grape producers appointed by the Director of Food and Agriculture.

This bill would increase the commission by 1 public member, appointed to a 3-year term pursuant to a specified procedure.

Ch 169 (SB 1431) Rains. Court reporter salary· Santa Barbara County.

Existing law with respect to Santa Barbara County provides that each regular official court reporter be paid a biweekly salary of $757 43, and reporters pro tempore be paid at the per diem rate of $76.

This bill would increase such amounts to $836.89 and $84, respectively.

The bill would provide that its provisions are inseverable from existing financial disclosure provisions, for specified reasons.

This bill would also 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 170 (AB 2264) N. Waters Tuolumne County court reporters.

Existing law specifies the salaries of superior court reporters in Tuolumne County.

This bill would permit the Board of Supervisors of Tuolumne County to establish the salaries of such reporters and would define the duties of such reporters.

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

This bill would require the Judicial Council to also provide for the maintenance of such records for Tuolumne County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Tuolumne County and the Legislature.

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

Ch. 171 (SB 779) Sieroty. Podiatry certificates· reciprocity.

Existing law makes a person eligible for a reciprocity certificate as a podiatrist if various requirements are complied with

This bill would require issuance of such a certificate to a person meeting a specified list of requirements, including, among other things, being licensed in any other state, as specified, having practiced as a licensed podiatrist for at least 4 years and passing a practical oral examination to ascertain clinical competence.

Ch 172 (SB 1321) Dills. Elections· ballot arguments.

Under existing law, ballot arguments and rebuttal arguments concerning statewide, county, district, school district, community college district, and city measures are printed in the ballot pamphlet.

This bill would prohibit a ballot argument or a rebuttal argument from being accepted if the text of the argument includes the name of a person, as defined, other than the author, who is represented as being for or against the measure, unless the argument is accompanied by a signed consent of the person whose name is being used.

Ch. 173 (AB 1884) Gualco. Irrigation district tax liens.

Existing law provides that irrigation district charges which have been added to an assessment are a lien on the land except where the real property involved has been transferred to a bona fide purchaser for value or if a lien of a bona fide encumbrance has attached prior to the date the first installment of such charges would become delinquent and provides alternate procedures to be followed in such cases

This bill would provide that such charges may be added to an assessment upon the real property and are a lien on the real property.

The bill would also delete the 3-year time period for recording a certificate of amount due from the alternate procedure and the requirement that the certificate specify that the district has complied with specified provisions of law in the determination of the amount due.

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.

Ch 174 (AB 2018) Torres. Insurance fraud

Under existing law it is unlawful to present, cause to be presented, or to make or subscribe to a writing with intent to present, any false or fraudulent insurance claims Such offense is punishable by imprisonment or by a fine of $1,000, or both.

This bill would increase the fine to $10,000, and require imprisonment for 2, 3, or 4 years, and, in cases involving two or more previous violations, it would prohibit suspended sentences or probation, as specified.

Under existing law it is grounds for disciplinary action if a health care professional is convicted of a crime involving moral turpitude, or if an attorney commits an act of moral turpitude, dishonesty, or corruption.

This bill would specify that the commission of certain fraudulent practices involving insurance is grounds for disciplinary action against a health care professional, as defined, or an attorney.

This bill would take effect immediately as an urgency statute.

Ch. 175 (AB 2195) Berman Corporations.

Existing law requires that the number of trustees for a corporation for charitable or eleemosynary purposes be not less than 9 nor more than 25.

This bill would raise the upper limit on such trustees to 40.

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

Ch 176 (AB 2217) Robinson Counties accounting procedures.

Existing law requires the State Controller to prescribe uniform accounting procedures for counties after consultation with, and approval by, the Committee on County Accounting Procedures. Approval of such procedures must be by a majority vote of the members present at a meeting of the committee called by the chairman thereof

This bill would, instead, require that the approval of procedures be by a majority vote of all members of the committee. The bill would change the method of voting to permit a vote by mail under certain conditions

This bill would take effect immediately as an urgency statute

Ch 177 (AB 2271) Egeland Advertising. sex matters.

Existing law provides that the advertising that the holder of a certificate under the State Medical Practice Act will cure or attempt to cure, or will treat any venereal disease or specified sexual disorders constitutes unprofessional conduct

This bill would repeal such provision

Existing law prohibits, with specified exception, the posting or exhibiting of advertising or other printed material concerning venereal diseases, lost manhood, lost vitality,

impotency, seminal emissions, self-abuse, varicocele, or excessive sexual indulgence, and calling attention to any medicine, device, compound, treatment or preparation that may be used therefor

This bill would repeal such provision.

Ch. 178 (AB 2697) Fazio. Display of unpackaged processed food.

Existing law requires food establishments which display unpackaged processed foods to effectively shield such food so as to intercept a direct line between the customer's mouth and the food. Existing law does not define processed food.

This bill would authorize food establishments to display and sell unpackaged processed food, except specified potentially hazardous food, in bulk in self-service containers if certain specified requirements are complied with. It would also authorize food establishments to display and sell in bulk in other than self-service containers unpackaged processed foods if they are served by an employee of the food establishment directly to a consumer and if certain other specified requirements are complied with. This bill would define processed food.

It would also permit the State Director of Health or the successor of such officer, the State Director of Health Services, to impose greater restrictions by regulation, as specified, on the sale of unpackaged processed food if the director specifically finds that a disease is actually transmitted, by the method of dispensing such food as prescribed by this bill

The bill would take effect immediately as an urgency statute.

Ch. 179 (SB 1341) Johnson. Court reporters: Sutter County.

Existing law requires the Judicial Council to maintain records on the activities of court reporters in certain counties, and report thereon to the Legislature.

This bill would add Sutter County to the counties involved.

Existing law provides for the compensation of superior court reporters in Sutter County at $55 per day or any fractional part thereof for reporting testimony and proceedings in contested cases.

This bill would increase such compensation of superior court reporters in Sutter County to $75 per day, or any fractional part thereof.

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Sutter County, and would make such provisions of the bill inseverable.

The bill also would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 180 (AB 867) Torres. Insurance.

Existing law provides that if the Insurance Commissioner finds that any rate violates the provisions of law relating to insurance rates, he may issue an order to the insurer specifying in what respects such violation exists and stating when, within a reasonable period of time, the further use of such rate in contracts of insurance shall be prohibited.

This bill would provide that whenever the commissioner determines that a rate is excessive or not excessive, he shall disclose in writing, upon the written request of any complainant, the basis upon which such rate was determined to be excessive or not excessive.

Ch. 181 (AB 1472) Chappie. Schools: transportation allowances.

Existing law requires the Superintendent of Public Instruction to make specified allowances for school transportation.

This bill would authorize a school district to claim a replacement allowance for schoolbuses originally purchased by a county superintendent of schools for the transportation of exceptional children but used for the transportation of pupils by a cooperative pupil transportation program operated jointly by the school district and the county superintendent of schools, provided the replacement bus is used within the cooperative pupil transportation program.

Ch. 182 (AB 2309) Chimbole Removal of vehicles.

Under existing law, various state and local officers are authorized to remove vehicles from a highway under prescribed conditions.

This bill would extend such authority to railroad policemen.

Ch. 183 (AB 2737) Antonovich Vehicles: local regulation.

Existing law permits local authorities to adopt rules and regulations covering specified areas, including rules relating to the use of persons, temporarily appointed, to direct traffic when official traffic control devices are disabled or otherwise inoperable.

This bill would permit local authorities to adopt rules and regulations relating to the use of persons, temporarily or permanently appointed, to direct traffic when official traffic control devices are disabled or inoperable, at the scene of accidents or disasters or at locations which require traffic direction for orderly traffic flow.

Ch 184 (SB 1442) Vuich. Cattle protection: inspection.

Existing law requires that persons using an unrecorded, forfeited, canceled or suspended brand shall pay a penalty of $25.

Existing law requires that cattle be inspected prior to the occurrence of certain events, and also specifies that inspection is not required in other situations. Under existing law the Director of Food and Agriculture is not specifically authorized to cancel the registration of any feedlot in which the operator has not fed cattle for slaughter for a period of 90 days.

This bill would remove persons using a suspended brand from the category of those who are required to pay a penalty.

The bill would require that cattle be inspected prior to transportation out of a full point-of-origin area, and would specify that inspection is not required when cattle are shipped for pasture or feeding purposes and there is no change of ownership and the cattle are moved only between points within a point-of-origin area.

The bill would authorize the director to cancel the registration of any feedlot in which the operator has not fed cattle for slaughter for a period of 90 days.

Ch. 185 (SB 1603) Dunlap. Vocational training and employment: minors.

Existing law permits minors between 16 and 18 years of age enrolled in work experience education programs approved by the State Department of Education to work after 10:00 p.m. but not later than 12:30 a.m. under certain specified conditions.

This bill would permit such work by minors between such ages who are enrolled in work experience programs conducted by private schools.

Ch. 186 (AB 335) McAlister Insurance rates.

Existing law includes among specified unfair methods of competition and unfair and deceptive acts or practices in the business of insurance, the making or permitting of any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for life insurance or life annuity, or in dividends or benefits.

This bill would provide that such provision be interpreted, for any contract of ordinary life insurance or individual life annuity applied for and issued on or after January 1, 1981, to require differentials based upon the sex of the individual insured or annuitant in the rates or dividends or benefits, or any combination thereof However, for any contract of ordinary life insurance or individual life annuity applied for and issued on or after January 1, 1981, but before the compliance date, as specified, in lieu of such differentials based on data segregated by sex, rates or dividends or benefits, or any combination thereof, for ordinary life insurance or individual life annuity on a female life may be calculated according to an age not less than three years nor more than six years younger than the actual age of the female insured or female annuitant, in the case of a contract of ordinary life insurance with a face value greater than $5,000 or a contract of individual life annuity, and according to an age not more than six years younger than the actual age of the female insured, in the case of a contract of ordinary life insurance with a face value of $5,000 or less

Ch. 187 (AB 996) Goggin. Firearms: possession by insane persons.

Existing law makes it a misdemeanor for a person who has been adjudicated by a court to be a danger to others as a result of mental disorder or illness to have possession, custody, or control of any firearm, unless the medical director of any California state hospital issues the person a certificate stating the person may possess a firearm without

endangering others.

This bill would also make it a misdemeanor for any person who has been found not guilty of any of specified criminal offenses by reason of insanity to have possession, custody, or control of any firearm

The bill would provide no appropriation nor reimbursement to local government because the Legislature recognizes that changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government which in the aggregate do not result in significant identifiable cost changes

Ch. 188 (AB 1591) Thurman. Boards and committees: public members.

Under the existing law, various segments of agricultural related industry within the state are regulated by, or with the assistance of, various boards and committees, established by law, on each of which are representatives from the particular segment of the industry regulated by any such board or committee.

This bill would authorize the Director of Food and Agriculture to appoint one additional representative, who shall be a public member, in accordance with specified procedure, on each of the following boards and committees:

(a) The Fair Budget Review Board
(b) The Curly Top Virus Control Board.
(c) The Agricultural Pest Control Advisory Committee.
(d) The Feed Inspection Advisory Board.
(e) The Livestock Identification Advisory Board.
(f) The Horse Drugging Advisory Committee
(g) The Shell Egg Advisory Committee.
(h) The Apiary Board.
(i) The Shipping Point Advisory Committee.
(j) The Canning Tomato Advisory Committee.
(k) The Grape Inspection Advisory Committee.
(*l*) The marketing program committees established under the Agricultural Producers Marketing Law
(m) The local and regional advisory boards established under the market milk stabilization and marketing provisions
(n) The Milk Pooling Producer Review Board established under the Gonsalves Milk Pooling Act.

Ch. 189 (AB 1901) Mello. Public Employees' Retirement System: optional benefits

Existing Public Employees' Retirement Law contains several optional benefit provisions which are inapplicable to a contracting agency until the agency elects to be subject to such provisions

This bill would authorize a contracting agency and its employees, under specified conditions and in a prescribed manner, to share the cost of such benefits.

Ch. 190 (AB 2297) Chappie. Vehicles: pneumatic tires.

Existing law, permitting the use of snow tires from the first day of October to the first day of May of each year, will remain in effect until May 1, 1978.

This bill would extend the provision permitting the use of snow tires, as specified, until May 1, 1981

This act would take immediate effect as an urgency statute

Ch. 191 (AB 2299) 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, until July 1, 1979, to levy a water standby or immediate availability charge.

This bill would extend the authorization for levying the water standby or immediate availability charge from July 1, 1979, until July 1, 1984.

Ch 192 (AB 2484) Chappie. Public utility district board of directors.

Under the Public Utility District Act, the board of directors of a public utility district may act only by ordinance or resolution passed on the affirmative votes of at least a majority of the board, the ayes and noes taken upon passage and entered upon the

journal of the proceedings.

This bill would authorize the board to act also by motion subject to the same procedure for voting and entry upon the journal of the proceedings.

Ch. 193 (SB 1534) Garamendi. Courts.

Existing law provides that the mandatory retirement age for safety members of the County Employees Retirement System who are not elective officers is 60.

This bill would provide that a senior deputy marshal of the Manteca-Ripon-Escalon-Tracy Judicial District shall have the right to continue in employment until age 65.

The provisions of this bill would remain in effect only until April 1, 1983.

Ch. 194 (AB 2403) Dixon. Labor: public educational employment.

Existing law provides that when an employee organization is recognized as the exclusive representative for public school employees in an appropriate unit, only that organization may receive membership dues deducted from salaries of employees in that unit.

Existing law also permits an employee organization to file a petition with the Public Employment Relations Board alleging that the public school employees in a unit no longer desire a particular employee organization as their exclusive representative, provided the petition is supported by current dues deductions authorizations, or other specified evidence.

This bill would delete the option of supporting such a petition by current dues deductions authorizations.

Ch. 195 (AB 2550) Vicencia Senate confirmations.

Existing law provides for confirmation by the Senate of certain appointments to public office made by the Governor.

This bill would provide that if such confirmation occurs during specified periods and the term of office is at the pleasure of the Governor, the confirmation shall be the last act necessary for appointment, and issuance of another commission is not necessary.

Ch. 196 (AB 2298) Chappie. Vehicles: windshield wipers.

Existing law requires that all vehicles which are equipped with windshields, except motorcycles, be equipped with a self-operating windshield wiper. Motor vehicles first registered after December 31, 1949, are required to be equipped with 2 windshield wipers, as prescribed.

This bill would allow motor vehicles which were first registered after December 31, 1949, to have a single wiper so long as the wiper clears an area sufficient to meet specified safety standards.

Ch. 197 (AB 627) Arnett. Dumbarton Bridge. study.

Existing law does not provide specifically for a study regarding the western approach to the Dumbarton Bridge.

This bill would require the Department of Transportation to conduct a feasibility study of extending the western approach to the bridge on a specified alignment and to submit a report thereon to the Legislature on or before December 31, 1978.

The bill would prohibit any action under this act from altering plans of the department for, or delay construction of, the new Dumbarton Bridge and its approaches.

The bill would take effect immediately as an urgency statute.

Ch 198 (AB 1388) McVittie. Labor: medical advisory committee.

(1) Existing law provides that assignment of cases to independent medical or chiropractic examiners shall be made at the request of a referee of the Workmen's Compensation Appeals Board by the Medical Director of the Division of Industrial Accidents.

This bill would provide such assignment also be made on the request of the administrative director and the secretary of the appeals board. The bill would also make various technical amendments to the provisions covering the Medical Advisory Committee appointed by the administrative director.

(2) Existing law permits the appeals board, at any time after an application is filed, and before the expiration of its jurisdiction, upon the agreement of a party to pay the cost, to direct an injured employee to be examined by a doctor selected by the appeals board or agreed upon by the parties to report upon any medical question pertinent to

any matter then at issue before the appeals board.

This bill would authorize the administrative director to exercise authority similar to that of the appeals board upon the submission of a matter to an information and assistance officer and with the consent of the injured employee, and would include chiropractors and chiropractic questions in the scope of such directed examination Various related changes would also be made.

Ch. 199 (AB 1830) Cordova. Political Reform Act of 1974: Fair Political Practices Commission Budget.

Existing law, contained in the Political Reform Act of 1974, provides that the continuing yearly $1,000,000 appropriation to the Fair Political Practices Commission provided for in the Political Reform Act of 1974 for those years following the 1974–1975 fiscal year shall be adjusted for cost of living changes during each fiscal year. Existing law defines the term "adjusting an amount for cost-of-living changes" as meaning multiplying the amount by a multiplier determined at the beginning of each year by the Director of Finance to reflect changes in the price level, based on the change during the previous calendar year in the Consumer Price Index published by the United States Bureau of Labor Statistics and on such other readily available sources of information as the Director of Finance may deem appropriate.

This bill would provide instead that the term "adjusting an amount for cost-of-living changes" means adjusting the amount received the previous year by an amount determined at the beginning of each fiscal year by the Director of Finance corresponding to amounts authorized from the salary and price increase items as set forth in the Budget Act and other cost-of-living adjustments on the same basis as those applied routinely to other state agencies.

This bill would take effect immediately as an urgency statute.

Ch. 200 (AB 2389) Mangers. Clinical laboratories.

Under existing law specified unlicensed laboratory personnel are authorized, until September, 1978, to withdraw blood for test purposes and perform blood gas analysis, under specified conditions.

This bill would extend such expiration or limiting date to December 31, 1979.

The bill would provide that the act is to take effect immediately as an urgency statute.

Ch. 201 (AB 2512) Wray. County Employees Retirement Law of 1937: employment after retirement.

Under existing law, effective on September 16, 1977, participants in the Public Employees' Retirement System, retirement systems established pursuant to the County Employees Retirement Law of 1937, and municipal retirement systems may continue in employment irrespective of age as regular retirement system members upon certification of the member's competence in employment by the employing department or agency pursuant to rules and regulations adopted by each respective governing board or the State Personnel Board in the case of state employees. Such provisions are not applicable to public law enforcement and firefighting employees.

Existing law also permits any person in any county or district (other than the County of Los Angeles), having a retirement system established pursuant to the County Employees Retirement Law of 1937, who has retired and who has not attained the age of compulsory retirement for the position from which he retired, to be employed, for a period not to exceed 90 days, in a position requiring special skills or knowledge, as determined by the county or district.

This bill would delete the above provision regarding the age of a person who has retired, thus permitting such persons to be employed in such positions regardless of age The bill would specify that its provisions are applicable to any person who retired before January 1, 1979, and to any person who retires on or after such date.

Ch. 202 (AB 2605) Montoya. Labeling of prescription drugs.

Existing law requires all devices bearing the federal legend "Caution: federal law prohibits dispensing without prescription" to be individually labeled for each patient in skilled nursing facilities and intermediate care facilities No such requirement exists for hospitals.

This bill would exempt from such labeling requirements skilled nursing facilities and intermediate care facilities.

The bill would provide that the act is to take effect immediately as an urgency statute.

Ch. 203 (AB 2675) Ellis. Judgment liens.

(1) Under existing law, when an abstract of judgment has been recorded with the county recorder, it becomes a judgment lien against real property of the judgment debtor which is in the county

Under existing law, the abstract of judgment must contain certain data. This bill would also require that it contain the social security number or driver's license number, or both, of the judgment debtor if they are known to the judgment creditor.

(2) Under existing law, where a judgment has been satisfied, the judgment creditor is required to file an acknowledgment of satisfaction to release the judgment lien. However, there is no statutory requirement applicable if an abstract of judgment is filed which appears to create a lien because the judgment debtor's name is the same or similar to that of another property owner.

This bill would provide that when a judgment lien appears to exist against a person's property who is not the true judgment debtor, because of a similarity in names, the judgment creditor must, on demand and upon presentation of proof that the property owner is not the true judgment debtor, release the apparent lien, and would establish a procedure for the court to do the same, as specified.

Ch. 204 (AB 2745) Chappie. Schools: destruction: interim facilities.

Existing law permits the San Juan Ridge Union Elementary School District to utilize sites as temporary school facilities, to replace the San Juan Ridge Elementary School which was destroyed by fire in February 1977, without conforming to standards prescribed by the Field Act until June 30, 1978.

This bill would extend such authorization until June 30, 1979.

This bill would take effect immediately as an urgency statute.

Ch. 205 (SB 1206) Robbins. Family planning services.

Under existing law, the county health officer is required to compile and furnish to all hospitals within the county copies of a list of family planning and birth control clinics located in the county.

This bill would additionally require the county health officer to furnish such list to all physicians and surgeons upon request, as specified.

This bill would make no appropriation to reimburse local agencies for costs incurred by them under this bill for a specified reason.

Ch. 206 (SB 1492) Ayala. School buildings· Field Act.

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

This bill would permit the continued use of specified buildings for educational services in the Chaffey Joint Union High School District, the Potter Valley Community Unified School District, and the Alameda Unified School District for the 1978–79 school year, and would exempt the buildings from provisions of the so-called Field Act during the period of such continued use.

This bill would take effect immediately as an urgency statute.

Ch. 207 (SB 1511) Smith School districts community college districts: audits.

Under current law, governing boards of school districts and community college districts are required to provide for an annual audit of the books and accounts of the district.

Further, the Auditor General is required to report to the Legislature, by July 30, 1979, regarding various aspects of such audits.

This bill would require school district and community college district governing boards to review the annual audit at a regularly scheduled public meeting, and to place the review on the agenda for such meeting

This bill would extend the time by which the Auditor General is required to make his report to the Legislature to July 30, 1980.

This bill would also make various related corrective and technical changes.

Ch. 208 (SB 1550) Beverly. Insurance: Production agency licenses.

Existing law requires applications for a license or certificate of convenience to act as an insurance solicitor or application for change of employer to contain the name and address of the agent or broker named in the statement appearing in the new application.

This bill would delete such requirement.

Existing law provides that an applicant for a license to act as a fire and casualty agent who had not been licensed in the preceding 5 years may obtain a license for a single year or one-half of the 2 year term.

This bill would repeal such provisions, and make related changes

Existing law specifies that, with certain exceptions, filing fees for various licenses shall not be refunded.

This bill would delete such exception and state that such fees shall not be refunded whether or not the application is acted upon or the examination is taken.

Ch. 209 (SB 1617) Deukmejian Subdivisions: consistency with existing plans.

Existing law prohibits, generally, the approval of a subdivision map unless consistent with the applicable general and specific plans and specifies various findings which require disapproval of a proposed subdivision map. Such law does not, under specified circumstances, apply to condominium projects which consist of the airspace in an existing structure unless new units are to be constructed or added, except in cities having a population of more than 2,800,000.

This bill would also exempt such condominium projects in such large cities, as specified

[This bill would take effect immediately as an urgency statute.]*

Ch. 210 (AB 2095) Chel. Teachers: salary deductions.

Under current law, the governing board of a school district is required, with or without charge, to make deductions 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 authorization by the employee.

This bill would specify that the revocable written authorization shall remain in effect until expressly revoked in writing by the employee and would require prior notice, as specified, with regard to changes in dues.

This bill also would provide that the governing board shall not require the completion of a new deduction authorization when a dues change has been effected.

Ch. 211 (AB 2214) Lehman. Cal-Vet farm purchase: occupancy requirement—waiver.

The Veterans' Farm and Home Purchase Acts of 1943 and 1974 contain specified occupancy requirements and provide for the Department of Veterans Affairs to grant waivers thereof under specified circumstances.

This bill would authorize the department to grant waivers of the occupancy requirement for any period of time if the property is a farm and if the veteran personally cultivates the property and harvests crops or tends livestock.

This bill would take effect immediately as an urgency statute.

Ch. 212 (AB 2222) Duffy. Nursing

Existing law authorizes nursing students enrolled in an accredited school of nursing to render nursing services when such services are incidental to the course of study.

This bill would delete the requirement of accreditation and would revise such authorization by allowing such services to be rendered by such students when the person is a student enrolled in a board-approved prelicensure program or school of nursing, or a nurse licensed in another state or country taking a board-approved continuing education course or a postlicensure course.

Existing law allows the Board of Registered Nursing to take disciplinary action against a licensed nurse for, among other things, violating any provision of the Nursing Practicing Act.

This bill would include the violation of regulations adopted pursuant to such act as grounds for disciplinary action.

Existing law exempts licensed registered nurses from continuing education requirements, which are to be required on and after July 1, 1978, for a period of 2 years immediately following graduation from nursing school.

This bill would revise such exemption by specifying that initial licensees shall be exempt from such requirement for the first two years following their initial licensure

The bill also provides that the act shall go into immediate effect as an urgency statute.

Ch. 213 (SB 1073) Holden. Coastal zone: Los Angeles.

Under existing law, the precise area included within the coastal zone for purposes of administration by the California Coastal Commission is shown on a map filed with the Secretary of State on August 11, 1976, and on detailed maps adopted by the commission on March 1, 1977.

This bill would provide that, notwithstanding those provisions, the inland boundary of the coastal zone in the vicinity of Los Angeles International Airport would be the Pershing Drive constructed after January 1, 1970, instead of the Pershing Drive constructed prior to that date, and would exclude from the inland boundary of the coastal zone described area in the vicinity of the City of San Juan Capistrano.

The present law authorizes the commission to adjust the inland boundary of the coastal zone the minimum landward distance necessary, but in no event more than 100 yards, to avoid bisecting any single lot or parcel or to conform it to readily identifiable natural or manmade features.

This bill would also authorize the commission to adjust such boundary the minimum seaward distance necessary, but in no event more than 200 yards.

The bill would take effect immediately as an urgency measure.

Ch. 214 (SB 1384) Nimmo. Property taxation.

Existing law regarding property taxation states that reductions in assessments shall not be made unless applications are filed before specified dates within counties of specified classes of population.

This bill would provide for uniform dates on which applications are to be filed for all counties, such provision to become operative on July 1, 1979.

The bill would also permit county boards of equalization in any county for which the State Board of Equalization announced a final ratio of 18.2% or less for the 1977–78 fiscal year to extend the period for filing applications respecting the 1977–78 fiscal year, such provision to be repealed on January 1, 1979

The bill would take effect immediately as an urgency statute.

Ch. 215 (AB 340) Fenton. Veterans farm and home purchase bonds.

This bill would enact the Veterans Bond Act of 1978 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 general election on November 7, 1978.

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. 216 (AB 1145) N. Waters. Alcoholic beverages.

Existing law authorizes the conversion to an on-sale general license of an on-sale general alcoholic beverage license for seasonal business issued before July 1, 1977, upon a finding by the Director of the Department of Alcoholic Beverage Control and the payment of the on-sale general license fee, if such seasonal license is located in a county with a population of less than 50,000. The law prohibits the sale or transfer of any such license which is converted, with exceptions, for a period of 7 years.

This bill would authorize such conversion of such license issued before July 1, 1977, without limits as to population, if an application is filed prior to January 1, 1980. The bill would restrict the transfer of such license if converted within a period of 2 years and after 5 years there would be no restrictions on the sale or transfer of such a license.

Ch. 217 (AB 2262) 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, 1978, and as of that date will be repealed, unless a statute which is chaptered before June 30, 1978, deletes or extends such date.

This bill would delete the provisions which would repeal the 55-mile-per-hour speed limit on June 30, 1978, thereby continuing such speed limit in effect indefinitely, except

that if the 55-mile-per-hour national maximum speed limit is ever repealed, the 55-mile-per-hour speed limit provisions of the bill would be repealed 120 days after the repeal of such national speed limit. In addition, the bill would make a change in the 55-mile-per-hour provisions to make them consistent with another provision in the Vehicle Code. The bill would also make a declaration regarding the intent of the Legislature with respect to the 55-mile-per-hour national maximum speed limit.

The bill would take effect immediately as an urgency statute.

Ch. 218 (AB 2349) Hughes. Schools: certificated employees.

(1) Existing law requires that a substitute or temporary employee who has completed at least 75% of the number of days of the regular schools of the district and performed the duties of a certificated employee be deemed to have served a complete year as a probationary employee if employed as a probationary employee for the following year. Various priority rights in regard to employment in the following year are also afforded such employees.

This bill would exempt school districts having an average daily attendance of more than 400,000 from these requirements.

(2) Currently, certain statutory provisions that authorize the layoff of permanent and probationary certificated employees of a school district due to declining pupil enrollment or for the reduction or discontinuance of a particular kind of service are inapplicable to the probationary certificated employees of a school district having an average daily attendance of 400,000 or more covered by a collective-bargaining agreement which contains provisions for the layoff and reassignment of such employees

This bill would specify that these provisions shall not be interpreted to apply to the termination of any probationary certificated employee for cause or failure to reemploy for the following school year with notice.

Ch. 219 (AB 2350) W. Thomas. Elections.

Existing law provides that school district elections and community college district elections shall be governed by the Elections Code, except as otherwise provided in the Education Code

The bill would repeal those provisions of the Education Code dealing with voters and elections which duplicate provisions of the Elections Code and would provide that absentee ballots and voters and election procedures shall be governed by those provisions of the Elections Code applicable to statewide elections.

Existing law does not provide a procedure for the recall of a student member of a community college governing board.

This bill would provide for the recall of the student member by the students, and would allow the governing board of the community college district to establish its own procedure.

Existing law prescribes the form of ballots used in jurisdictions using voting machines and vote tabulating devices.

This bill would provide that a county, city, or district using voting machines or vote tabulating devices may use reasonable facsimiles of the sample ballots sent the voters of the jurisdiction as absentee ballots.

Under existing law relating to the election on the creation of a new county, the notice of the election is required to contain a statement advising persons about the submission of ballot arguments and requiring the submission of arguments within 54 days of the elections.

This bill would require the county clerk to fix the date prior to the election on which such arguments must be submitted.

The bill would also make certain clarifying changes.

This bill would take effect immediately, as an urgency statute

Ch. 220 (AB 2719) Kapiloff. Property tax information.

Under existing property tax law, the county assessor is required to maintain a list of property transfers in the county, other than transfers of undivided interests, which have occurred within the prior 2-year period, with specified information regarding such transfers. Such list is required to be open to inspection by any assessee who has filed a timely application for reduction of his assessment before the local board of equalization

or assessment appeals board upon payment of a specified fee, which is presently $10

This bill would allow any person to inspect the list of property transfers, and would authorize the assessor to require payment of a fee equal to the cost of such inspections, not to exceed $10.

Ch. 221 (SB 1514) Marks. Records: preservation.

Existing law authorizes the Controller, with the concurrence of the Director of General Services, to destroy specified documents when they are in excess of 5 years old.

This bill would authorize the Controller to destroy the original of such documents after 1 year if they are reproduced in accordance with specified provisions of the law relating to microfilming and photographic reproduction of records and the reproduction is preserved for the 5 years, except that records relating to the annual Controller's report on the revenues and expenditures of state government could not be destroyed for at least 3 years.

Ch. 222 (SB 1536) Rains. Vehicles: windshield: driver view.

Existing law prohibits any person driving a motor vehicle with objects or material placed in such a way as to obstruct the driver's clear view to the front or side of the vehicle. There are certain specified exceptions to this prohibition, including signs, stickers, or materials displayed in a 7-inch square in the lower corner of the windshield farthest from the driver

This bill would permit material to also be displayed in a 5-inch square in the lower corner of the windshield nearest the driver.

The bill would make additional changes in Section 26708 of the Vehicle Code, proposed by Assembly Bill No. 2679, to be operative only if this bill and Assembly Bill No. 2679 are both chaptered and become effective January 1, 1979, and this bill is chaptered after Assembly Bill No. 2679.

Ch 223 (AB 869) W Thomas Community colleges· funds.

Under current law, governing boards of community college districts are required to keep an accurate record of the receipts and expenditures of district money.

This bill would specify that this function be carried out in accordance with the provisions of specified provisions relating to district funds.

Current law requires that community college district accounting systems be designed to provide a clear distinction between salaries of classroom instructors and other expenditures.

This bill would also require the system to distinguish salaries of administrators, supervisors, and administrative costs other than salaries.

Under current law, community college districts are required generally to expend 50% of their current expense of education on the salaries of classroom instructors. If compliance with this requirement results in serious hardship to the district, or if the payment is in excess of that paid in similar districts, the governing board may apply to the Board of Governors of the California Community Colleges for an exemption. The board of governors is required to grant the exemption if it is less than $1,000 and is authorized to grant it if the amount is greater

This bill would further authorize the board of governors to grant the exemption if the amount is $1,000 or more only upon a finding, in writing, that the district will suffer a serious hardship or will have to make payments in excess of those of similar districts if the exemption is not granted.

This bill would also require a copy of any request for exemption to be filed with the exclusive representative of the certificated employees of the district, or the academic senate, which may transmit to the board of governors a statement in opposition to the exemption.

This bill would also specify that it does not make an appropriation or create any obligation to reimburse a community college district under Section 2231 of the Revenue and Taxation Code because the costs mandated by it are minor in nature.

Ch 224 (AB 2640) Hughes Displaced homemakers: Los Angeles program.

Existing law requires the Secretary of the Health and Welfare Agency to establish in Los Angeles County a program to provide counseling, training, jobs, services, and health

care for displaced homemakers. The law specifies the services to be included in the program and requires the program director and staff to file annual program evaluation reports with the Legislature.

This bill would state that the primary intention of the program is to provide job services, would delete the well-woman health clinic and the alcohol and drug addiction programs from among the specified program services, and would require the Secretary of the Health and Welfare Agency, instead of the program director and staff, to file the annual evaluation reports

This bill makes other technical changes.

The bill would take effect immediately as an urgency statute.

Ch. 225 (AB 2630) N. Waters. Highways: snow removal: Mono County.

Under existing law, up to $1,500,000 is allocated each fiscal year, from the Highway Users Tax Account in the Transportation Tax Fund, to the counties for snow removal on county highways.

This bill would appropriate not more than $100,000, from the Street and Highway Account in the Natural Disaster Assistance Fund, to the County of Mono to reimburse the county for its expenditures for highway snow removal.

The bill would require the appropriation to be reduced or reimbursed by the amount received, if any, under any federal disaster relief act for highway snow removal as a result of the 1977-78 winter snowstorms.

The bill would preclude the county from expending any of the funds for the maintenance, repair, or replacement of facilities.

The bill would take effect immediately as an urgency statute.

Ch. 226 (AB 2385) Mangers. State lands. sale.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell a specified parcel of real property to the City of Costa Mesa for open-space purposes It would, in addition, reserve specified mineral rights to such land and specify that the State Lands Commission shall have jurisdiction over the administration, management and disposal of such reservation.

Ch. 227 (AB 3734) Young. Public utilities: leases of property.

Existing law provides that any person or corporation owning or controlling a line, plant, or system for the furnishing of electrical, gas, heating, pipeline, sewer, telephone, telegraph or water service to or for the public or any portion thereof is a public utility subject to the jurisdiction, control, and regulation of the Public Utilities Commission.

This bill would provide that any person or corporation owning or controlling any electric plant (1) leased or held for lease or sale to a public utility, (2) the operation or use of which is vested by lease or other contract in a public utility, or (3) for a period of not more than 90 days after termination of a lease or contract with a public utility or after repossession following a breach of such lease or contract shall not be a public utility subject to the commission's jurisdiction and the provisions of the Public Utilities Act, except that the commission may approve any such lease for purposes of an exemption by the U.S Securities and Exchange Commission from the federal Public Utility Holding Company Act of 1935 Such provision would apply only to persons or corporations for which a lease was approved by the commission prior to January 1, 1979

This bill would take effect immediately as an urgency statute.

Ch 228 (SB 1426) Deukmejian. The California Law Revision Commission: compensation and expenses.

Existing law provides that members of the California Law Revision Commission appointed by the Governor shall be paid a per diem of $20 for each day's attendance at a commission meeting and receive reimbursement for travel expenses incurred in the course of his duties.

This bill amends that section and provides that members appointed by the Governor shall be paid $50 a day for each day's attendance at a commission meeting The members shall continue to be reimbursed for necessary travel expenses

Ch. 229 (SB 103) Nejedly. Taxation.

Under existing Sales and Use Tax Law, prosthetic and orthotic devices as well as wheelchairs, crutches, canes and walkers are exempted from the imposition of sales and use taxes until January 1, 1983.

This bill would exclude certain prosthetic and orthodontic devices from such exemption and would include replacement parts for the exempted devices within the application of such exemption

The bill would provide that notwithstanding Section 2230 of the Revenue and Taxation Code there shall be no reimbursement or appropriation for a specified reason.

This bill would take effect immediately as a tax levy, but would become operative on the first day of the first calendar month commencing more than 30 days after the effective date of this act.

Ch. 230 (AB 2377) Berman. Santa Monica Mountains Comprehensive Planning Commission.

Existing law requires the Santa Monica Mountains Comprehensive Planning Commission to make a study of the conservation and development of the Santa Monica Mountains Zone and to file a final report with the Governor and the Legislature not later than July 1, 1978.

This bill would authorize the commission to make grants available to local governments for studies of measures that would be necessary to implement the commission's recommendations

This bill would also require the commission to file a preliminary report by July 1, 1978, and to file the final report not later than January 2, 1979.

Existing law provides that the Santa Monica Mountains Comprehensive Planning Act shall remain in effect only until January 1, 1979.

This bill would extend the date until August 31, 1979.

This bill would appropriate $150,000 from the General Fund to the Santa Monica Mountains Planning Commission for expenditures for the purposes of the act.

This bill would take effect immediately as an urgency statute.

Ch. 231 (SB 1418) Cusanovich. Public Employees' Retirement System: funds.

Existing Public Employees' Retirement Law does not expressly declare the Public Employees' Retirement Fund as a trust.

This bill would declare that the Public Employees' Retirement Fund is a trust fund for the benefit of members and retired members and their survivors and beneficiaries.

Ch. 232 (AB 2265) Kapiloff. Property taxation: vessels.

Under existing property tax law, a documented vessel is assessed at 1% of its full cash value, from the lien date in 1975 to the lien date in 1979, inclusive, if it is engaged or employed exclusively in carrying or transporting 7 or more people for hire for commercial passenger fishing purposes.

Existing law also provides procedures for claims to be submitted by units of local government for reimbursement of property tax revenues lost as a result of such provision from funds continuously appropriated to the Controller for such purposes.

This bill would continue the application of the special assessment only through the 1979–1980 fiscal year but would extend the termination date from March 1, 1979, to January 1, 1980.

Ch. 233 (AB 1914) Imbrecht. Resource conservation: Ventura County.

Existing law permits the formation of resource conservation districts, in accordance with specified procedures, for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and the improvement of land capabilities, and specifies the government, powers, and duties of such districts.

This bill would specifically provide for the organization and functions of the Ventura County Resource Conservation District

The bill would permit the exclusion from the district of any territory included in a city by incorporation or annexation The bill would prescribe the composition and terms of the board of directors, and would provide that, except as otherwise specified, the organization and functions of the district shall be governed by the provisions pertaining generally to resource conservation districts

The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 234 (AB 2012) Hart. Special water districts

Existing law provides for the Santa Barbara County Flood Control and Water Conservation District and the Santa Barbara County Water Agency, which are special water districts of limited jurisdiction. Existing law provides for the powers and limitations of such special water districts.

(1) Existing law does not expressly authorize, nor limit the authority, of the Santa Barbara County Flood Control and Water Conservation District to install and maintain landscaping in connection with the works of improvement of the district or a zone therein.

This bill would expressly authorize the district to install and maintain landscaping in connection with the works of improvement of the district or a zone therein and would limit the installation of such landscaping to 3% of the costs of construction of such work of improvement.

(2) Existing law does not authorize the Santa Barbara County Flood Control and Water Conservation District to charge fees related to the development of land in the district.

This bill would authorize the district to prescribe and collect fees and charges, as specified, as a condition of development of land, not to exceed $500 per acre, or portion thereof, of land to be developed.

(3) Existing law requires the Santa Barbara County Flood Control and Water Conservation District to competitively bid any improvement or unit of work when the engineer's estimate of cost exceeds $5,000, with specified exceptions.

This bill would, instead, require such bidding for the construction of new flood control channels, storm drains, dams, or other unit of work when such estimate of cost exceeds $10,000, and for other specified maintenance and alteration projects where the cost of materials and labor exceeds $3,500.

(4) Existing law requires the Santa Barbara County Water Agency to competitively bid any unit of work estimated to cost in excess of $5,000, with specified exceptions.

This bill would increase the minimum cost of projects which require such bidding to $10,000.

(5) Existing law authorizes the district or the agency to proceed with specified work without competitive bids, and, thereby, without payment and performance bonds, except that existing law requires that on all contracts in excess of $15,000, the contractor must file a payment bond for the benefit of laborers and materialmen.

This bill would also authorize the district to exempt contractors for channel protection or maintenance work, or emergency work, as specified, which would cost in excess of $15,000, from the requirement for filing such labor and material bond.

(6) Existing law authorizes the Santa Barbara County Flood Control and Water Conservation District to purchase, without competitive bidding, materials and supplies, excepting when such materials and supplies are to be used in new construction work or improvement, excepting changes to contracts as specified, the amount shall not exceed $2,500

This bill would change the amount of materials and supplies that the district may purchase without competitive bidding for use in new construction work or improvement, when the purchase is made by the county purchasing agent at the request of the district, to $6,500.

(7) Existing law expressly authorizes the board of directors of the district, but does not expressly authorize the board of directors of the agency, to authorize a contractor to proceed with a change or alteration to a contract awarded by the district without further bidding when it is deemed necessary and when the cost does not exceed 10% of the original contract price.

This bill would authorize the board of directors of the district or the board of directors of the agency to authorize the district engineer or the agency engineer, respectively, or other officer or employee, designated by the board of directors, to order changes or additions to a contract without further bidding, in writing, and not to exceed the lesser of 5% of the original contract price or $10,000.

(8) The bill would also make technical, nonsubstantive changes to the district and agency acts

Ch. 235 (AB 2673) Craven. Commercial fishing: lobster traps.

Existing law requires that an escape gap of specified dimensions be located on an outside wall of each chamber of a lobster trap to permit the escape of undersized lobsters.

This bill would require only one such gap to be located on the outside wall of the rearmost compartment of a lobster trap.

The bill would take effect immediately as an urgency statute.

Ch. 236 (AB 2085) Cullen. Taxation: property tax.

Existing law provides that failure to receive a tax bill from the tax collector of each county does not relieve the fee owner from the liability to pay taxes owed or for penalties.

This bill would provide that no penalty shall be imposed if the tax collector does not mail the tax bill to the address provided on the tax assessor's roll.

Ch. 237 (AB 2168) Hart. Schools: governing boards.

Under existing law, certain elementary school districts and high school districts may be governed by 1 school district governing board.

This bill would authorize any high school district which is governed by a city board of education which also serves as the governing board of an elementary school district to submit to the electors of the elementary school district on November 7, 1978, the question of whether a separate governing board of the elementary school district should be established consisting of 5 members. In the event the question is approved, on March 6, 1979, an election would be required to be held to elect members to the new governing board; provided, however, that current members of the joint board whose terms of office do not expire in 1979 and who reside in the elementary school district would have the option to continue to serve on both boards until April 1, 1981.

This bill would take effect immediately as an urgency statute

Ch. 238 (AB 2280) Greene. Professsional engineers.

Existing law authorizes a partnership, firm, or corporation engaged in rendering professional engineering services to engage in such activities under the name of such partnership, firm, or corporation as a lawful successor in interest or survivor of such business or under the name of a deceased or retired person upon a determination, as specified, by the State Board of Registration for Professional Engineers only after a hearing.

This bill would authorize such use of such name upon a determination, as specified, by the board after an investigation rather than a hearing.

Ch. 239 (AB 2300) Cullen. Workers' compensation and volunteers.

Existing law excludes specified persons from being "employees" for workers' compensation purposes.

This bill would also exclude any person performing voluntary service for a tax-exempt private nonprofit organization participating in a specified federal program who receives no compensation for such services other than meals and transportation or an allowance or reimbursement for meals and transportation.

Existing law provides that, notwithstanding the above exclusions, a person who performs voluntary service without pay for a tax-exempt private nonprofit organization shall be deemed an employee of the organization for workers' compensation purposes while performing such service, when the board of directors of the organization, in its sole discretion, so declares.

This bill would, in addition, specify that voluntary service without pay includes the performance of services by a person who receives no compensation for such services other than meals and transportation or an allowance or reimbursement for meals and transportation.

This bill would take effect immediately as an urgency statute.

Ch. 240 (AB 2492) Bates. Healing arts: physicians.

Existing law creates the Board of Medical Quality Assurance and prescribes the powers and duties thereof.

This bill would (1) provide that 4, rather than 5, licensee members of the board shall be members of the faculty of an approved medical school; (2) authorize the board, as well as each division of the board, to elect a president and vice president, (3) authorize

the board, as well as each division of the board, to adjourn from time to time until its business is concluded, and to hold special meetings; (4) delete the requirement that the regular annual meeting of the board shall be held in October; and (5) make various other technical and conforming changes.

Ch. 241 (AB 2498) Bates Healing arts.

(1) Under existing law, the Board of Medical Quality Assurance consists of 19 members, appointed by the Governor. When the board was most recently expanded, the terms of the 8 members added at that time were not staggered, with the result that the terms of 11 members of the board expire June 1, 1979.

This bill would require the Governor to provide for the staggered expiration, as specified, of the terms of those 8 members over a 3-year period commencing June 1, 1978.

(2) Present law authorizes nonphysician licentiates of healing arts boards, including the Board of Medical Quality Assurance, to be appointed to medical quality review committees. However, it prohibits nonphysician licentiates of the Board of Medical Quality Assurance from being appointed to hearing panels established by such committees while allowing nonphysician licentiates of other healing arts boards to be so appointed.

This bill would authorize the appointment of nonphysician licentiates of the Board of Medical Quality Assurance to such panels.

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

Ch. 242 (AB 2616) Knox. State general obligation bonds: San Francisco harbor improvement.

Existing law provides for the issuance and sale of state bonds to create various funds to be used for specified purposes relating to San Francisco harbor improvement, and creates various sinking funds for the payment of the bonds. Existing law requires the State Treasurer, in the presence of the Governor, to yearly draw by lots a specified amount of the bonds for payment, until the bonds have matured.

This bill would delete the requirement that State Treasurer draw the lots in the Governor's presence.

Ch. 243 (AB 2695) Craven. California State University and Colleges.

Existing law provides for an advisory board of specified composition for each campus of the California State University and Colleges, and prohibits any person from serving on such a board who holds any salaried educational position, except that up to 3 members of a county board of education or of a governing board of a school district may serve.

This bill would permit service by persons holding salaried educational positions other than with the university and colleges. It would include such persons in a group with members of county boards of education and school district governing boards, so that no more than 3 of those 3 classes of persons may serve on an advisory board.

This bill would specify that no person holding a salaried position with the university and colleges may serve on an advisory board.

Ch. 244 (AB 2735) Wray. Subdivisions: setting of monuments.

Under existing law, the Subdivision Map Act provides a procedure for the approval of subdivisions of local agencies.

This bill would provide that if the engineer or surveyor charged with the responsibility for setting monuments cannot perform such task and is replaced by another, the former may, by letter to the county surveyor or city engineer, release his right to set the final monuments to the surveyor or engineer who replaced him.

Ch. 245 (AB 2811) Knox. Regional park districts: board of directors: compensation.

Under existing law, the board of directors of a regional park district may provide that each of its members receive $50 for each attendance at the meetings of the board.

This bill would allow the board to provide that each member receive $50 per day for attendance on each day of public board meetings, and $25 per day for attendance at committee meetings, executive sessions, or field trips of the board, or for attendance at district public hearings, except that when such activities are held on the same day as a public meeting of the board, the maximum compensation allowable to a board member

would be $50.

This bill would take effect immediately as an urgency statute.

Ch. 246 (AB 2003) Cullen. Public social services: access to records.

Under existing federal and state law, the use or disclosure of records regarding applicants for and recipients of public social services is limited to purposes directly connected with (1) the administration of the state plans for such services, (2) any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of such services, and (3) the administration of any other federal or federally assisted program which provides assistance or services directly to individuals on the basis of need. Disclosure to any committee or legislative body of any information that identifies by name and address any such applicant or recipient is prohibited.

However, federal law permits a state to enact legislation granting public access to records of the disbursement of funds or payments under specified public social service programs, if such legislation prohibits use of any list or names obtained through such access for commercial or political purposes.

This bill would grant the Joint Legislative Audit Committee access to such records and would permit the committee to use the records only for the purpose of investigating the administration of the specified public social service programs and reporting the investigation results to the Legislature. It would prohibit the committee from using the records for commercial or political purposes or disclosing the identity of applicants for or recipients of public social services, except in criminal or civil proceedings conducted in connection with the administration of public social services.

The bill also would make technical, nonsubstantive changes.

Ch. 247 (AB 2078) Knox Workers' compensation benefits.

Existing law provides for temporary total disability indemnity for compensable injuries that have existed in excess of 2 years and that indemnity shall be computed based upon the temporary disability indemnity average weekly earnings amount specified in Section 4453 or 4460 in effect on the date each payment is made.

This bill would provide instead that when temporary total disability indemnity payments are made for periods 2 years or more from the date of injury, the amount of such payments shall be computed in accordance with the temporary disabilities indemnity amount so specified.

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. 248 (AB 2373) Wornum. Energy regulations: operating efficiency; gas appliances.

(1) Under existing law the State Energy Resources Conservation and Development Commission is required to perform specified tasks for the purpose of implementing the requirements of subdivisions (a) and (b) of Section 25402 of the Public Resources Code which state that the commission shall prescribe by regulation, building design and construction standards which increase energy use efficiency, and energy conservation design standards, for new buildings. Existing law further requires that a local building department not issue a building permit unless the building plans satisfy the standards established pursuant to subdivisions (a) and (b) of Section 25402, and states that nothing in those subdivisions shall prohibit the enforcement of city or county energy conservation or energy insulation standards provided that the commission finds that the standards will require a diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to subdivisions (a) and (b) of Section 25402.

This bill would require that a local building department not issue a building permit unless the building plans satisfy standards established pursuant to subdivision (a) or (b) of Section 25402, and would require that a city or county file the basis for its determination that energy conservation or energy insulation standards are cost effective in addition to requiring a diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to subdivisions (a) and (b) of Section 25402 The bill would also make other technical changes in such provisions.

(2) Existing law prohibits the sale or installation of any new residential-type gas

appliance equipped with a pilot light, such prohibition being effective 24 months after an intermittent ignition device has been certified by the commission. Existing law also provides that beginning 24 months after an ignition device has been certified, no person shall cause to be distributed, sold, or installed in this state any new gas appliance without obtaining a proper seal of certification from the commission.

This bill would delete the prohibition on the installation of any new residential-type gas appliance equipped with a pilot light, and would provide that beginning 24 months after an ignition device has been certified, no person shall sell or offer for sale any new gas appliance without obtaining a proper seal of certification from the commission. The bill would also provide that no city, county, or state agency, beginning 24 months after an intermittent ignition device has been certified by the commission, shall issue a permit for any building to be equipped with any new gas appliance unless the permit meets a specified condition, but it would allow installation of nonconforming appliances which were purchased pursuant to a contract made prior to June 17, 1978, if a building permit was approved prior to July 8, 1978.

The bill would take effect immediately as an urgency statute.

Ch. 249 (AB 2477) Hughes. Loans: savings and loan associations.

Existing law permits a savings and loan association to make amortized loans upon the security of real property for residential use for one family in an amount in excess of 80% of the appraised value under specified conditions.

This bill would permit such loans to include amounts to rehabilitate structures designed for residential use for one family, under the conditions set forth in this bill.

Ch. 250 (AB 2505) Duffy. Physicians' assistants.

Existing law provides for the certification of physicians' assistants, and authorizes the suspension or revocation of certificates issued to a physician's assistant, approved supervising physician, or approved program. It also authorizes denial of applications for such certificates and the suspension, revocation, or imposition of probationary conditions thereon.

This bill would generally recast such provisions and make technical changes with regard thereto.

Ch. 251 (AB 2594) Bannai. Insurance.

This bill makes technical, nonsubstantive changes in the Insurance Code.

Ch. 252 (AB 2551) Vicencia Vehicles: vehicular lighting requirements.

(1) Existing law prohibits the sale of reflex reflectors or reflectorized tires for use on a bicycle unless they are of a type which has been approved by the Department of the California Highway Patrol.

This bill will require departmental approval of only the reflectors or reflectorized tires which are required by the Vehicle Code to be installed on a bicycle.

(2) Current law requires that drivers of vehicles yield the right-of-way to emergency vehicles exhibiting a red light visible for 500 feet to the front of the vehicle.

This bill would extend the visibility requirement to 1,000 feet.

(3) Under present law, all stoplamps on vehicles manufactured on or after January 1, 1969, are required to emit a red light. Stoplamps on vehicles manufactured before January 1, 1969, may emit either a red or yellow light.

This bill would instead require that stoplamps on vehicles manufactured on or after January 1, 1979, emit only a red light

(4) Present law prohibits the equipping of a vehicle with more than two cowl or fender lamps.

This bill would delete that prohibition

(5) Existing law permits the use of flashing lights on specified vehicles under prescribed conditions.

The bill would also permit slow moving farm implements, as specified, to flash amber turn signals as warning lights

(6) Existing law permits a vehicle operated by a police or traffic officer to be equipped with top-mounted lamps which emit a white light to the side.

This bill would specify that the light may be either a steady burning or flashing light.

(7) Currently, every motorcycle manufactured and first registered on or after January 1, 1975, is required to be equipped with a headlamp which automatically turns on whenever the engine is started and which remains lighted as long as the engine is running.

The bill would instead make the requirement applicable for motorcycles manufactured and first registered on or after January 1, 1978.

(8) Every vehicle not otherwise required to be equipped with headlamps, rear lights or reflectors, is presently required to have, during darkness, a white light visible to the front and a red light visible to the rear.

This bill would provide that the white light to the front is only required if the vehicle is operated alone, or as the first vehicle in a combination of vehicles.

(9) Under present law, any taillamp, stoplamp, or turn signal may have an unlighted lens color that is darker than the lighted color.

The bill would also allow backup lamps to have an unlighted lens color darker than the lighted color.

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

Ch. 253 (AB 1977) Maddy Ahwahnee Roundhouse and Cemetery: state park acquisition.

Existing law does not provide expressly for the acquisition of the Ahwahnee Roundhouse and Cemetery as a unit of the state park system.

This bill would appropriate $80,050 from the Park and Recreation Revolving Account to the Department of Parks and Recreation for such acquisition. Acquisition of the Ahwahnee Roundhouse and Cemetery would be subject to the requirement that the department enter into an agreement with the County of Madera or a California nonprofit corporation, or both, for the development, improvement, restoration, care, maintenance, and control of the property, as specified The acquisition would be subject to the Property Acquisition Law.

The bill would take effect immediately as an urgency statute

Ch 254 (AB 3534) Hart. County Employees Retirement Law of 1937: joint retirement system.

Existing County Employees Retirement Law of 1937 authorizes a county to establish a retirement system for eligible officers and employees by adoption of an ordinance by a majority vote of the electors or by a ⅔ vote by the board of supervisors.

This bill would require Santa Barbara County and a new county created out of a portion of Santa Barbara County to operate a joint retirement system under such law in accordance with prescribed conditions and under a retirement board with 9 members and 1 alternate. If the board of supervisors of both counties agree, the new county could withdraw from the system.

Ch. 255 (AB 2826) Lehman. School buildings and facilities: Clovis Unified School District

Under existing law, a unified school district may not issue bonds exceeding 10% of the taxable property of the district as shown by the equalized assessment of the county or counties in which the district is located, and for purposes of such limitation, a portion of the remaining payments on certain leases or agreements due from a district are considered outstanding bonded indebtedness.

This bill would specify that the remaining payments on leases or agreements entered into pursuant to Chapter 301 of the Statutes of 1977 by the Clovis Unified School District are not to be considered outstanding bonded indebtedness for such purposes due to unique specified circumstances.

This bill would take effect immediately as an urgency statute.

Ch. 256 (SB 1557) Campbell Schools vocational education councils.

Under existing law, Regional Adult and Vocational Education Councils help coordinate the vocational education classes and programs offered in this state. In addition, a sheriff or other official in charge of county correctional facilities, with the approval of the county board of supervisors, may enter into agreements with school districts to conduct classes for inmates in county jails or road camps.

This bill would specifically remove the authority from Regional Adult and Vocational Education Councils to review the above described classes offered by school districts.

Ch. 257 (SB 1584) Presley. Guardianships: minors.

Existing law provides that the local agency to whom foster family licensure has been delegated is required to file a specified report as to a petitioner for guardianship.

This bill, instead, would provide that such report is required to be filed by the local agency designated by the board of supervisors to provide public social services.

Existing law requires specified reports and procedures to be followed relative to the appointment of guardians for minors, but provides an exemption to such requirements when the Director of Mental Health or the Director of Developmental Services is appointed guardian or conservator pursuant to specified provisions.

This bill would extend such exemption to include any director of a department designated by the board of supervisors to provide social services, or the public guardian.

Under existing law, when an adoption petition has been filed, a report as to the suitability of the petitioner for guardianship is required to be filed with the court by the agency investigating the adoption. Existing law also requires that, where a petition for guardianship is filed for a minor of 2 years of age or under and the person petitioning for appointment as guardian is not a relative of the minor, the court shall require the probation officer to make an investigation.

This bill would delete the latter requirement of an investigation by the probation officer.

The bill also would make related changes.

Ch. 258 (SB 1627) Beverly. Trial by jury

Existing law provides that when a jury, or ¾ of them, have agreed upon a verdict, they must be conducted into court, their names called by the clerk, or by the court if there is no clerk, and the verdict rendered by their foreman.

This bill would delete the requirement that their names be called.

Ch. 259 (SB 1648) Presley. Highways: county: maintenance termination.

Under existing law, the board of supervisors, after a noticed public hearing, may abandon a county highway.

This bill would authorize the board of supervisors of Riverside and San Bernardino Counties, after a noticed public hearing, to terminate the maintenance of a county highway if it is found to be unnecessary for the public convenience. The bill would require that notice of the hearing be mailed to owners of any property fronting on the portion of the highway subject to termination of maintenance.

The bill would require a notice of maintenance to be recorded in the office of the county recorder if the board of supervisors resumes maintenance of a county highway on which maintenance was terminated above.

The bill would also make findings that a special law is necessary.

Ch. 260 (SB 1628) Beverly. Arbitration.

Under existing law, where a court has ordered arbitration of an issue involved in an action pending before a California court, parties to the court action may request a stay of that action pending the outcome of the arbitration.

This bill would provide that where a party to an arbitration agreement, except for certain arbitration agreements involving the professional negligence of health care providers, is also a party to a court action with a third party, involving possible conflicting rulings, the court may refuse to order arbitration and may order joinder of all parties in a single action, or may stay either arbitration or the court action.

Existing law does not provide for the consolidation of separate arbitration proceedings.

This bill would provide for the consolidation of such proceedings, except for certain proceedings involving the professional negligence of health care providers, in specified situations, and would provide for the selection of the manner of arbitration.

Existing law does not provide for the enforcement of an out-of-state arbitration award, unless that award has been reduced to a judgment.

This bill would require the enforcement of arbitration awards made out of state, as

specified.

Ch. 261 (SB 1679) Dunlap. River port districts bonds.

Under existing law, river port districts may issue revenue bonds, as specified, and bonds of the same issue have a lien prior to all revenue bonds subsequently issued.

This bill would repeal the provision giving lien priority to prior river port district revenue bonds.

Ch. 262 (SB 1952) Cusanovich. Recreation and park districts: payment of taxes.

Existing law allows a city that is located entirely or partially within a recreation and park district to elect to pay out of municipal funds the taxes levied for district purposes, and requires the board of directors of the district to approve the city's election to pay the taxes when specified conditions are met.

This bill would require in addition that the board of directors of a district concur in having the district's operations funded by a city in such manner.

Ch. 263 (SB 1214) Zenovich County Short-Doyle Plans: financing.

Existing law provides that the net cost of services specified in an approved county Short-Doyle Plan shall be financed on a ratio of 90% state funds to 10% local funds.

This bill would provide that, for these purposes, the cost of such services shall be actual cost or a negotiated net amount or rate approved by the Director of Mental Health and would authorize (1) use of negotiated net amounts only in contracts which provide for the delivery of 75% or more of the total county Short-Doyle annual plan, for which the cost sharing formula would be 85% state funds, 5% county funds, and 10% contracting organization funds or (2) use of negotiated rates only in contracts with providers whose Short-Doyle contract with the county does not exceed $150,000 per annum.

In addition, this bill provides that the amendments made by this act shall be in effect until July 1, 1981 and on such date is repealed, unless extended by a later enacted statute. On this date, Section 5705 of the Welfare and Institutions Code would be restored to the form in which it read immediately prior to the effective date of this act.

Ch. 264 (SB 1919) Dills Counties: designated disbursing agent.

Existing law authorizes counties to designate state and national banks doing business in the county as disbursing agents to make salary payments to persons whose salaries are paid from the county treasury.

This bill would, in addition, permit a county to designate state and federal credit unions as disbursing agents for such purpose

Ch. 265 (AB 1865) Imbrecht. Discovery.

Existing law provides that when a written request is served by one party to a civil action for the admission by any other party of the genuineness of relevant matters of fact set forth in the request, the matters shall be deemed admitted by the party upon whom the request is served unless, within the period designated in the request, not less than 20 days after service thereof or within such shorter or longer time as the court may allow on motion and notice, the party to whom the request is directed serves upon the party requesting the admission either (1) a sworn statement denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he cannot truthfully admit or deny those matters or (2) written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is otherwise improper in whole or in part, together with a notice of hearing the objections at the earliest practicable time. For good cause and without notice, the court may enlarge the time not to exceed 15 days

This bill would require the request to include a notice, as specified, of the consequences of the failure of the party to whom it is directed to deny or object to the matters requested.

This bill would revise the provisions permitting the court to extend the time within which the party to whom the request is directed must answer or file objections to the matters requested.

This bill would eliminate the requirement that a notice of hearing accompany the filing of written objections by the party to whom the request is directed.

This bill would provide that a party making a request, upon the failure of the party

served with a request to answer or file objections within the applicable time period, may serve such party with a written notice, as specified, notifying such party that the genuineness of documents or the truth of facts has been deemed admitted. Once the notice is served the party served would be precluded from applying for relief under provisions of law relative to the pleadings and judgment, unless a motion requesting such relief is served and filed within 30 days after the service of such notice.

Existing law permits a party, upon notice to all parties, to apply to the court for an order requiring further answers to a request for admissions or for an order that the genuineness of documents or the truth of matters of fact be deemed admitted, where there is a refusal or failure to admit or deny the genuineness of documents or the truth of any matters of fact.

This bill would provide, in the case of a request for admissions, that a party may apply for an order requiring answers or further answers to such request upon the filing and service of either written objections to such request or an answer deemed by the requesting party not to be in compliance with the requirements of law governing the response to a request by the party served.

This bill would continue the requirement that the court, upon granting the motion, order that an answer or further answer be served within an appropriate time but would delete the authority for issuance of an order, upon granting such motion, that the genuineness of documents or the truth of matters of fact be deemed admitted as an alternative remedy.

This bill would provide that where the court orders that an answer or further answer to requests for admissions be made, and such answer or further answer is not filed and served within the period ordered by the court, the matters involved in such order shall be deemed admitted, subject only to the limited relief available to the party under the provisions relative to the pleadings and judgment specified above.

Ch. 266 (AB 2281) McAlister. Power of appointment.

Under existing law, a donee of a power of appointment who is a minor may exercise the power of appointment during minority unless the creating instrument otherwise provides.

This bill would instead provide that a donee of a power of appointment who is a minor may not exercise the power of appointment during minority unless the creating instrument otherwise provides.

Under existing law, the donee of a power of appointment cannot contract to make an appointment while the power of appointment is not presently exercisable.

This bill would permit the donee of a power of appointment to contract to make an appointment while the power of appointment is not presently exercisable if the donor and donee are the same person.

Ch. 267 (AB 2368) Hayden. School and community college district governing boards.

Existing law authorizes a member of the governing board of a school or community college district to tender his or her resignation with a deferred effective date. The resignation then becomes effective on the specified deferred date rather than on the date of filing.

However, within 30 days of the date of a filing of a resignation with a deferred effective date, the governing board is required either to call an election or to make a provisional appointment to fill the vacancy. In cases where the effective date of the resignation is later than 30 days from its filing, a board member is in a position to vote on his or her successor.

This bill would specify that a member of a governing board who has filed a resignation with a deferred effective date has the right to exercise all the powers granted to members of a district governing board, except the right to vote on the provisional appointment of his or her successor

Ch. 268 (AB 2408) Antonovich. Medical review: immunity.

Under existing law, members of certain peer review committees whose purpose is to review the quality of medical services rendered by physicians and surgeons are exempt from damages for certain actions taken by the committee.

This bill would provide that a member of the governing board of a hospital is exempt from liability for damages for actions taken by the board in reviewing medical services rendered by members of the staff, as specified.

Existing law provides an exemption from liability for acts, as specified, of members of committees formed from the medical staff of a licensed hospital for the purpose of maintaining professional standards.

This bill would provide the same exemption from liability for any member of a committee formed from any part of the professional staff of the hospital.

Ch. 269 (AB 2440) Chel. District attorneys. issuance of subpoenas.

Existing law authorizes any district attorney who reasonably believes there may have been a violation of the statutory provisions regarding any prohibited restraint on competition, conspiracy against trade, and unfair trade practices, and provisions regarding nuisances and unfair competition to make specified investigations and issue subpoenas.

This bill would correct an erroneous-cross reference in these provisions.

Ch. 270 (AB 2479) Brown. Alcoholic beverages: stadiums.

The existing State Constitution permits the Legislature to provide for the issuance of licenses for various types of premises where alcoholic beverages may be sold and served for consumption upon the premises, including bona fide public eating places, as defined by the Legislature.

Under existing law, a ball park, stadium, or coliseum featuring professional sporting events which contains at least 40,000 seats, and which maintains suitable kitchen facilities, is a bona fide public eating place for purposes of issuing an on-sale beer and wine license.

This bill would eliminate the requirement that the stadium have a seating capacity of at least 40,000.

Ch 271 (AB 2609) Craven. County Employees Retirement Law of 1937.

Existing law requires the county board of supervisors to immediately adjust the rates of interest, rates of contributions of members, and county and district appropriations under the County Employees Retirement Law of 1937 in accordance with the recommendations of the retirement board.

This bill would require the board of supervisors to make such adjustments not later than 90 days after the beginning of the immediately succeeding fiscal year.

Ch. 272 (AB 2618) Calvo. Vehicles: emergency vehicle permits.

Under existing law, the Commissioner of the California Highway Patrol may issue authorized emergency vehicle permits for certain vehicles, including vehicles used by certain specified local park rangers, security officers, fish and game wardens, and deputy wardens

This bill would permit the commissioner to issue authorized emergency vehicle permits for publicly owned vehicles used for law enforcement by any deputized county fish and game warden, or any locally designated uniformed park ranger or security officer who is a peace officer under specified sections of the Penal Code. The bill would specify that the commissioner may adopt regulations regarding such vehicles and would make the violation of any such regulation a misdemeanor.

The bill would also provide that the suspension or revocation of a permit would constitute grounds for suspension and revocation of any other permits issued in the name of the permittee

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 the bill for a specified reason.

The act would take effect immediately as an urgency statute.

Ch. 273 (AB 2631) McAlister. Attachment.

Under existing attachment laws, a chose in action is defined to include certain rights to payment which arise out of a trade, business, or profession. Existing statutory provisions specifically provide that a chose in action includes an interest in or a claim under an insurance policy.

This bill would delete the provision that the term includes an interest in or a claim

under an insurance policy

Existing provisions of the attachment law do not contain specific provisions concerning the amount for which an attachment may be issued in an action for unlawful detainer.

This bill would provide that the amount secured by an attachment in an unlawful detainer action may include, in the court's discretion, the amount of rent that will be due from the date of the complaint until the estimated date of judgment.

Under existing law, where a writ of attachment is sought for a deposit account, not standing in the name of the defendant alone, or a safe-deposit box not rented by the defendant, an undertaking must be filed in an amount not less than twice the amount sought to be recovered.

This bill permits the undertaking to be not less than twice the amount levied upon if the amount levied upon is less than the amount sought to be recovered.

Ch. 274 (AB 2651) Chel. Conciliation Court law: destruction of records.

Existing law requires 30 day notice to attorneys of record or individual parties prior to destruction of records over 2 years old kept in the office of the counselor of conciliation.

This bill would repeal such requirement.

Ch. 275 (AB 3167) Rosenthal. County health and welfare responsibilities.

Under present law, the State Department of Health or its successor, the State Department of Health Services, is empowered to delegate to local health departments authority to verify compliance with provisions of state law governing licensure of health facilities and to provide consultation and recommend discipline.

Under the California Community Care Facilities Act, State Department of Health or its successor, the State Department of Social Services, is authorized to contract for state, county, or other public agencies to assume specified licensing, approval, or consultation responsibilities.

This bill would authorize any county to establish a consolidated county department to administer county functions relative to regulation of health facilities and community care facilities, the making of referrals thereto, and certification for participation thereof in federal programs under the Social Security Act.

Ch 276 (AB 3708) Craven. Schools: buildings: leases.

Under current law, buildings which do not comply with the Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only 3 years.

Various exceptions have been enacted, including one which permits certain leased facilities which do not meet Field Act requirements to be used for continuation education purposes until the completion of replacement facilities or until September 1, 1978, whichever occurs first, if such facilities had been used for such purposes for at least 3 years prior to July 1, 1977.

This bill would extend the period of permissible use of such a building until September 1, 1979, or until the completion of replacement facilities, if, during 1978 and prior to the effective date of this bill, the district has purchased a site and approved construction plans for replacement facilities.

This bill would be limited in application and would be repealed as of September 1, 1979

This bill would take effect immediately as an urgency statute.

Ch. 277 (AB 3722) N. Waters. State Teachers' Retirement Law: election of options.

Existing State Teachers' Retirement Law provides that a member or retirant may only revoke or change an election for an optional retirement allowance prior to mailing of the first retirement allowance check except for cancellations permitted in dissolutions of marriage, nullities, or separate maintenance actions

This bill would delete such existing law and authorize a member to revoke or change the election of an optional retirement allowance prior to the effective date of the member's retirement. The bill would repeal related provisions on election option proce-

dures.

Ch 278 (SB 1344) Alquist. Public Utilities Commission: powers.

Existing law directs every public utility to annually furnish a report to the Public Utilities Commission at such time and in such form as the commission may require.

This bill would revise this provision to permit the commission to require a public utility to furnish such reports at such time and in such form as the commission may require.

Ch. 279 (SB 1393) Marks. Elections: cancellation of registration.

Existing law requires the local registrar of births and deaths to notify the county clerk or registrar of voters each month of all deceased persons whose deaths were registered.

This bill would require the registrar to include the birthdate of the deceased person in the notification.

The bill would also require the local registrar of births and deaths to notify the county clerk or registrar of voters of deaths where he was notified of such deaths by the state registrar of vital statistics.

This bill would also require the county clerk to cancel the affidavit of registration of each deceased voter.

The bill provides that no appropriation or reimbursement is made to local government because of a specified reason.

Ch. 280 (SB 1687) Beverly. Insurance: regulation of administrators.

Existing law requires an administrator, if charges or premiums deposited have been collected on behalf of or for more than 1 insurer, to cause the bank in which such fiduciary account is maintained to keep records clearly recording the deposits in and withdrawals from such account on behalf of or for each insurer

This bill would instead require the administrator rather than the bank to keep such records.

Existing law permits a mutual insurer to borrow money for specified purposes with written agreements evidencing such transactions in units not less than $10,000 unless such insurer is authorized to transact medical malpractice insurance in which case such written agreements may be issued in units less than $10,000.

This bill would remove the exemption for mutual insurers transacting medical malpractice insurance and would authorize the Insurance Commissioner to approve written agreements evidencing borrowed money in units of less than $10,000.

This bill would take effect immediately as an urgency statute.

Ch. 281 (SB 2020) Vuich. Insurance: occupational therapy.

Existing law makes no provision requiring policies of disability insurance to permit the insured, upon referral by a licensed physician and surgeon, to select an occupational therapist to perform the particular services covered under the terms of the policy.

This bill would enact such provision.

Ch. 282 (AB 537) Maddy. Juvenile court law.

Various provisions of existing law authorize the juvenile court to direct orders to the parents or guardian of a minor who is subject to specific juvenile court provisions as the court deems necessary and proper

This bill would add a general provision authorizing orders of such type in connection with all juvenile court proceedings

Ch. 283 (AB 2040) Maddy Nursing.

Existing law authorizes the Board of Registered Nursing to issue an interim permit, authorizing the holder to practice nursing, to any person who has applied for a license to practice nursing by examination and where the board has approved such application.

This bill would require the board to issue an interim permit to a person who has completed a course of nursing instruction, as specified, in another state, district or territory of the United States or Canada who has applied for the licensing examination and is employed by any district hospital of 100 beds or less and which lies within a rural area, as determined by the State Department of Health Services.

Ch. 284 (AB 2077) Knox. School districts: fiscal procedures

Existing law provides that any state entity which allocates funds to any school district on the basis of the assessed valuation of property within the district, or which makes any computation on that basis for school building fund repayment purposes, shall adjust the assessed valuation used in making computations to conform to the statewide average The State Board of Equalization is required to formulate factors to be used for this purpose and transmit them to the Superintendent of Public Instruction on or before October 1st of each year. Also, if the factor for the current fiscal year is not provided to the county superintendent of schools by the fifth working day of August, a preliminary factor may be used

This bill instead would require that whenever the factor for a school district is redetermined after July 1 of any fiscal year, the adjusted factor shall be used in the succeeding fiscal year for adjusting the district's state equalization aid entitlement.

This bill would also delete obsolete language relating to the three-year average factor for 1970 to 1973.

This bill would take effect immediately as an urgency statute and become operative on July 1, 1978.

Ch. 285 (AB 2199) Knox. Health care service plans: subsequent provider.

(1) The Knox-Keene Health Care Service Plan Act of 1975, as of September 16, 1978, requires health care service plans registered thereunder to have contractual arrangements to assure that, in the event the plan fails or loses its licensure, the services which the plan is obligated to provide will be performed by others or the cost of such services will be paid to persons enrolled in the plan.

This bill would delete the above requirement.

(2) Under the Knox-Keene Health Care Service Plan Act of 1975, such registered health care service plans are required to establish procedures for review of the quality of care, performance of medical personnel, utilization of services and facilities, and costs.

This bill would, notwithstanding any other provision of law, exempt from liability for damages any act performed by a person participating in such review, but such exemption would apply only if such person acts without malice, has made a reasonable effort to obtain the facts of the matter, and believes that the action taken is warranted by the facts

With certain exceptions, the bill would also exempt from discovery any proceedings or records of such review, and would preclude persons present at such reviews from being required to testify as to what transpired. Such provisions would not operate to confer immunity from liability for causes of action arising against health care service plans

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

Ch. 286 (AB 2230) McAlister Eminent domain: resolution of necessity.

Existing law requires a public entity to adopt a resolution of necessity prior to commencing eminent domain proceedings.

This bill would specify that a resolution of necessity may be subject to review by writ of mandate sought by a person having an interest in the property described in the resolution prior to the commencement of eminent domain proceedings.

Ch. 287 (AB 2472) Wray. Highways

(1) Under existing law, that portion of State Highway Route 2 from Harter Lane near Gould Canyon north of La Canada to Route 138 is in the California freeway and expressway system.

This bill would delete that portion of Route 2 from the California freeway and expressway system

(2) Under existing law, State Highway Route 204 is from Route 99 to Route 99 near Bakersfield via Brundage Lane, Union Avenue, and Golden State Avenue.

The bill would revise the description of Route 204 to be from Route 58, rather than from Route 99, to Route 99 via Union Avenue and Golden State Avenue.

(3) Under existing law, the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, are prohibited from erecting yield right-of-way signs at the entrances to intersections or highways where the entering speed may safely exceed 15 miles per hour.

The bill would delete this prohibition.

(4) Under existing law, the department and local authorities, with respect to highways under their respective jurisdictions, are authorized to issue special permits for the operation of vehicles of size or weight, or carrying loads, exceeding the maximum authorized by the Vehicle Code.

The bill would require warning signs required by the terms of a special permit either to be removed from the vehicle or covered from the view of other motorists whenever the vehicle is operating without the load that required the permit.

(5) The bill would provide that no appropriation is made nor obligation created for reimbursement of any local agency for costs incurred by it pursuant to this bill for a specified reason.

Ch. 288 (AB 2650) Lanterman. Residential care facilities for the elderly.

Present law defines and categorizes types of community care facilities subject to licensure.

This bill would define a new category of community care facility, to be known as residential facilities for the elderly, and require adoption of separate administrative licensure standards for such facilities. This bill would also make nonsubstantive changes to conform to the transfer of licensing responsibility for community care facilities from the State Department of Health to the State Department of Social Services which will take place July 1, 1978.

Ch. 289 (AB 2714) Lancaster. Classified employees· merit system.

Under current law a county board of education is required to adopt the merit system specified for classified employees of a school district if the county had a merit (civil service) system in effect at the time of the adoption of the applicable provision

This bill would repeal that provision.

Ch 290 (AB 2749) Keysor. Certificated school employees.

Under existing law, the State Board of Education has the authority to validate the employment of persons employed by a school district in positions requiring certification qualifications when such persons had failed to obtain the appropriate credential, but were qualified for the credential.

This bill would remove such authority from the State Board of Education, and, instead would place the authority to validate such employment with the Commission for Teacher Preparation and Licensing.

Ch. 291 (AB 3479) Hart. Property tax rate limits.

Existing law establishes the maximum property tax rate which a local agency may levy without prior approval of the voters, and authorizes a local agency to increase such maximum rate in certain circumstances.

This bill would specify that a local agency or district formed by a city to take over and perform services theretofore provided by a county service area may increase its maximum property tax rate which may be levied without prior approval of the voters by an amount equal to the rate which had, or could have been levied by the county service area

This bill would contain legislative findings and declarations that this bill is declarative of existing law.

Ch. 292 (SB 154) Conference Committee on SB 154 State and local government

This bill has as its purpose the partial relief of local government from the temporary difficulties brought about by the approval of Proposition 13 at the June 6, 1978, election.

The bill would appropriate funds from the General Fund to Section A of the State School Fund, in lieu of statutorily prescribed appropriations, for the 1978–79 fiscal year and would prescribe a method for computing the state support for school districts and county superintendents of schools

The bill would appropriate funds for various categorical aid programs operated by school districts and county superintendents of schools

The bill would appropriate funds from the General Fund to Section B of the State School Fund and would provide for the apportionment of such funds to community college districts in the 1978–79 fiscal year.

It would provide for the distribution by the State Controller, in accordance with a

specified procedure, of $250,000,000 to cities, and $436,000,000 to counties and cities and counties, for the 1978–79 fiscal year. Such amounts would be required to be given first for police and fire programs

It would provide for the distribution, in accordance with a specified procedure, of $125,000,000 to special districts for the 1978–79 fiscal year.

It would limit the use of state funds for cost of living salary increases in the 1978–79 fiscal year and would require each city, county, and city and county, the Department of Finance, and the Legislative Analyst to report with respect to expenditures and revenues of such local agencies.

It would appropriate $870,000,000 to the Local Agency Emergency Loan Fund, which would be created in the State Treasury, to be available for short term loans to be made by the Pooled Money Investment Board to local agencies, in accordance with a specified procedure.

It would appropriate $30,000,000 to the Local Agency Indebtedness Fund, which would be created in the State Treasury, to be available for loans to be made by the Pooled Money Investment Board to local agencies for the purpose of making payments due on certain nonvoter approved bonds during the 1978–79 fiscal year.

This bill would:

(a) Reduce moneys made available under this bill to counties determined by the State Director of Health Services to have made a disproportionate reduction in net county costs for health services, as prescribed, which the director determines will be detrimental to the health needs of the public or indigents.

(b) Waive the requirement of county matching funds otherwise required in order to obtain funding of county alcoholism programs during the 1978–79 fiscal year

(c) Waive the requirement for county financial participation in funding county programs under the Short-Doyle Act during the 1978–79 fiscal year.

The bill would provide for the imposition of a property tax by counties at the rate of $4 per $100 of assessed valuation and for the distribution of the revenues derived from such tax to each such county and to the local agencies, school districts, and community college districts within such county, and to the county superintendent of schools.

The bill would require the state to pay the following for the 1978–79 fiscal year only:

(a) All county costs for Medi-Cal and SSP.

(b) All county costs for AFDC, except the state would pay 95% of the nonfederal share of grant costs for providing children with foster care, subject to a specified condition.

(c) Each county's share of the administrative costs for the federal Food Stamp Program.

The bill would limit the annual cost-of-living increases for SSP and AFDC grant amounts for the 1978–79 fiscal year to any cost-of-living increase granted state employees by the Budget Act of 1978, but not to exceed that otherwise provided by existing law.

The bill would also appropriate specified amounts from the General Fund to the State Department of Social Services and the State Department of Health Services for each county's share of the welfare programs specified in the bill.

The bill would state that there are no state-mandated local costs that require reimbursement for a specified reason

The bill would take effect immediately as an urgency statute.

Ch. 293 (AB 3560) Boatwright. Emergencies: appropriation

The Budget Act of 1977 appropriated money for expenditure, upon written authorization of the Department of Finance, for emergencies

This bill would appropriate $17,500,000 in augmentation of such appropriation.

The bill would take effect immediately as a statute providing an appropriation for the usual current expenses of the state.

Ch 294 (AB 2282) McAlister Evidence in the valuation of property

Under existing law, statutory provisions of the Evidence Code govern the valuation of property in eminent domain and inverse condemnation proceedings.

This bill would specify that these provisions are applicable to the valuation of realty and tangible personalty.

Under existing law, qualified witnesses, and the owner of the property may present

evidence of the value of the property.

The bill would specify that certain agents of corporations, partnerships, or unincorporated associations may present opinion evidence of the value of that entity's properties. It would also provide that an owner of a partial interest may present such evidence.

The bill would provide that the value of certain leases may not be taken into account in determining the value of the property if it is entered into after the filing of the lis pendens in an eminent domain proceeding.

The bill would specify that the amount of taxes due on property is not a proper basis for an opinion as to the value of property, but would delete an existing provision that the mention of that subject is grounds for a mistrial in an eminent domain proceeding.

Ch. 295 (SB 2199) Dunlap. Schools: crossing guards: budget deadlines.

Currently, governing boards of school districts and county superintendents of schools are neither expressly prohibited from, nor permitted to, employ persons as guards at pedestrian crossings.

This bill would expressly authorize the governing board of a school district and a county superintendent of schools to employ persons as guards at pedestrian crossings and would authorize the governing board of a school district employing such persons to receive reimbursement from a city or county out of a special fund in which moneys from fines and forfeitures collected in municipal or justice courts are deposited.

Under existing law, various provisions relating to the adoption of budgets by school districts, community college districts, and county boards of education require the taking of particular action on a specified date.

This bill would extend the deadlines requiring the taking of such actions by one month during the 1978–79 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 296 (SB 1643) Dunlap. School districts

Existing law provides that the creation of or change of boundary in a school district is not effective for purposes of local assessment and taxation for the fiscal year beginning on the following July 1, unless various statements, resolutions, maps, and plats of boundaries were filed by January 1.

This bill would permit the formation of one district and a boundary change in another to become effective for tax purposes for the 1978–79 fiscal year if the required documents have been filed by February 15, 1978.

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 new entities to impose a property tax.

The bill would also provide that notwithstanding existing law requiring reimbursements and appropriations for state-mandated local programs, there shall be no reimbursement or appropriation made by this bill for a specified reason.

This bill would take effect immediately as an urgency statute and would be repealed effective January 1, 1979.

Ch. 297 (AB 973) Vicencia Veterinary medicine.

Existing law requires the Board of Examiners in Veterinary Medicine to ascertain the qualifications of applicants for a license to practice veterinary medicine in this state by means of a written and practical examination and authorizes the board to waive the written examination in any case where the applicant has taken an examination in another state which is substantially equivalent to the written examination last given in this state and where such applicant achieved a score on such examination at least equal to the score required to pass such California examination

This bill would authorize the board to waive the written examination for an applicant who, among other things, is licensed in 1 or more states, has been engaged in the practice of veterinary medicine for more than 4 years in 1 or more states that accept California licensees, has graduated from an approved veterinary college, as specified, and passes an oral or practical or clinical examination. The bill would prohibit the board from

waiving such examination requirements unless the state in which the applicant is licensed extends a like privilege to veterinarians licensed in this state.

The bill would require the board to report to the Legislature on or before June 30, 1980, as to the impact of the act.

Ch. 298 (AB 2439) Chel. Decedents' estates.

The existing Independent Administration of Estates Act requires the executor or administrator of a decedent's estate to advise certain persons having an interest in the estate as to specified actions concerning the estate, such as the sale or long-term lease of real property, contracts to be performed in the future, the payment of, or increase in, a family allowance, or the investing of funds of the estate in certain investments, prior to the consummation of such actions. The advice of such proposed action is required to be delivered personally or sent by first-class mail, or sent by airmail to any person residing 500 or more miles from the business address of the executor or administrator.

This bill would revise the authority to send the advice of proposed action by airmail by limiting the use of airmail only as to persons residing outside the jurisdiction of the United States.

Ch. 299 (AB 1978) Cullen. Intergovernmental information systems.

Existing law provides for the existence of the Intergovernmental Board on Electronic Data Processing consisting of 14 members with specified powers, duties, and functions relating to intergovernmental information systems.

This bill would rename the board the Intergovernmental Board on Information Systems, increase the membership from 14 to 16 members, and revise various functions, duties, and powers of the board.

Ch. 300 (AB 2747) Chappie. Arrest warrants.

Existing law provides that when a complaint is filed with a magistrate charging a public offense triable in superior court if the magistrate is satisfied that the offense was committed and there is reasonable ground to believe it was committed by the defendant, the magistrate must issue a warrant for the arrest of the defendant; however, if the magistrate is a judge of the justice court the warrant may be issued only upon the concurrence of the district attorney or the Attorney General.

This bill would require the concurrence of the district attorney or Attorney General for the issuance of an arrest warrant by a judge of the justice court only if the judge is not a member of the State Bar.

Ch. 301 (SB 1525) Sieroty. Jurors: qualifications.

Existing law provides that a person is competent to act as a juror if that person, among other things, is in possession of his or her natural faculties and of ordinary intelligence and not decrepit. It also specifies that a person shall not be deemed incompetent solely because of the loss of sight.

This bill would delete the requirement that a person not be decrepit, and would provide that a person shall not be excluded from jury duty because of any disability which substantially impairs or interferes with the person's mobility.

Existing law also provides for the selection and listing of jurors from persons competent to serve as jurors, who are, among other things, in the possession of their natural faculties, and not infirm or decrepit.

This bill would delete the requirement that such persons not be infirm or decrepit.

Existing law provides that a challenge for cause, as to an individual juror, may be taken on 1 or more of several grounds, including the existence of a defect in the visual or auditory functions of the body.

This bill would change such ground to be the existence of any incapacity.

The bill would also contain a legislative declaration that the lack of any specific category of disabled persons in specified provisions of law indicating the persons competent to act as jurors and the persons subject to challenge for cause shall not be interpreted as legislative intent either to qualify or disqualify such persons from jury service

Ch. 302 (SB 2011) Marks School districts revolving funds.

Under existing law the governing board of any school district which has established a revolving fund pursuant to specified requirements shall designate a person or persons

authorized to make immediate payments by check, drawn on the revolving fund, for purchases in the amount of $100 or less.

This bill would raise the maximum amount available for immediate payment by authorized persons to $200.

Ch. 303 (SB 1591) Marks. Asbestos: buildings and structures.

Existing law prohibits any person, on and after July 1, 1975, from spraying any substance containing more than ⅓ of 1% asbestos in or upon a building or other structure during its construction, alteration, or repair and, on or after July 1, 1976, prohibits such spraying of any substance containing any amount of asbestos. Excepted from such prohibition are cold process cutback asphalt roof coatings and, until July 1, 1978, portland cement plaster containing less than ½ of 1% asbestos and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application

The bill would change such exceptions to make portland cement plaster, exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application, cold process asphalt roof coatings, and substances containing less than ¼ of 1% naturally occurring asbestos impurities exempt until July 1, 1979.

The bill would require the Occupational Safety and Health Standards Board to conduct public hearings on or before June 1, 1979, for the purpose of, and, on or before July 1, 1979, to adopt regulations, establishing classifications of methods and processes or uses, as specified, for such products which the board determines are exempt from such prohibition, if any. The bill would also authorize the board, after July 1, 1979, and after public hearings, to amend, add, or repeal such regulations.

The bill would provide that the person who causes or permits use, spraying, application, handling, storage, repair, disposal, processing, or transportation of such products pursuant to such exemptions would be required to comply with the asbestos concentration limits, reporting requirements, and other provisions of Section 5208 of Title 8 of the California Administrative Code, except that, on or before, July 1, 1979, and operative on such date, the board would be required to adopt regulations to establish the maximum time weighted average and ceiling airborne asbestos concentration levels to which employees may be exposed to levels that the then existing, or thereafter amended, law prescribes for the requirement of monitoring of such concentrations.

The bill would expressly provide that the adoption of classifications of methods or processes or uses which are exempted from the prohibitions of spraying of substances containing asbestos by the Occupational Safety and Health Standards Board shall not limit or prevent inspections by the Division of Industrial Safety nor supersede or limit the requirements of existing law for asbestos protection, as specified.

The bill would take effect immediately as an urgency statute.

Ch. 304 (SB 1507) Sieroty. Sentencing.

Existing law provides that a defendant convicted of a misdemeanor or felony be given credit on his sentence or to any fine imposed as specified for any time spent in custody in any of various facilities.

Existing law also provides that such credits shall not be considered in establishing and fixing any condition of probation, parole date, or term of imprisonment but shall be applied to any such condition of probation, parole date or term of imprisonment not later than 1 week after it has been established or fixed.

This bill would provide that such time also be credited if the defendant has been required pursuant to a court order to reside in a juvenile detention facility or similar residential institution.

The bill would provide that such time, including deductions from the period of confinement based upon satisfactory conduct, is to be credited to a fine or term of imprisonment, rather than the sentence, and specifies the manner in which it is to be credited for multiple offenses for which consecutive sentences are imposed. The bill would delete the provision concerning the consideration and application of credit to the establishing or fixing of any condition of probation, parole date, or term of imprisonment and would provide that the court shall determine the dates of admission to and release from custody for purposes of determining credit

The bill would be an urgency statute, to be effective immediately.

Ch. 305 (AB 2490) Statham. Judges: marriage fees.

Existing law makes it a misdemeanor for a judge, justice, retired judge, retired justice, judge who has resigned from office, commissioner, or assistant commissioner of a court to accept any money or other thing of value for performing a marriage except for a fee expressly imposed by law or a fee for performing a marriage on Saturday, Sunday, or a legal holiday

This bill would exclude from such prohibition the request or acceptance of such a fee by any retired judge or retired justice unless such retired judge or retired justice is sitting on assignment in court.

Ch. 306 (AB 2380) McVittie. Chiropractic.

Under existing law the application and renewal fee for a license to practice chiropractic is set at $50.

This bill would provide that such fees are to be not more than $75 as determined by the State Board of Chiropractic Examiners.

The bill would take effect as an urgency statute.

Ch. 307 (SB 1671) Rodda. Practice of chiropractic.

Existing law provides that any school or college of chiropractic having status with the Accrediting Commission of the Council on Chiropractic Education or the equivalent criterion thereon and meeting other specified requirements including rules and regulations by the State Board of Chiropractic Examiners are eligible to be approved by the board. Graduates of any such school or college so approved may apply for licenses to practice chiropractic.

This bill would revise such approval provision by providing that schools or colleges which have status with such commission or other accrediting agency, as specified, shall be eligible for approval and provides time periods for specified schools to obtain such status. The bill would provide that graduates from such an approved school, as specified, shall be eligible for licensure to practice chiropractic. The bill would make related changes.

Existing law provides that a license to practice chiropractic may be denied, suspended or revoked for, among other things, the conviction of a crime involving moral turpitude.

This bill would provide that such action may be taken on a plea or verdict of guilty or a conviction following a plea of nolo contendere, made to a charge of a felony or of any offense substantially related to the practice of chiropractic.

The bill would make additional changes in Section 5 of the Chiropractic Act, proposed by A.B. 2380 to be operative only if A.B. 2380 and this bill are both chaptered, and this bill is chaptered after A B 2380 and is approved by the electors.

Ch. 308 (AB 3765) Fazio. California Environmental Quality Act: pesticide regulations.

Under the California Environmental Quality Act, all public agencies, state and local, are, generally, required to prepare or cause to be prepared and certify the completion of, an environmental impact report on any discretionary project they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment.

Under the existing law, described 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 written documentation, as specified, to be submitted in support of such issuance are exempted from environmental impact report requirements upon certification by the Secretary of the Resources Agency that the programs meet specified criteria.

This bill would:

(1) Make various declarations as to pesticide regulatory programs conducted under the provisions regulating pest control operations and produce carrying spray residue, economic poisons, restricted materials, and environmentally harmful materials

(2) Exempt any action or activity governed by designated provisions regulating pesticides in this state from the California Environmental Quality Act, until certification is

obtained from the Secretary of the Resources Agency pursuant to the above provisions or until January 1, 1981.

(3) Require the Director of Food and Agriculture, not later than November 1, 1979, to submit to the secretary the pesticide regulatory program, for certification and require the secretary, within 60 days of its receipt, to determine whether or not such program meets the requirements for certification under the above provisions.

(4) Exempt the issuance of a pesticide permit for the use of restricted or nonrestricted materials under the certified pesticide regulatory program from specified requirements concerning rules and regulations adopted by the administering agency and from the requirement for a plan or other written documentation.

(5) Prescribe the procedure for the certification and withdrawal of certification of any program under the California Environmental Quality Act of any state agency, board, or commission by the secretary, and provide that, for the purposes of such certification provisions, any county agricultural commission shall be considered a state agency.

(6) Require the Department of Food and Agriculture to complete a draft of its report on Environmental Assessment of Pesticide Programs as close as possible to July 1, 1978, but not later than September 1, 1978, to provide for public review and comment on such draft, and to submit its final report to the Governor and the Legislature not later than February 1, 1979.

(7) Provide that this bill would take effect immediately as an urgency statute.

Ch. 309 (AB 2286) Fazio. Marketing orders: creating and increasing markets.

The California Marketing Act of 1937 provides authority for the Director of Food and Agriculture to issue marketing orders which regulate the marketing, processing, distribution, or handling of agricultural commodities. A marketing order may contain provisions for the "advertising and sales promotion," as defined, of any commodity to create, maintain, or enlarge markets, or prevent, modify, or remove trade barriers which obstruct the free flow of any commodity to market.

Also, until May 31, 1978, the existing law included within the definition of "advertising and sales promotion" activities for the modification or removal of trade barriers that restrict the free flow of a commodity to market, including negotiation with the federal government and foreign governments, and the allowance of reimbursement payments to offset commodity transportation costs to foreign markets.

This bill would, until May 31, 1981, include such activities within the definition of "advertising and sales promotion" and allow reimbursement payments to offset other costs, in addition to commodity transportation costs, in connection with marketing of commodities in foreign markets.

Furthermore, until January 1, 1979, the existing law permits the inclusion within a marketing order of provisions for plans for advertising and sales promotion to maintain, or create, new or larger international foreign markets for any commodity grown in California.

This bill would extend such provision indefinitely.

The bill would take effect immediately as an urgency statute.

Ch. 310 (AB 3799) Egeland. Department of Aging: nutrition programs.

Under existing law, the Department of Aging, with the approval of the Department of Finance, is authorized to make funds available from specified sources to various nutrition programs Federal funds are available under Title VII of the federal Older Americans Act to administer nutrition projects for the elderly. Funds are also appropriated annually in the Budget Act for support of the department.

This bill would permit the department to make grants from available state funds to fund senior nutrition programs which complement Title VII projects and meet specified qualifications.

The bill would take effect immediately as an urgency statute.

Ch. 311 (AB 3364) Mello Commercial fishing: gill nets crab season

Existing law does not restrict the use of gill nets for the taking of rockfish and lingcod in the Santa Cruz portion of District 17, and does not restrict the use of such nets in District 19, except for the taking of salmon. Existing law also establishes the crab season.

This bill would ban the use of gill nets having mesh smaller than 5½ inches in a

specified portion of District 17 for the taking of rockfish and lingcod. The bill would allow the Director of Fish and Game to extend the crab season in any district, or part thereof, south of Mendocino County, under specified conditions, but in no case past July 31 of any year.

The bill would also provide that, for specified reasons, 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 take effect immediately as an urgency statute.

Ch. 312 (AB 2270) Perino. South and Central Delta Water Agencies.

Under existing law, the South Delta Water Agency, located in the Sacramento-San Joaquin Delta, and the Central Delta Water Agency, located in the Sacramento-San Joaquin Delta, are empowered to negotiate, enter into, execute, amend, administer, perform, and enforce specified agreements with the United States and the State of California for specified purposes. Existing law requires voter approval before any such contract may be entered into. Existing law limits the amount of revenue which may be raised annually by assessment for general agency purposes to $75,000, and provides for the termination of the agency unless such contract is entered into and executed on or before December 31, 1978.

This would increase the maximum permissible amount of revenue which may be so raised by such agencies to $100,000, and would extend the time for executing such contract to December 31, 1983.

The bill would also authorize the South Delta Water Agency to enter into contracts with the State of California and the United States, without voter approval and for a period not to exceed one year, for specified services furnished during a period declared by the Governor to be a drought emergency in the area resulting in serious water shortage or quality degradation.

The bill would go into immediate effect as an urgency statute

Ch 313 (AB 2686) V. Thomas. Victims of crimes: indemnification.

Existing law authorizes the legislative body of any county or city to indemnify innocent needy residents of California whose property is injured or destroyed as a result of specified acts.

This bill would eliminate the requirement that the resident be needy and would also authorize any such legislative body by resolution to determine that a resident may be reimbursed for any losses not otherwise covered by insurance.

Ch. 314 (AB 3191) Bannai. State Teachers' Retirement System.

Under existing State Teachers' Retirement Law, proper adjustments are required to be made, without interest, if more or less than the correct amount of required contributions is made to the system by members or their employers.

This bill would require the employer to make proper adjustments with respect to such contributions on a monthly report within 60 days of discovery or notification by the system. The bill would authorize the board to assess penalties, not to be more than the regular interest, as defined, for late or improper adjustments and to make adjustments with interest The bill would require the employer to reimburse the system in full for the amount of any disbursement made because of erroneous information reported.

Ch 315 (AB 3341) Brown. Certificated employees: department heads: administrative or supervisory positions: tenure

Under existing law, certificated employees of a school district or community college district serving in an administrative or supervisory position are generally precluded from acquiring permanent status (tenure) in such position, although such an employee may retain tenure previously attained in a teaching position

Similar provisions are made expressly applicable to school and community college districts governed by the charter of a city or city and county.

This bill would revise the latter provisions so as to preclude, after July 1, 1978, the acquisition of tenure as a department head, as well as in an administrative or supervisory position, in school or community college districts governed by the charter of a city or city and county.

The bill would take effect immediately as an urgency statute.

Ch 316 (AB 3347) Mori. District elections.

Existing law authorizes districts subject to the Uniform District Election Law to conduct elections by all-mailed ballots. In which case, the date of the general district election is the first Tuesday following the first Monday in September of odd-numbered years.

This bill would authorize the conduct of such elections on the first Tuesday after the first Monday in November in each odd-numbered year, if permitted by the county clerk.

Ch. 317 (AB 3379) Thurman. Advisory elections.

Under existing law each city, county, city and county, and district is authorized to hold an advisory election in consolidation with scheduled elections in the city, county, city and county, or district for the purpose of allowing voters within the respective jurisdiction to voice their opinion on substantive issues or to indicate to the local legislative body approval or disapproval of the ballot proposal.

This bill would specify that a school district, community college district, and county board of education may also hold an advisory election. It would also permit such advisory election to be held in consolidation with any regular or special election; and it would provide that such an advisory election may be held in any portion of the local jurisdiction.

The bill would also authorize a local entity to hold an advisory election, in consolidation with a regular or special election, in territory outside of the jurisdiction of the local entity.

Ch. 318 (AB 3400) Mangers. Public Employees' Retirement System: contract members. City of Costa Mesa.

Existing Public Employee's Retirement Law requires a member electing to receive service credit for public service to pay required contributions for such service.

This bill would authorize an employee member of a local retirement system of the City of Costa Mesa to receive public service credit in the Public Employees' Retirement System for the time of service in the local retirement system prior to the effective date of the city's contract with the Public Employees' Retirement System, if the member is employed by the city on the effective date of its contract with the board and all contributions made to the local system are transferred to the Public Employees' Retirement System within 90 days. The bill would provide that such an employee member would receive such service credit at no additional cost unless the member elects not to receive such service credit.

This bill would provide that there would be no appropriation to local agencies for costs mandated by the bill because of a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 319 (AB 3358) Chimbole. Special district officers.

Existing law provides for the filling of vacancies on the governing boards of certain special districts either by election or by appointment by the remaining board members. The law provides that a person appointed to fill a vacancy shall hold office until the next general district election and until a person elected to the office has been qualified.

This bill would make an exception in the case of a person who is appointed to fill an office for which an election would be held on the same date as the next scheduled general district election In such a case this bill would provide that the person appointed shall fill the unexpired term of his predecessor

Ch 320 (AB 3625) Keysor. Elections.

Under existing law a candidate for the office of director of a municipal utility district must either submit a $25 filing fee or a prescribed in-lieu-of-filing fee petition to the district secretary

This bill would delete the requirement that either a filing fee be paid or an in-lieu-of-filing fee petition be submitted as a condition to becoming a candidate.

Existing law requires a candidate for the office of director of a municipal utility district to submit nomination papers containing signatures equal to 1% or 100 signatures, whichever is the lesser number.

This bill would revise the number of necessary signatures to 50 signatures rather than 100.

Existing law prescribes procedures for the qualification, nomination, and election of members of the board of directors of hospital districts and regional park districts as well as the San Francisco Bay Area Rapid Transit District.

This bill would revise such provisions with respect to obtaining and filing nomination forms for such offices, and would conform such provisions to existing law.

The bill would take effect immediately as an urgency statute.

Ch. 321 (SB 212) P. Carpenter. Health facilities: standards.

Under existing law, no person, firm, partnership, association, corporation, political subdivision of the state, or other governmental agency within the state may operate a health facility without a license from the State Department of Health or its successor, the State Department of Health Services. All licensed health facilities are required to meet prescribed standards with respect to the physical plant, staffing, and services.

This bill would expressly require that the licensure requirements for professional personnel in state and other governmental health facilities shall not be less than for professional personnel in private health facilities. It would prescribe that such personnel who have been continuously employed, including those on authorized leave, in the same such facility on January 1, 1979, would be exempt from such licensure requirements. The bill would authorize the department to waive such requirements for new graduates or recruits from outside of this state for up to 2 years after the date of their employment.

This bill would also expressly require that the department apply the same standards to state and other governmental health facilities that it licenses as it applies to private health facilities. The bill would require the department to report to the Legislature by March 1 of each year on waivers of its regulations granted to any health facility.

Ch. 322 (SB 1327) Ayala. Safe drinking water grants.

Under existing law (the California Safe Drinking Water Bond Law of 1976) bond proceeds in the California Safe Drinking Water Fund may be used for state loans for the construction, improvement, or rehabilitation of domestic water systems, as defined, and the Legislature, by statute, may authorize bond proceeds, not to exceed a total of $15,000,000, to be used for a grant program for public agencies which own or operate domestic water systems, if it is determined that such public agencies are otherwise unable to meet minimum safe drinking water standards established by the State Department of Health Services pursuant to applicable provisions of law.

This bill would authorize the use of bond proceeds for such a grant program to be administered by the Department of Water Resources and would specify the procedure for authorization of such grants and the powers and duties of the department.

The bill would authorize any such grant to be made only upon the specific approval of the Legislature, by an act enacted after the receipt of a report on the grant application filed by the department. The bill would permit a grant to be made only for that portion of the costs which the department determines the applicant is not capable of repaying, and would specify other terms and conditions of such grants.

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

Ch. 323 (SB 1419) Rains Classified employees: sick leave.

Under existing law, the classified employees of school and community college districts are entitled to a paid leave of absence, with deductions for the amount paid a substitute, for an absence of up to 5 months which is due to illness or injury; or if the employing district adopts appropriate regulations, for a period of up to 100 days at 50% of regular salary

This bill would permit the employing district to deduct from the salary otherwise payable to an employee under such provisions, an amount which is payable to the employee in lieu of salary under a policy of insurance purchased by the district.

The provisions of the bill would not be applicable to employees of a school or community college district unless specifically included in a collective bargaining agreement between the exclusive representative and the school or community college district employer.

Ch. 324 (AB 620) V Thomas Medical emergencies: lines of authority

Existing statutory law makes no provision generally establishing responsibility and authority for patient health care management and management of the scene of a medical emergency.

This bill would require that the authority for patient health care management be vested in a licensed health care professional or paramedic who is most medically qualified in rendering emergency medical care or if such a person is unavailable, in the most appropriate medically qualified representative of the public safety agencies who may have responded to such emergency. It would require that overall authority for management of the scene of such emergency be vested in the appropriate public safety agency having primary investigative authority, as specified. It would also permit any county which desires a unified command structure for patient management at the scene of a medical emergency to establish a committee comprised of representatives of prescribed agencies and would require that the membership and duties of the committee be established by a so-called joint exercise of powers agreement.

This bill would make no appropriation or create any obligation to reimburse local agencies for any costs incurred by them under this bill.

Ch. 325 (AB 2260) Duffy. Schools: pupil attendance.

Existing law specifies the manner of computing a pupil's attendance at school, including a number of circumstances in which a pupil's absence from school shall not be deemed an absence.

This bill would include in the list of excused absences the exclusion of a pupil from school for failure to be immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, or measles, so long as such absence is not more than 5 school days and so long as the parent or guardian of the pupil receives a specified notice that the pupil will be excluded for up to 5 days unless the parent provides evidence of immunization or of exemption from the immunization requirement.

Ch. 326 (AB 1696) Vasconcellos. Public buildings: access by handicapped.

Present law requires the Department of General Services to review and approve the plans and specifications for buildings and structures to be constructed with state funds for compliance with provisions requiring accessibility to handicapped persons. Applications for approval are accompanied by a filing fee which is deposited into a special account in the General Fund for use by the department in carrying out its review and approval responsibility.

This bill would also require the department to review and approve plans and specifications for elementary, secondary, and community college buildings and facilities constructed with funds of counties, municipalities, or other political subdivisions. It would create the Access for Handicapped Account in the General Fund for the deposit of application fees and use by the department

Ch. 327 (AB 3704) V. Thomas. Pacific mackerel: quota on taking.

Existing law limits the taking of Pacific mackerel to those fish taken in a specified amount incidental to other fishing operations unless the Department of Fish and Game determines that the estimated Pacific mackerel spawning population in a designated area exceeds 10,000 tons, in which case a specified season harvest quota shall be established. Existing law also requires an annual report to the Legislature regarding Pacific mackerel spawning population.

This bill would suspend these provisions until January 1, 1981, and would require an annual report to the Legislature regarding the Pacific mackerel resource. The bill would establish a specified season allowable catch for the taking of Pacific mackerel, and would also allow the Director of Fish and Game to adjust the season allowable catch, as specified, and set an allowable tolerance, within an 18 to 50% ratio, for the taking of Pacific mackerel incidental to the fishing of jack mackerel, and to set an allowable tolerance up to 50% for the taking of Pacific mackerel incidental to the fishing of other species of fish

The bill would take effect immediately as an urgency statute.

Ch. 328 (AB 3180) Craven. Lake Cuyamaca Recreation and Park District district board.

Under present law, Lake Cuyamaca Recreation and Park District is governed by a board of directors consisting of 5 members

This bill would increase the board membership to 7 as of January 1, 1979, and provide

that the term of the 2 persons appointed at that time would expire on January 1, 1982.

Ch. 329 (AB 2632) Gualco. Prisoners.

Existing law provides for hearings by April 1, 1978, unless extended as specified, as to the parole status of certain prisoners.

This bill would extend such date to October 1, 1978, and delete the provision for extension of such date

Existing law provides for meetings by a 3-member panel of the Community Release Board as to the parole status of certain prisoners.

This bill would provide for such meetings by at least 2 members of the board.

Existing law provides procedures for hearings to set and perform other specified functions relative to parole dates, but does not generally provide counsel for the prisoner at such hearings except where otherwise required by law. Life prisoners in certain cases are entitled to a rehearing with counsel.

This bill would delete the provision for rehearings and would provide counsel for all life prisoners at any hearing for the purpose of setting, advancing, postponing or rescinding a parole date.

Existing law provides for 30 days' advance written notice to a judge, defense attorney, district attorney and law enforcement agency of hearings to review or consider the parole suitability or the setting or advancing of a parole date for a prisoner sentenced to a life sentence.

This bill would require the Community Release Board to provide for invitation of, and 30-day notice to, the prosecutor of the committing county or his representative to represent the people at hearings for setting, advancing, postponing, or rescinding a parole release date of a life prisoner.

This bill would incorporate additional changes in Section 1170.2 of the Penal Code proposed by Senate Bill No. 709 to be operative only if Senate Bill No. 709 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

The bill would take effect immediately as an urgency statute.

Ch. 330 (SB 2238) Rodda. Continuation of state government.

The existing law contains no express provision with respect to the effect on the continuity of employment and salary of state officers and employees in the event that a Budget Bill for the 1978–79 fiscal year is not enacted before July 1, 1978.

This bill would expressly provide that on or after June 30, 1978, no state officer or employee shall be deemed to have a break in service or to have terminated his employment for any purpose, solely because of the failure to enact a Budget Bill for the 1978–79 fiscal year prior to the end of the preceding fiscal year.

In addition, this bill would expressly provide that any officer or employee who entered state service between June 30, 1978, and the effective date of the Budget Bill for the 1978–79 fiscal year shall be considered a state officer or employee from the time he entered state service until that date, notwithstanding the failure to enact a Budget Bill for the 1978–79 fiscal year prior to his entry into service.

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1978 may be expended to pay such salary adjustments as are authorized by salary-fixing authorities to provide an increase in the compensation for officers and employees during the month of July 1978 to provide compensation equivalent to that which they would have otherwise received had the Budget Act of 1978 been adopted prior to July 1, 1978

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1978 may be expended to pay any obligation incurred between the commencement of the 1978–79 fiscal year and the effective date of the act, which would otherwise have been authorized by the act had it been adopted prior to July 1, 1978, subject to the same limitations, conditions, and requirements.

This bill would take effect immediately as an urgency statute.

Ch. 331 (SB 1739) Dunlap Public libraries.

Under existing law, there is established the California Library Services Board whose duties include adopting rules, regulations, and general policies relating to the implementation of the California Library Services Act.

This bill would require that the California Library Services Board establish and maintain a computerized data base of bibliographic records and locations of all materials acquired by public libraries in this state.

Under existing law, as a condition of acceptance of an application to participate in programs under the Library Services Act and in each year thereafter, each participating public library must have available from local sources for expenditure for operating purposes an amount no less than the amount expended in the 1976–77 fiscal year.

This bill would, instead, make as a condition of participation in such programs, beginning with the 1979–80 fiscal year and each year thereafter, the availability from local sources for expenditure for operating purposes an amount no less than the amount expended from such local sources in the 1978–79 fiscal year.

Currently, the board of supervisors of a county are neither expressly permitted to, nor prohibited from, using funds from the county general fund to support the county free library.

This bill would expressly authorize the use of funds from the county general fund to support the county free library.

This bill would take effect immediately as an urgency statute.

Ch. 332 (SB 2212) Gregorio. Revenues.

Proposition 13 on the ballot for the Direct Primary Election held on Tuesday, June 6, 1978, added Article XIII A to the Constitution to place various limitations on the taxing power of state and local governments. Senate Bill No. 154 was enacted as Chapter 292 of the Statutes of 1978 to implement such proposition and, among other things, such bill revised the method of financing the public school system.

This bill would make various technical and other changes in school finance provisions.

This bill would revise provisions of Chapter 292 of the Statutes of 1978 relating to taxation, and to the use of state funds for cost-of-living salary increases to, among other things, prohibit the use of state funds from the state surplus or state loan funds by local public agencies, as defined, to provide an increase in salary, as defined, in the 1978–79 fiscal year to any elected or appointed noncivil service officer of such agencies, if it is in excess of the cost of living salary increase provided for state employees.

This bill would also make other technical and supplemental changes.

This bill would take effect immediately as an urgency statute.

Ch. 333 (SB 2080) Presley. 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 purpose 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 or agency 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.

This bill would authorize such a local agency or entity to utilize any part of its waste or storm water or any part of its facilities, and make improvements thereto, to provide, generate, and deliver hydroelectric power.

This bill would also authorize such a local agency or entity pursuant to contract, to provide, sell, and deliver hydroelectric power to the federal government, to the State of California for purposes of the State Water Resources Development System, or to any public agency, private corporation, or any other person or entity, or any combination thereof, engaged in the sale of electric power at retail or to use all or part of the hydroelectric power through exchange in exercising any other power of the local agency or entity

This bill would also empower such a local agency or entity to acquire, construct, maintain, and operate facilities necessary for the provision, generation, and delivery of hydroelectric power authorized by the bill.

This bill would take effect immediately as an urgency statute.

Ch. 334 (SB 2100) Sieroty. Schools: Santa Monica Unified School District.

Under existing law the Santa Monica school district and community college district are governed by the same governing board

This bill would authorize the governing board of the Santa Monica Unified School District to have placed on the ballot of the April 1979 regular election the question of whether a new separate community college district governing board shall be established, subject to detailed provisions governing the establishment and election of the new board.

Ch. 335 (AB 2425) Craven. Subdivision Map Act.

Currently, the Subdivision Map Act specifies the procedure by which local agencies may regulate and control the development of subdivisions. Such act requires, among other things, a statement by an engineer (surveyor) that the parcel map procedures of the local agency have been complied with and that the parcel map conforms to the approved tentative map and the conditions of approval thereof.

This bill would substitute for the above-specified statement, statements that the requirements of the Subdivision Map Act and local ordinance have been complied with and that the map substantially conforms to the approved or conditionally approved tentative map, if any.

Ch. 336 (SB 1503) Cusanovich. Alcoholic beverages.

The Alcoholic Beverage Control Act defines the term "club" for purposes of club licenses, to include any nonprofit social club which serves daily meals to its members and guests, operates a club room for its membership, has done so for a period of not less than 10 years and has regular membership dues of not less than $50 per year.

This bill would revise existing law to provide that such a club shall have operated a club room for a period of not less than 2 years.

Ch. 337 (AB 3184) Knox. Counties: health maintenance organizations.

An existing provision of law authorizes counties to contract to participate as a health maintenance organization in accordance with specified provisions of federal law and to provide its enrollees services in addition to those described in specified provisions of such federal law, including the authorization of the expenditure by the county of whatever funds that may be required therefor.

The existing provision is operative only until July 1, 1979.

This bill would extend the termination date of such provision to July 1, 1984.

Ch. 338 (AB 2414) Craven. Subdivision Map Act.

Currently, the Subdivision Map Act specifies the procedure by which local agencies may regulate and control the development of subdivisions. Such act specifies that after the approval or conditional approval of a tentative map and prior to the expiration of such map, a subdivider may cause any or all of the real property included in the map to be surveyed and a final map thereof prepared.

This bill would also authorize a subdivider in certain circumstances to file multiple final maps relating to an approved or conditionally approved tentative map prior to the expiration of the tentative map

The bill would provide that the Legislature finds and declares that the provisions of the bill are declaratory of existing law.

Ch. 339 (AB 2137) Knox. Cities: organization, reorganization, or changes of organization

Chapter 1253 of the Statutes of 1977 enacted the Municipal Organization Act, hereinafter called the "act," prescribing procedures for the annexation to, or exclusion of, territory from cities, and for the consolidation of cities, formation of new cities, and the reorganization and disincorporation of cities

(1) The act currently specifies circumstances under which the governing body of a local agency may order annexation without an election.

This bill would, instead, require the local agency governing body, if it does not terminate the annexation proceedings, to order annexation without an election if authorized to do so by the local agency formation commission.

(2) The act specifies the contents of required notices of hearings re proposed municipal annexations

This bill would delete, in the case of certain types of annexation proceedings, a

requirement that such notices contain a statement of the right to file a protest thereto.

(3) The act specifies conditions under which a proposed annexation or detachment is to be ordered, voted upon, or the proceedings terminated.

This bill would, notwithstanding such provisions, specify conditions under which proceedings for municipal reorganization involving the detachment of territory from a city would be required to be terminated if a resolution or a written protest thereto is filed by a city from which territory would be detached or otherwise removed pursuant to a proposed municipal reorganization.

(4) The act requires local elections in order to accomplish certain municipal organizational changes.

This bill would revise the specified time limits for submitting ballot analyses and ballot arguments, and would revise the procedure for canvassing ballots in connection with such elections.

(5) The act presently specifies a 3-year time limit, commencing January 1, 1978, within which certain annexation proceedings, ordered without an election, are to be initiated, conducted, and completed.

This bill would provide for the tolling of such 3-year limit for the time during which a local agency is enjoined, in a pending court action, from conducting proceedings pursuant to the act.

(6) The act requires the executive secretary of the local agency formation commission to file a certificate of completion of proceedings with the county recorder.

This bill would also require the executive secretary to file a notice with the Secretary of State briefly describing any completed incorporation, change of organization, or municipal reorganization.

(7) This bill would make numerous technical changes in the act.

(8) This 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

Ch. 340 (AB 2032) Papan. Subdivision maps.

Existing law requires that, after approval of a final or parcel map of a subdivision, the city clerk shall transmit the map to the clerk of the county board of supervisors for transmittal to the county recorder.

This bill would, instead, require the city clerk to transmit such a parcel map directly to the county recorder.

Ch. 341 (AB 3507) Hayden. Insurance: motor clubs.

Existing law specifies requirements which must be met by a motor club in order to be issued a certificate of authority.

This bill would additionally require motor clubs applying for a certificate of authority to demonstrate a net worth, as defined, in excess of $150,000, such requirement to take effect July 1, 1983, with respect to motor clubs currently holding a certificate of authority.

Ch. 342 (AB 3496) Imbrecht. Condemnation: valuation data.

Existing law specifies the required list of data upon which expert opinion is based which must be set forth in a statement of valuation data in a condemnation proceeding:

This bill would add thereto the total area and shape of the subject property.

Ch. 343 (AB 3430) Wray. Structural pest control operators.

Under existing law, the suspension or revocation of a structural pest control operator's license has the same effect on each branch office registration issued under the name of the operator.

This bill would provide that such suspension or revocation may be applied to each branch office.

Ch. 344 (AB 3236) Nestande. Insurance: public entities.

Chapter 503 and Chapter 529 of the Statutes of 1977 both set forth differing requirements with respect to required notice to public entities before cancellation or nonrenewal of a liability insurance policy.

This bill repeals the provisions of Chapter 503 and Chapter 529 and provides for a 45-day notice to such entities before nonrenewal and a 60-day notice before cancellation,

as specified.

Ch. 345 (AB 2657) Papan. Peace officers: rewards for assisting.

Existing law authorizes a city or county to pay a reward of not more than $5,000 for information leading to the arrest and conviction of any person killing, injuring, or assaulting with a dangerous weapon any police officer of the city or county.

This bill would broaden these provisions to permit a local agency, as defined, to pay a reward, in an amount to be determined by the local agency, to any person who comes to the aid of a peace officer of the local agency or furnishes information leading to the arrest and conviction of any person committing the designated offenses against such peace officer

Ch. 346 (AB 2575) McVittie. Temporary restraining orders: notice.

Under existing law, a temporary restraining order generally may not be granted without notice to the opposite party, unless great or irreparable injury would result to the applicant before the matter can be heard on notice.

This bill would require, except in specified cases, as an additional condition for granting a temporary restraining order without notice, that the applicant or the applicant's attorney certify under oath that he gave informal notice as specified, or that he attempted to give informal notice as specified, or that he should not be required to give notice.

Ch. 347 (AB 2496) Hayden. Vehicle verifier permit: deposit.

Pursuant to existing law, every vehicle verifier is required to have a permit issued by the Department of Motor Vehicles. Each application for a vehicle verifier permit must be accompanied by a $5,000 bond, as prescribed.

This bill would allow a vehicle verifier to deposit cash or cash equivalents in lieu of the bond.

Ch. 348 (AB 2387) Berman. Loans.

Existing law provides that no more than 40% of an industrial loan company's outstanding loans and obligations may be in secured or unsecured loans which exceed $10,000 in principal amount.

This bill would provide that upon approval of the Commissioner of Corporations, such a company may increase its loan obligations, whether secured or unsecured, which exceed $10,000 to a percentage in excess of 40%, as specified by the commissioner, up to a maximum of 50% in the aggregate of the company's net outstanding loans and obligations, as defined

Ch. 349 (AB 2362) Young. Insurance.

This bill makes technical and conforming changes in the Insurance Code.

Ch. 350 (AB 2252) Lockyer. Irrigation consultants.

Existing law exempts, until January 1, 1979, those persons who perform irrigation consultation, as defined, from the requirement that they hold certificates as landscape architects.

This bill would extend such exemption indefinitely.

Ch. 351 (AB 2567) Duffy. Skilled nursing and intermediate care facilities: training programs.

(1) Existing law requires a long-term health care facility to adopt an approved training program which meets standards established by the State Department of Health or its successor, the State Department of Health Services. Under existing law, one of the components of the training program is a precertification training program consisting of at least 50 classroom hours of training in designated subject areas, and at least 100 hours of supervised and on-the-job training clinical practice

This bill would make such requirements only applicable to skilled nursing and intermediate care facilities. It would revise the precertification training program requirements to permit the 50 classroom hours of training to be conducted within such a facility or in an educational institution. It would also require that in such a training program credit be given for the training received in an approved precertification training program adopted by another skilled nursing or intermediate care facility.

(2) Existing law requires that a nurse assistant employed by a long-term health care facility be certified by the operator of the approved training program if the nurse assistant satisfies any one of several conditions each of which includes a specific requirement that the nurse assistant pass an examination demonstrating competency approved by the department. Existing law contains no provision relating to how long a certificate issued by the operator is valid.

This bill would make such requirements only applicable to skilled nursing and intermediate care facilities.

It would extend the provisions for certification to all nurse assistants, require that certification be by the department, delete from all but one of the prescribed conditions for certification the specific requirement that the nurse assistant pass an examination demonstrating competency approved by the department, and would, in addition, require that a nurse assistant be certified if the nurse assistant has completed prescribed courses, or a prescribed training program, substantially equivalent to a specified precertification training program, as determined by the department. It would also make the certificate issued by the department to nurse assistants valid for life and specify grounds for revocation.

(3) Existing law prohibits a long-term health care facility, on or after July 1, 1978, from employing a nurse assistant unless such assistant has been certified or is enrolled in a precertification training program as designated.

This bill would extend the date for compliance with such requirement to September 1, 1978, and make such requirement only applicable to skilled nursing and intermediate care facilities. It would also revise such requirement to permit a nurse assistant to enroll in such a program within 3 months of the date of employment and authorize the department to grant extensions, as prescribed. The bill would also specify the time within which such training programs must be completed, but would authorize limited extensions by the department.

(4) Existing law requires the department, through the Medi-Cal program, to provide rate adjustments to long-term health care facilities for the portion of additional costs attributable to the training program requirements. Such rate adjustments, under existing law, are required to provide for an increase in wages for nurse assistants who are certified.

This bill would, instead, make such rate adjustment applicable to skilled nursing or intermediate care facilities. It would, in addition, require a continuing wage differential between certified and uncertified nurse assistants. It would require that on and after September 1, 1978, such rate adjustments not be paid unless such facilities have received approval from the department for an approved training program, as specified. It would require such facilities to file applications for approval of approved training programs, as specified. It would require the department to notify such facilities which have not filed an application for approval of an approved training program, as specified. It would also provide that facilities exempted by regulation of the department, as specified, from such rate adjustment requirements are not affected by such requirements.

(5) This bill would additionally require the department to report to the Legislature on or before July 1, 1980, with respect to the implementation of the program for the certification of nurse assistants.

(6) This bill would repeal the existing provisions relating to such training programs and certification of nurse assistants in long-term health care facilities. It would, as stated above, limit the application of such provisions to skilled nursing and intermediate care facilities and reorganize their location in the Health and Safety Code, as specified.

(7) This bill would make other technical, nonsubstantive amendments

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

Ch. 352 (SB 1457) Holmdahl. Emergency telephone: users tax.

(1) Existing law requires the establishment, by December 31, 1984, of a basic system whereby a 3-digit telephone emergency number through which emergency services can be obtained.

This bill would postpone such requirement until December 31, 1985.

(2) Existing law requires that all pay telephones in the emergency system enable a caller to dial 911 for emergency services by December 31, 1984.

This bill would postpone such requirement until December 31, 1985.

(3) Existing law requires all public agencies to place firm orders to the utility providing telephone service to such agency on or before July 1, 1979, and to make arrangements for the implementation of such system no later than December 31, 1984

This bill would, instead, require the placing of such orders by July 1, 1981, and make arrangements for the implementation of the system no later than December 31, 1985

(4) This bill would require the Legislative Analyst to prepare a report to be presented to the Legislature in April, 1979. The report shall include an evaluation of the cost of final plans; a study and recommendation of disputes arising between local agencies and the state over reimbursement of incremental costs; and an evaluation and recommendation as to the feasibility of adjusting the maximum surcharge rate.

(5) Existing law imposes a surcharge on amounts paid by every person in the state for intrastate telephone communications services to and including November 1, 1978.

This bill would extend the date to November 1, 1979.

(6) Existing law requires the Department of General Services to pay claims submitted by local agencies for approved incremental costs.

This bill would require the Department of General Services to pay, in addition to approved incremental costs, the cost of preparation of final plans submitted by local agencies to the communications division on or before October 1, 1978

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

Ch. 353 (SB 1571) Sieroty. Property tax administration.

Existing law mandates certain duties to be performed by each county assessor by a specified date, with regard to the taxation of property

This bill would extend the date by which such duties relating to the assessment roll for the 1978–79 fiscal year only must be performed, and would make nonmandatory certain duties of any assessor of a county of more than four million population which are not directly related to the preparation of the assessment roll, for such fiscal year.

Under existing law, applications for reductions in assessments are required to be filed within specified time periods in various counties.

This bill would extend such time periods for the 1978–79 fiscal year only, and would also make the time periods uniform for all counties.

Under existing law, no amount of overpayment of property taxes may be refunded except on a claim verified by the person who paid the tax, his guardian, executor or administrator, which is filed within a specified period.

This bill would authorize assessors to make corrections to the 1978–79 roll during such fiscal year without a prior hearing or approval by the board of supervisors and would authorize the refund of overpayments of taxes resulting from corrections to the 1978–79 fiscal year roll whether or not a claim has been filed for such refund.

Under existing law, local agencies are required to perform certain duties for the assessment and taxation of property by dates specified by statute.

This bill would revise the dates by which certain duties must be performed by local agencies, for the 1978–79 fiscal year only.

This bill would take effect immediately as an urgency statute.

Ch. 354 (AB 2553) Fazio. Vehicle license fee revenues.

Existing Motor Vehicle License Fee Law provides for the distribution of revenues from fees on trailer coaches according to the amount collected on trailer coaches having a situs in each county

This bill would require the monthly allocation and distribution to counties of those amounts of fees.

Under existing Motor Vehicle License Fee Law, at least 90% of the balance of fees in the Transportation Tax Fund at the end of the calendar month shall be allocated to cities and counties.

This bill would require the monthly allocation of 100% of such balance.

Ch. 355 (SB 2088) P. Carpenter Community colleges. health fees.

Under existing law, the governing board of a community college district may require community college students to pay a fee of not more than $10 for the regular school year for health supervision and services, including direct or indirect medical and hospitalization services, or the operation of a student health center or centers, or both All fees

collected are deposited in the general fund of the district and are required to be expended only for the purposes for which the fees were collected.

This bill would require instead that community college health fees are to be deposited in a special community college health fee fund.

This bill would specify that authorized expenditures of the health fees do not include certain expenditures for the support of community college athletic programs or any other expense that is not available to all students.

This bill would take effect immediately as an urgency statute

Ch. 356 (SB 1733) Presley. Environmental Quality Act: exemptions.

Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment. Specified projects are exempt from such requirement.

This bill would provide that a public agency's establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges need not comply with the provisions of the California Environmental Quality Act if such rates, tolls, or other charges are to meet operating expenses, to purchase or lease supplies and materials, to meet financial reserve needs and requirements, to obtain funds for capital projects necessary to maintain service within existing service areas, or to obtain funds necessary to maintain such intra-city transfers as are authorized by city charter.

The bill would provide that specified actions taken prior to August 31, 1979, by a public agency to implement the transition from the property taxation system in effect prior to June 1, 1978, to the system provided for by Article XIII A of the California Constitution need not comply with the provisions of the California Environmental Quality Act.

The bill would also make findings and declare legislative intent in connection therewith.

The bill would take effect immediately as an urgency statute.

Ch. 357 (AB 283) Vincent Thomas. Zoning: compatibility of charter city zoning with general plan.

Existing law provides that zoning ordinances of a city or county shall be consistent, as defined, with the general plan of the city or county, and that any resident or property owner may bring an action in the superior court to enforce such compliance within 90 days of the enactment of a new zoning ordinance or the amendment of an existing zoning ordinance.

In addition, existing law provides that in the event that a zoning ordinance becomes inconsistent with a general plan by reason of the plan's amendment, the zoning ordinance shall be amended within a reasonable time to be consistent with the amended general plan.

This bill would specify that the above provisions of existing law apply in charter cities of 2,000,000 or more population to a zoning ordinance adopted prior to January 1, 1979, which zoning ordinance would be required to be consistent with the general plan of such city by January 1, 1981.

This bill would provide that there are no state-mandated local costs in the bill that require reimbursement pursuant to Section ~~2231~~ [2231]* of the Revenue and Taxation Code for a specified reason.

Ch. 358 (AB 2050) Dannemeyer. Schools: driver training.

School districts are presently authorized to contract with private driving schools to provide driver training to students of the public schools

The maximum amount per pupil which may be paid to the private driving school offering such training is limited by statute to the "excess cost," as defined, reimbursed to the school by the state.

This bill would increase the maximum contractual amount to 150% of the district's reimbursable "excess cost." This bill would also increase the amount which could be paid to a private driving school on behalf of a student who did not complete a driver training course.

Ch. 359 (AB 2190) Boatwright.

Makes appropriations for support of state government for the 1978–79 fiscal year. To take effect immediately, urgency statute.

Ch. 360 (AB 1752) Rosenthal. Human experimentation.

No existing law regulates all medical experimentation in this state on human beings. However, detailed requirements exist with respect to obtaining written informed consent to the use of experimental drugs and with respect to regulating and controlling the behavioral and biomedical research conducted on any prisoner in this state.

This bill would prohibit any person from being subjected to any medical experiment, as defined, until the person or, in some cases, a legal guardian or conservator, or other representative, as specified, has given fully informed consent. The bill would require with certain exceptions that any person conducting any medical experiment to make specified disclosures in writing to any human subject or, in some cases, a legal guardian or conservator, or other representative, as specified, prior to using that human subject in the experiment. It would prescribe that informed consent given by a person other than the human subject be only for medical experiments related to maintaining or improving the health of such subject or related to obtaining information about a pathological condition of the human subject

This bill would make any person primarily responsible for the conduct of a medical experiment and who willfully fails to obtain the subject's informed consent and thereby exposes such a subject to harm, as specified, guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one year, or a fine not to exceed $10,000, or both. It would provide the same sanction to an employee or representative of a pharmaceutical company who has knowledge of the risks or hazards with respect to a medical experiment and who willfully withholds such information from the person contracting for the conduct of the medical experiment, thereby exposing the subject to harm, as specified. It would prescribe civil damages, as specified, for any person primarily responsible for the conduct of a medical experiment who negligently or willfully allows such experiment to be conducted without such subject's informed consent. It would make any waiver, as specified, of the rights provided by the bill void.

This bill would provide that its provisions shall not supersede, but shall be in addition to, the provisions relating to the obtaining of written informed consent to the use of experimental drugs and biomedical and behavioral research conducted in prisons in the state

This bill would prescribe that its provisions shall not apply to an adult person in a terminal condition who executes a directive directing the withholding or withdrawal of life-sustaining procedures, as specified, and would prescribe that, to the extent of any conflict, the provisions of the Natural Death Act shall prevail over the provisions enacted by the bill.

It would also provide that a person conducting a medical experiment as an investigator within an institution which holds an assurance with the Department of Health, Education and Welfare, as specified, and who obtains informed consent in the method and manner required by certain federal regulations is exempt from the requirements which would be prescribed by the bill, as specified. It would exempt a pharmacist dispensing drugs upon a prescription from the provisions of the bill.

The bill would provide that there would be no appropriation for allocation and disbursement to local agencies to reimburse them for costs incurred by them under the bill.

Ch. 361 (AB 2381) Thurman. County clerks.

Existing law provides that in counties of specified populations the clerk of the board of supervisors may be appointed by the board of supervisors in the same manner as other county officers are appointed, rather than the county clerk being ex officio the clerk of the board.

This bill would permit the board of supervisors of any county to provide by ordinance that the clerk of the board may be appointed by the board in the same manner as other county officers are appointed

It would also make other technical, nonsubstantive amendments.

Ch. 362 (SB 1917) Alquist. School buildings: geological and soil studies.

Existing law requires geological and soil engineering studies to be made by school and community college districts for, among other things, the reconstruction or alteration of or addition to any school building, as specified, in any special studies zone for work which alters structural elements if the estimated cost exceeds $10,000.

This bill would require these studies to be conducted if the estimated cost exceeds $20,000.

Ch. 363 (SB 1610) Stull. County water authority powers.

(1) Existing law provides for county water authorities as separate public entities with designated powers.

This bill would authorize the authority to acquire, store, treat, reclaim, reuse, distribute, and sell sewage, waste, and sea waters for beneficial uses and purposes, subject to specified conditions.

(2) Existing law prohibits the authority from acquiring water and water rights within the county in which the authority is organized or located.

This bill would delete such restriction.

(3) Existing law authorizes the authority to provide, sell, and deliver water at wholesale for municipal, domestic and other beneficial uses and purposes.

This bill would instead authorize the authority to provide, sell, and deliver water for beneficial uses and purposes.

(4) Existing law authorizes the authority to sell surplus water not needed by the public agencies within the authority, subject to the paramount right of the authority to discontinue such sale upon one year's written notice to the purchaser, when determined by a two-thirds vote of the board of directors of the authority that such water is needed or required by any public agency, the corporate area of which is included within the authority, for domestic, municipal, or other beneficial uses therein.

This bill would instead authorize the authority to sell water not needed by public agencies within the authority to areas outside the boundaries of the authority, subject to the paramount right of the authority to discontinue such sale whenever it shall so determine by resolution adopted by the board of directors.

(5) The bill would make related changes

Ch. 364 (AB 2336) Levine. Improvement acts of 1911 and 1913: bonds.

(1) Under the Improvement Act of 1911, unpaid assessments of less than $50 are required to be collected on the tax roll or as a cash assessment.

This bill would require unpaid assessments of less than $150 to be so collected.

(2) Under the Municipal Improvement Act of 1913, in cases where bonds are to be issued pursuant to the Improvement Act of 1911, assessments under $50 not paid within 30 days of recordation are delinquent and bear a penalty interest rate of 1% per month from the date of the bonds.

The bill would increase that amount to $150.

(3) The bill would make other related changes.

Ch. 365 (AB 1617) Fazio. Harbors and navigation.

(1) Existing law creates the Department of Navigation and Ocean Development in the Resources Agency and the Navigation and Ocean Development Commission in the department, and specifies their powers and duties.

This bill would change the name of the department to the Department of Boating and Waterways, and the name of the commission to the Boating and Waterways Commission, and would make related changes.

(2) Existing law 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, including a boating trails element.

This bill would require the Director of Boating and Waterways to cause to be prepared, and continuously maintained, in accordance with the provisions of the California Recreational Trails Act, a comprehensive plan for the development and operation of a statewide system of recreational boating trails, and specifies that such plan shall be the boating trails element of the California Recreational Trails System Plan. The bill would make legislative findings in such connection, and would make related changes.

The bill would also vest specified administrative powers in the Department of Boating and Waterways.

Ch. 366 (AB 2601) Antonovich. Elections: Republican State Central Committee.

Existing law prescribes the membership of the Republican State Central Committee.

This bill would add to the membership of such committee certain officers of statewide, volunteer organizations chartered by the state central committee or by the Republican National Committee and approved by the executive committee of the state central committee.

Ch. 367 (SB 2204) Gregorio. Estero Municipal Improvement District.

Existing law, applicable to the Estero Municipal Improvement District, permits tax anticipation borrowing by the district, repayable by December 31st of the fiscal year in which funds were borrowed.

This bill would permit the district to obtain such loans for terms of up to 2 fiscal years if it finds that the amount available for the redemption of district bonds is less than 75% of the amount needed to service outstanding bonds.

The bill would take effect immediately as an urgency statute.

Ch. 368 (SB 2208) Gregorio. Estero Municipal Improvement District.

Existing law, applicable to the Estero Municipal Improvement District, permits the district to adopt the alternative tax procedure of the County Water District Law for the levy and collection of property taxes for the district. The applicable water district law imposes penalties of 5% on the first and second installment of taxes which become delinquent, and adds to the cost of redeeming tax sold property 1% per month on the taxes, penalties, and costs from the date of sale until redemption.

This bill would increase from 5% to 6% the penalty on the first and second installment of taxes which become delinquent.

The bill would take effect immediately as an urgency statute.

Ch. 369 (SB 2180) Johnson. State boundaries.

Existing law provides that the legal eastern boundary line of the state is that line run and marked by the Surveyor General of the state in accordance with Chapter 402 of the Statutes of 1863.

This bill would provide that the legal eastern boundary line shall be that line run and marked by the United States Government under the Act of June 10, 1872, 17 Stat. 358 (1872).

This bill would take effect immediately as an urgency statute.

Ch. 370 (AB 2510) Knox. Corporations.

Under existing law the General Corporation Law enacted in 1975 will become applicable to state-chartered banks on January 1, 1979.

This bill would make conforming changes in the General Corporation Law.

Existing law permits shareholders of a close corporation to enter into an agreement with respect to the management of the corporation.

This bill would provide that no such agreement may alter or waive any of the provisions relating to notices of restrictions which must appear on certificates of shares.

Existing law requires the board of directors of a corporation to state by resolution its determination of the fair value to the corporation in monetary terms of any consideration other than money for which shares are issued.

This bill would specify that this provision does not affect the accounting treatment of any transaction, which shall conform to generally accepted accounting principles.

Existing law provides that in specified instances a corporation, or its transfer agent or registrar is not liable for transferring shares or causing them to be transferred on the books of the corporation.

This bill would provide that the corporation or its transfer agent or registrar is not liable for transferring shares pursuant to a judgment or order of a court which has been set aside prior to the transfer, unless written notice is served on the corporation.

Existing law provides for the amendment of the articles of incorporation prior to the issuance of any shares and for the filing of a certificate of amendment setting forth specified information.

This bill would provide that in the case of amendments adopted by the incorporators, the certificate shall also state that directors were not named in the original articles and have not been elected.

Existing law provides that any change in the rights, preferences, privileges, or restric-

tions of or on outstanding shares are exempted from the necessity of qualifying under the Corporate Securities Law unless the changes materially and adversely affect any class of shareholders.

This bill would provide that the changes effected solely as the result of the creation or voluntary or involuntary termination of the close corporation status of a corporation do not materially and adversely affect any class of shareholders for the purposes of the foregoing, as specified.

Existing law requires notices of shareholder meetings to be sent by first-class mail.

This bill would permit such notices to be sent by third-class mail in the case of a corporation with outstanding shares held of record by 500 or more persons.

This bill would also make various technical amendments in the General Corporation Law.

Ch. 371 (SB 2113) Dills. State employer-employee relations.

Existing law provides that employees of the Legislative Counsel Bureau and the Public Employment Relations Board are covered by the State Employer-Employee Relations Act (SEERA) for purposes of employer-employee relations with the state.

This bill would remove employees of the bureau and the board from coverage under the SEERA, and would instead provide that employees of the bureau and the board are covered by other specified provisions governing employer-employee relations between the state and any person employed by the state, except those elected, appointed by the Governor, or subject to SEERA.

This bill would take effect immediately as an urgency statute.

Ch. 372 (SB 1888) Song. Trial evidence.

Under existing law, in a civil, nonjury trial, after a party has completed presenting evidence, the other party may move for judgment. Existing law provides that the court shall weigh all evidence and may, or may not, render a judgment for the moving party.

This bill would provide that before such judgment is entered, the party who presented evidence must have had a chance to rebut any evidence for the moving party that was received during the presentation of evidence or to rehabilitate the testimony of a witness, as specified.

Ch. 373 (AB 2325) Stirling. Undertakings.

Existing law provides that a court may not issue a temporary restraining order or a writ of possession until the plaintiff has filed with the court a written undertaking. Such undertaking is required to be in an amount not less than twice the value of the property as determined by the court.

This bill would provide that if the plaintiff seeks possession of a mobilehome with a purchase price over $15,000, under a security agreement or conditional sales contract where the defendant has defaulted, the amount of the undertaking shall be twice the value of the defendant's interest in the mobilehome, as determined by the court.

Existing law provides that a plaintiff may be granted a writ of possession of the property under specified circumstances. Existing law also provides that the defendant may prevent the plaintiff from taking possession of property pursuant to such a writ if the defendant files with the court a written undertaking in a specified amount.

This bill would provide if the property, possession of which is sought, is a mobilehome with a purchase price over $15,000, the amount of the undertaking shall be equal to twice the value of defendant's interest therein. This requirement of an undertaking could be waived in cases of indigency.

Ch. 374 (SB 1522) Holmdahl. Marriage.

Existing law authorizes persons under the age of 18 to marry upon the consent in writing of one or both of the parents of each person who is underage or of his or her guardian and the issuance of a court order granting permission to marry.

This bill would make a technical, clarifying change with respect thereto.

Ch. 375 (SB 1523) Holmdahl. Property taxation: assessment.

Under existing law when any tract of land is situated in two or more revenue districts, the part in each district must be separately assessed.

This bill would provide that where two or more contiguous parcels in the same tract

are owned by the same individual, any parcel which is less than $400 in full value may be combined with the contiguous parcel with the greatest assessed value.

Ch 376 (SB 1454) Rains Superior courts: executive officers.

Existing law provides that an executive or administrative officer of a superior court has the authority of a clerk of the superior court, and that the superior court may, by local rule, impose upon such officer the performance of specified duties presently performed by the county clerk

This bill would permit any superior court to appoint the county clerk as executive officer, who shall hold office at the pleasure of the court and exercise such administrative and other duties as required by the court.

Ch. 377 (SB 1586) Marks. Asbestos.

Existing law prohibits any person, on and after July 1, 1975, from spraying any substance containing more than ½ of 1% asbestos in or upon a building or other structure during its construction, alteration, or repair and, on or after July 1, 1976, prohibits such spraying of any substance containing any amount of asbestos. Excepted from such prohibition are cold process cutback asphalt roof coatings and, until July 1, 1978, portland cement plaster containing less than ½ of 1% asbestos and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application.

This bill would require the State Department of Health Services to adopt regulations prohibiting or regulating use of asbestos notwithstanding such existing law, if the state department finds that such use is dangerous to the public health.

The bill would require the state department to enforce such regulations, and would authorize the state department to commence and maintain all proper actions to enjoin and abate violations of such regulations or to compel performance of any act specifically required of any person, officer, or board by such regulations to protect and preserve the public health.

This bill would become operative on July 1, 1979.

Ch. 378 (AB 3080) Lockyer. Public records: exemptions from disclosure.

Existing provisions of the California Public Records Act exempt from the disclosure requirements of the act, subject to certain conditions, the contents of real estate appraisals made for or by a state or local agency relative to the acquisition of property.

This bill would provide that with respect to provisions of the law relating to relocation assistance pursuant to which a public entity may acquire real property, when the property involved is owner occupied residential property and contains no more than 4 residential units, the homeowner shall, upon request, be allowed to review a copy of the appraisal upon which the offer to acquire the property is based.

Ch. 379 (SB 1659) Dills. Personal property brokers· maximum charges.

Under existing law lenders licensed under the Personal Property Brokers Law are authorized to receive charges at prescribed rates based on the amount of the unpaid principal balance. Such schedule of rates will remain in effect only until January 1, 1979.

This bill would extend the operative date of such schedule of rates until January 1, 1981.

Ch. 380 (SB 2052) Song. Codes. maintenance.

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes and legislation necessary to codify such statutes as are enacted from time to time subsequent to the enactment of the codes.

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 1978, and would not make any substantive change in the law.

Ch. 381 (AB 3552) Craven. County service area: assessments.

Under existing law when a county service area is formed to provide specified services, taxes and assessments may not be levied for such purposes in the service area unless, on or before January 1 of the year in which the taxes and assessments are to be levied, a statement of the boundaries of the service area and a map of the boundaries are filed

with the local assessor and the State Board of Equalization.

This bill would provide that a county service area formed to provide recreation services, the formation of which was completed by January 12, 1978, is effective for assessment and taxation purposes during the 1978–79 fiscal year if the required statements and map or plat were filed on or before January 18, 1978.

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

The bill would take effect immediately as an urgency statute.

Ch. 382 (AB 3800) Chimbole. Baker Community Services District.

Existing law prescribes the powers of a community services district for the purposes designated in the petition for formation or thereafter approved by the voters in a special election.

Existing law does not authorize a community services district to provide television translators or emergency health care facilities and services.

This bill would authorize the Baker Community Services District, located in San Bernardino County, to construct, improve, maintain, and operate television translator facilities and to provide, maintain, operate, and contract for emergency medical health care facilities and services if the board of directors of such district determines by resolution that it is feasible, economically sound, and in the public interest for that district to exercise such power for such purposes and adopts such purposes, as specified.

Such district would not be authorized to erect more than 6 television translators nor provide more than 6 television channels and, in providing emergency medical health care facilities and services, such district would be authorized to exercise the powers, functions, and duties of a local hospital district, as specified.

The bill would permit the board to divest such district of such power in the same manner as it is acquired. It would also make certain findings and declarations with respect to the district's special need for such powers.

The bill would take effect immediately as an urgency statute

Ch 383 (SB 1918) Beverly. Discovery.

No provision of existing law permits a party seeking deposition discovery to name a corporation, partnership, association, or governmental agency as the deponent, together with the matters on which examination is requested, and requires an organization so named to designate the persons to testify on its behalf.

This bill would do so.

Ch. 384 (SB 688) Russell. Judges' Retirement Law: administration.

The Judges' Retirement Law is presently administered by the State Controller and investments of the Judges' Retirement Fund are presently limited to state and federal securities.

This bill would instead require the Judges' Retirement Law to be administered by the Board of Administration of the Public Employees' Retirement System and would permit the Judges' Retirement Fund to be invested in the same manner as the Public Employees' Retirement Fund.

The Department of Finance would be required to make the necessary budgetary adjustments to reflect the provisions of the act.

The Legislative Analyst would be required to investigate and study the efficiency of administration of the Judges' Retirement Law by the board and the rate of return on investments of Judges' Retirement Fund funds by the board, and to report thereon to the Senate Public Employment and Retirement and Finance Committees and the Assembly Public Employees and Retirement and Ways and Means Committees on or before March 1, 1983.

The bill would become operative July 1, 1979.

Ch. 385 (SB 130) Deukmejian. Mandatory retirement: public systems.

Existing state and local laws, including the Public Employees' Retirement Law and the County Employees Retirement Law of 1937, in some cases require public employees to retire or terminate employment prior to age 70, but Chapter 852 of the Statutes of

1977 which became effective September 16, 1977, provides that members of specified public retirement systems, other than patrol, state safety, or local safety members, may continue in employment past a mandatory retirement age upon certification of competence.

Under the "Age Discrimination in Employment Act Amendments of 1978" (P.L. 95-256), effective January 1, 1979, the Federal Age Discrimination in Employment Act of 1967 will prohibit discrimination because of age with respect to individuals who are at least 40 years of age but less than 70 years of age. This bill would declare that mandatory retirement of public employees prior to attainment of age 70 is contrary to public policy and would prohibit any public pension and retirement plan from requiring any member to retire prior to age 70. The provisions would not be applicable to persons engaged in active law enforcement or who are firemen. The bill would revise or delete provisions of the Public Employees' Retirement Law and the County Employees Retirement Law of 1937 to reflect such changes.

The bill would delete the requirement for local miscellaneous members and state members, other than patrol or safety members that a member not be within 6 months of a compulsory retirement age when applying for reinstatement under provisions of the Public Employees' Retirement Law.

This bill would provide that there will be no reimbursement to local agencies for costs mandated by the bill because of a specified reason.

This bill would take effect immediately as an urgency statute. Except for the provisions with respect to reinstatement and mandated costs, the bill would become operative January 1, 1979.

Ch. 386 (SB 1451) Nejedly. Commercial fishing: nets.

Existing law allows trawl nets to be used only in Districts 2, 12, and 13 to take shrimp and staghorn sculpin, and allows Chinese shrimp nets to be used only in District 13.

This bill would allow trawl nets and Chinese shrimp nets to be used in marine and brackish waters inside of the Golden Gate Bridge to take shrimp, staghorn sculpin, oriental gobies and longjaw mudsuckers in accordance with regulations prescribed by the Fish and Game Commission.

Ch. 387 (SB 1698) Smith. Charter city elections.

Currently, if members of the governing body of a chartered city are nominated or elected by or from districts, such districts are required to be of equal population according to the latest federal decennial census

This bill would, instead, require that such districts, upon the initial establishment thereof, be as nearly equal in population as may be according to the latest federal decennial census or, if the city's charter so provides, according to the federal mid-decade census or the official census of the city. It would also require that such districts, thereafter, continue to be as nearly equal in population as may be according to the latest federal decennial census or, if authorized by the city's charter, according to the last federal mid-decade census.

This bill would take effect immediately as an urgency statute.

Ch. 388 (SB 1619) Johnson. Public pension and retirement funds: annual reports

Existing law requires every state and local public retirement system to annually submit audited financial statements, the contents of which are prescribed, to the State Controller and to triennially secure the services of an enrolled actuary to perform a valuation of the system, and requires the State Controller to compile and publish an annual report on the condition of each such retirement system. It provides penalties for the failure to submit the required audited financial statements to the State Controller within 6 months of the close of each fiscal year.

This bill would revise the statement of purposes of these provisions to declare that the provisions for periodic and independent analysis of the financial condition of each such retirement system are intended to enable the State Controller to gather information to compare and evaluate the financial condition of such systems and to make comparisons and evaluations. It would also direct the State Controller as part of his review of the triennial valuation of a retirement system to give particular consideration to the rate of

return on total assets, rather than on investments. It would require that the annual report prepared by state and local public retirement systems be prepared in accordance with generally accepted accounting principles (rather than prescribing the contents of such report) and that the enrolled actuary used by the retirement systems for the triennial valuation have demonstrated experience in public retirement systems. It would also permit the State Controller to delay the filing date for reports due in the first year and to waive the penalty for late filing of a financial statement upon good cause.

This bill would take effect immediately as an urgency statute.

Ch 389 (SB 1572) Alquist. State highways: rental funds.

(1) Under existing law, with a specified exception, 24% of the rents received from the rental of state highway properties are required to be deposited in the Highway Properties Rental Account in the Transportation Tax Fund for allocation to the counties in which such properties are located.

The bill would abolish the Highway Properties Rental Account and would require all the rents, with the existing specified exception, be deposited in the State Highway Account in the State Transportation Fund. The bill would continue to allocate to the counties 24% of the rents received from the rental of state highway properties.

(2) Under existing law, the amount of rent allocated to a county is reallocated to each of the various entities imposing a property tax or assessment on the leased state highway property in a proportion equal to the ratio of the tax or assessment levied by the entity to the total of the tax and assessment levied on the property.

This bill would authorize the board of supervisors to determine the allocation of the rent received by the county to such various entities, except that ⅓ of the allocation for a rental property would have to be allocated to the city in which the rental property is located.

(3) Under existing law, the entity receiving a portion of the allocation of the rent is required to deposit the allocation in the same fund that any taxes or assessments on similar real property similarly situated are deposited.

This bill would delete that provision.

(4) Under existing law, the various entities may use their allocations for any state purposes not prohibited by the California Constitution.

The bill would authorize such allocations to be used only for streets and highway purposes, for exclusive public mass transit guideway research and planning, and, with the approval of the voters, for the construction and specified maintenance of such guideways.

(5) The bill would make other related changes.

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

Ch. 390 (SB 1577) Robbins. Debt collection.

Existing law requires communications in the case of a medical debt for the purpose of discovering the existence of medical insurance to be in writing, as specified.

This bill would exempt such communications as applied to health care providers and their agents from such requirement

This bill would take effect immediately as an urgency statute.

Ch. 391 (AB 3665) Berman. Court psychologists.

Existing law provides for the expert testimony of court-appointed psychiatrists with regard to pleas of not guilty by reason of insanity; for the signature of notices of certification for involuntary treatment by a physician, if possible a board-qualified psychiatrist; and for testimony by two certified physicians regarding the inability of the parents of a child to support or control such child because of mental illness or mental deficiency in a hearing to declare the child free from parental custody and control.

This bill would authorize testimony by specified psychologists in such circumstances, and revise the qualifications for a psychologist to be appointed by the court to determine whether a defendant is a mentally disordered sex offender.

Ch. 392 (SB 1576) Robbins. Collection agencies.

Existing law imposes upon licensed collection agencies a fiduciary duty to the customer the same as that imposed upon a trustee. It also prohibits the collection agency

from using or dealing with the trust property for his own profit.

This bill would permit the trust property to earn normal interest paid by a bank and would require the licensee to pay to the customer the bank interest earned on any funds held by the licensee for more than 30 days which accrues after the 30th day.

Ch. 393 (SB 1223) Foran. Pilotage: San Francisco, San Pablo, and Suisun.

(1) Existing law prescribes pilotage rates for the Bays of San Francisco, San Pablo, and Suisun. Such rates include a charge of 13 mills per high gross registered ton. Pilots are required to pay to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, for its services and expenses, 5% of pilotage fees. The amount of such fees, however, is computed exclusive of certain increases in pilotage rates made by Chapter 814 of the Statutes of 1975 and Chapter 1409 of the Statutes of 1976.

This bill would increase such charge to 14.75 mills per high gross registered ton, but would exclude those amounts received that are attributable to such increase from the percentage of pilotage fees that are required to be paid to the board, and would declare legislative intent in such connection.

(2) Existing law establishes a San Francisco bar pilot pension plan and requires an additional charge to be levied for pilotage services to finance the plan. Each retired or disabled pilot receives, as a monthly pension, that amount which is $40 multiplied by the number of full years of service.

This bill would increase such amount to $45.

Ch 394 (AB 2156) Ellis. Banks

No provision of existing law authorizes the Superintendent of Banks to adopt regulations permitting banks to make loans upon the security of residential property which are not otherwise authorized under existing law.

This bill would authorize the Superintendent of Banks to adopt regulations permitting banks to make such loans, provided the mortgage payment instruments have the prior approval of the superintendent. The bill would require the superintendent to submit an annual report to the Legislature on its effect. These provisions would remain in effect until January 1, 1984, and on such date will be repealed.

Under existing law, the mergers of banks are governed in part by the provisions of the new General Corporation Law (Chapter 682 of the Statutes of 1975) which took effect January 1, 1977.

This bill would make such mergers subject to the General Corporation Law as in effect December 31, 1976.

It would also repeal a provision of existing law authorizing banks to issue preferred stock under designated circumstances.

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

Ch. 395 (AB 2266) Knox Procedure

Existing law provides that an appeal may be taken from a superior court from an interlocutory judgment of dissolution of marriage.

This bill would specify that an appeal may be taken from such a judgment, including the provisions thereof determining the separate, community, or quasi-community character of property, regardless of whether the court has reserved jurisdiction to divide all or a portion of the community or quasi-community property.

It would take effect immediately as an urgency statute.

Ch. 396 (AB 2785) Nestande. Mobilehome parks.

Under existing law, a grantor or lessor may retain a right of reentry, as to a particular lease, rental, or other agreement.

This bill would provide that the ownership or management of a mobilehome park shall have no right of entry to a mobilehome without prior written consent, except as to a right of entry upon the land on which a mobilehome is located for utility maintenance and protection of the mobilehome park at a reasonable time, or entry in emergency situations or when the mobilehome is abandoned.

Ch. 397 (SB 1471) Greene. Unemployment compensation insurance.

Existing unemployment insurance law requires the Director of the Employment Development Department to file statements with the Secretary of State relating to

employer tax schedules, contribution rates, and extension ratios.

This bill would continue the requirement that the director prepare such statements, would specifically provide that such statements are public records, but would delete the requirement that the director file such statements with the Secretary of State.

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 2 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 4 working days, he cannot reasonably be expected to work because there has been a death in his immediate family outside of California.

This bill would delete the reference to California and provide, instead, that such death in the immediate family be in, or outside, as the case may be, of the state in which such unemployed individual resides.

Existing law provides that unemployment compensation benefits, based on service performed in the employ of any "public entity," as defined, with respect to service in any capacity in an educational institution, shall not be payable for any week which commences during an established and customary vacation period or holiday recess under stated conditions.

This bill would provide, instead, that such benefits not be paid during such time under such conditions based on service performed in the employ of any "public entity" with respect to service in an instructional, research, or principal administrative capacity for an educational institution, or with respect to service in any other capacity for an educational institution, other than an institution of higher education. The bill would further specify that such amendment does not constitute a change in, but is declaratory of, the existing law.

Existing law includes as employment, for unemployment compensation purposes, service performed for any public entity, as defined.

This bill would specifically include entities receiving state money to conduct county fairs and agricultural fairs pursuant to specified provisions, and which perform no other functions, as public entities for such purposes. The bill would further specify that such amendment does not constitute a change in, but is declaratory of, the existing law, and would prohibit the cash refund of employer contributions as a result of such amendment.

Existing law defines an individual as being unemployed during any week that such individual engages in less than full-time work if the wages payable with respect to such week are less than the weekly benefit amount such individual would receive. Such individual is eligible to receive as unemployment compensation benefits the difference between the amount of wages in excess of $21 paid for services rendered during that week and his or her weekly benefit amount.

This bill would permit employees, whose employers voluntarily choose to participate in a shared work unemployment compensation benefit program, to receive, for up to 20 weeks, a benefit amount equal to the percentage reduction in the individual's wages resulting from reduced hours or days of work, which reduction must be greater than 10%, multiplied by the individual's weekly benefit amount. Any employer who elects to participate in a shared work unemployment compensation benefit program who has a negative reserve account balance on any June 30th, and whose reserve account has been charged for benefits paid under the shared work program in the prior year, would be required to pay into the Unemployment Fund additional contributions according to a specified rate schedule.

This bill would require the Legislative Analyst to issue a report to the Legislature on the use and operation of the shared work unemployment compensation benefit program no later than March 30, 1979.

Existing unemployment insurance law contains obsolete provisions relating to unemployment compensation benefits for certain military personnel whose military service was terminated on or before September 15, 1961, and to the transfer of moneys from the Unemployment Trust Fund to the Disability Fund

This bill would repeal such obsolete provisions and delete cross references to such provisions contained in other sections

This bill would take effect immediately as an urgency statute.

Ch. 398 (SB 1404) Nejedly. Antioch Bridge: median barrier.

(1) Under existing law, the Department of Transportation is presently constructing a new Antioch Bridge across the San Joaquin River near Antioch. This bill would require the bridge to be constructed with a median barrier.

(2) Under existing law, the new Antioch Bridge is required to have an 8-foot lane for pedestrians and bicycles.

The bill would delete the requirement that the pedestrian and bicycle lane be 8 feet in width.

(3) The bill would make nonsubstantive corrective amendments in reference to the California Transportation Commission and the Department of Transportation, rather than to the California Toll Bridge Authority and the Department of Public Works, respectively.

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

Ch. 399 (AB 2529) Duffy. Cotton pest control.

Existing law requires every cottongrower to pay a fee not exceeding $1 to the Director of Food and Agriculture for each bale of cotton ginned. Existing law also allows members of the Cotton Pest Control Board $28 per diem when attending board meetings, and specifies that specified provisions dealing with cotton pest control shall remain in effect only until 1981.

This bill would require every cottongrower to pay a fee not exceeding $2 to the director for each bale of cotton ginned, and would allow members of the Cotton Pest Control Board per diem as determined by Board of Control rule. The bill would extend the effective date of the cotton pest control provisions until 1985

The bill would also make technical nonsubstantive changes.

The bill would take effect immediately as an urgency statute.

Ch. 400 (AB 3637) Nestande. Savings and loan associations.

Existing law permits a savings and loan association to act as trustee, and receive reasonable compensation for so acting, of certain bonus, pension or profit-sharing plans.

This bill would permit savings and loan associations to act as trustee or custodian of an individual retirement account.

Existing law permits a savings and loan association to make amortized loans upon the security of residential real property for single family use of 80% to 90% of the value of the real property, if, among other things, the loan does not exceed $55,000. Existing law also permits associations to make loans upon such property up to 95% of the value under specified conditions, and if the loan does not exceed $42,000.

This bill would raise the ceilings on 80% to 90% loans to $75,000, and 95% loans to $60,000.

Existing law specifies the purposes for which savings and loan associations may make loans or advances of credit.

This bill would permit associations to make loans on real property used or to be used for commercial farming enterprises.

Existing law provides that an association may make loans for the purpose of financing repairs, alterations, improvements, or equipment, except furnishings on residential real property. Such loan may not exceed $10,000.

This bill would raise the limit on such loans to $15,000

This bill would incorporate additional changes in Section 7184 of the Financial Code proposed by AB 2877 or AB 2225 or both, to be effective only if this bill and AB 2877 or AB 2225 or both are chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 401 (SB 2170) Dunlap. County boards of education: property.

Under existing law, various functions affecting schools within a county are the responsibility of the county board of supervisors. Authority exists for the board of supervisors to transfer responsibility for such functions to the county board of education. If the board of supervisors transfers certain specified functions, the county board of education becomes, by statute, invested with the power to acquire, lease, lease-purchase, hold and convey real property for the purpose of housing the offices and the services of the county superintendent of schools.

This bill would remove the transfer of specified recreational duties and recreational functions as part of the specified functions needed to be transferred by the board of

supervisors in order to invest the county board of education with the power to acquire, lease, lease-purchase, hold and convey real property for the purpose of housing the offices and services of the county superintendent of schools.

Ch. 402 (AB 3635) Lanterman. Special education programs.

(1) Existing law requires that the Superintendent of Public Instruction withhold a specified amount from amounts otherwise required to be apportioned for special education and gifted programs for research, development, and evaluation of such program.

This bill would delete that provision.

(2) Existing law prescribes a method for increasing or decreasing the revenue limit of a school district based upon the district's contribution for the cost of special education provided in private facilities when public facilities are not available.

This bill would repeal that provision on July 1, 1979, and would limit its application to costs incurred during July 1, 1977, to December 31, 1977.

(3) Existing law prescribes an extensive system for providing education for handicapped pupils, including the development and implementation of an individualized education program. Further, various provisions of federal law provide for the education of handicapped children and require that such children be provided with a free and appropriate education. Admission to special education programs is required to be made only on the basis of an individual assessment and allows a parent who disagrees with the assessment to obtain an independent one.

This bill would authorize the State Board of Education to waive any provision of the Education Code, or regulation adopted pursuant thereto, if such action is necessary either to prevent the hindrance of the implementation of the individualized education program or compliance with the federal requirements.

This bill would redesignate specific references to "a responsible local agency" in the Education Code to a "Special Education Services Region" as defined. It would also redesignate specific references to an "admission committee" in the Education Code to an "eligibility and planning team."

This bill would provide that a parent has the right to procure an independent educational assessment at public expense. If a fair hearing panel determines that the recommended educational assessment and decision obtained by the local educational agency is appropriate, the parent would still have the right to an independent educational assessment, but not at public expense.

(4) Current law permits certain private schools to provide educational programs with public funds when an appropriate program is not available in the public schools.

This bill would permit a nonprofit, tax exempt licensed children's institution to be a "private school" within the meaning of the provisions relating to the education of exceptional children in nonpublic schools.

This bill would also specify that pupils so enrolled in nonpublic schools would be included in the computation of state apportionments and revenue limits for the period between January 1, 1978, and June 30, 1978.

(5) Under current law, pupils enrolled in nonpublic schools under a local comprehensive plan for the education of exceptional children are deemed to be enrolled in public schools for all purposes related to making apportionments and allowances from Section A of the State School Fund.

This bill would limit the application of that provision to apportionments made pursuant to a specified chapter

(6) Existing law requires the Commission for Teacher Preparation and Licensing to adopt rules and regulations which prescribe standards for teacher qualifications for each type of special education program.

This bill would prohibit the employment of a person to teach educationally handicapped pupils unless such person holds a valid credential for such service. This bill would also authorize other credential holders to be employed in limited substitute service.

(7) Existing law requires a fair hearing on the issue of whether or not a child should or should not be enrolled in a development center for handicapped pupils, and the parent or guardian disagrees with the decision.

This bill would specify in detail the procedures to be followed in such a case.

(8) Under existing law, the Superintendent of Public Instruction must annually re-

port to the State Board of Education and to the Commission on Special Education in the Department of Education the number of handicapped minors transferred from a state hospital to a regional center or other local agency, who are not currently enrolled in a public or private educational program.

This bill would delete that provision.

(9) Under current law, the Superintendent of Public Instruction is required to prescribe the form and manner of notification of intention to initiate a program for educationally handicapped pupils and before initiating any program for educationally handicapped pupils, the governing board of a school district or county superintendent of schools is required to obtain prior approval of the Superintendent of Public Instruction. In addition, prior approval of the Superintendent of Public Instruction must be received before an allowance or apportionment is to be made for extension of an existing program by a school district or county superintendent of schools which exceeds 120 percent of the enrollment at the end of the sixth school month of the prior year. Admission of minors to specific programs for the educationally handicapped must be made only on the basis of an individual evaluation, as specified.

This bill would delete such provisions.

(10) Existing law requires the State Board of Education to adopt rules and regulations prescribing standards for special education programs for autistic pupils. Such rules and regulations must ensure that no county has more than 4 autistic pupils enrolled in special education classes or programs for autistic pupils per 10,000 average daily attendance.

This bill would delete the requirement that such rules and regulations provide for the number of autistic pupils allowed to be served within each county.

(11) This bill would take effect immediately as an urgency statute and would become operative on July 1, 1978.

Ch. 403 (SB 1669) Dunlap. North Delta Water Agency.

Under existing law, the North Delta Water Agency, located in the Sacramento-San Joaquin Delta, is empowered to negotiate, enter into, execute, amend, administer, perform, and enforce a specified agreement with the United States and the State of California for specified purposes. Existing law requires voter approval before any such contract may be entered into, and provides for the termination of the agency unless such contract is entered into and executed on or before January 1, 1978.

This bill would extend the time for executing such contract to December 31, 1983, and would authorize the agency to enter into interim agreements, as specified, without voter approval, for a term not in excess of 1 year, subject to specified limitations.

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

Ch. 404 (SB 1661) Stull. Improvement districts of municipal water districts: exclusion of territory.

Existing law provides procedures for a municipal water district to exclude territory from an improvement district formed for purposes other than issuance of bonds.

This bill would extend such procedures on exclusion of territory to improvement districts formed for the issuance of bonds. The bill would provide that the excluded territory, at the option of the board, would not be taxed for the payment of principal and interest on any outstanding bonds unless the board resolution to exclude so provides The bill would make the provisions requiring the publication and posting of the board resolution of exclusion of territory inapplicable if the board has received the written consent of all the owners of territory to be excluded

Ch 405 (SB 1609) Stull. Local agency water bonds. election dates.

Existing law requires any local public agency other than a city or county which is a member of, or located within a member agency of, a metropolitan water district which has executed a contract with the state, to hold elections on the issuance of general obligation water bonds on specified dates.

This bill would authorize such a local public agency to also hold elections for general obligation water bonds pursuant to an all-mailed ballot procedure.

Ch 406 (AB 3624) McAlister. Grade separation projects.

Under existing law, if a local agency accepts a reduced allocation of less than 90% of

the amount that it is entitled to for a grade separation project because insufficient funds are available for that project, the California Transportation Commission is required to allocate to that local agency, in the next fiscal year, an additional amount equal to the difference between 90% of the amount the local agency was entitled to and the amount of the reduced allocation.

This bill would require the commission, where the local agency accepts a reduced allocation because of insufficient funds available for the project, to allocate to the local agency, in the next fiscal year, an additional amount equal to the difference between the amount the local agency was entitled to receive and the amount of the reduced allocation.

The bill would take effect immediately as an urgency statute.

Ch. 407 (SB 2153) Campbell. Alcoholic beverages: licenses.

Existing law prohibits an alcoholic beverage off-sale general licensee from holding a beer and wine wholesale license.

This bill would permit any retail off-sale general licensee who holds at least 30 such licenses and who also operates at least 50 wholesale grocery warehouses not licensed under the Alcoholic Beverage Control Act to hold a beer and wine wholesale license in a state with a population not exceeding 700,000, provided that such licensed wholesale operation does not sell or transfer any alcoholic beverages to licensees of this state.

Ch. 408 (SB 2036) Foran. San Francisco Bay Area Rapid Transit District.

Under the San Francisco Bay Area Rapid Transit District Act, the San Francisco Bay Area Rapid Transit District is required, with specified exceptions, to contract with the lowest responsible bidder for the purchase of supplies, equipment, or materials, or the construction of facilities or works, if the expenditures exceed $10,000.

This bill would exempt the district, from the above bidding requirement, in the purchase of any supply, equipment, or material upon a finding by ⅔ of all members of the district board that there is only a single source of procurement therefor and that the purchase is for the sole purpose of duplicating or replacing supply, equipment, or material, as the case may be, in use.

Ch. 409 (SB 1900) Mills. Transportation: public transportation.

(1) Under the Mills-Alquist-Deddeh Act, each transportation planning agency, and the San Diego Metropolitan Transit Development Board and each county transportation commission, is required to annually identify, analyze, and recommend potential productivity improvements which could lower the operation costs of those operators who operate at least 50% of their vehicle service miles within the area under its jurisdiction.

This bill would make corrective, nonsubstantive changes in provisions regarding that requirement.

(2) Under the act, a transportation planning agency, transit development board, or county transportation commission is authorized to allocate funds not exceeding specified percentages for administrative costs and planning.

This bill would require that an agency, board, or commission receive the same percentage of funds for planning in the 1978–79 and 1979–80 fiscal years that it received for the 1977–78 fiscal year.

(3) Under the act, the California Transportation Commission is authorized to grant a waiver for a period not to exceed 2 years, upon specified findings, to any operator in a county with a population of less than 500,000, as determined by the 1970 federal decennial census, from the 50% requirement, the 75% requirement during the 5th year of operation, and the requirement that local financial support be not less than the average for the prior 2 fiscal years.

The bill would authorize the commission to grant such a waiver to an operator in a county with more than 4,500 miles of maintained county roads.

(4) Under the act, an operator may include, in its claim, the claim of a city, county, or transit district for which the operator is providing public transportation services under contract

The bill would authorize the claim to include an amount, but not to exceed 5% of the amount of the contract, to reimburse the city, county, or transit district for its actual cost incurred in administering, reviewing, and monitoring the contract.

(5) Under the act, no funds may be allocated or expended by any operator if there is a reduction in money made available and expended for public transportation systems from all local sources below the average level of funding for the 2 preceding fiscal years.

This bill would make such existing law not operative from July 1, 1978, to June 30, 1980.

(6) Under the act, 75% of the unallocated apportionment, as of June 30, 1975, for the cities, and that portion of San Diego County, under the jurisdiction of the San Diego Metropolitan Transit Development Board was made available to the board for exclusive public mass transit guideway purposes.

The bill would make available to the board, as of June 30, 1978, and each June 30th thereafter, a similar allocation of such unallocated apportionment.

(7) Under the act, in those areas where funds may be allocated for local street and road purposes, funds may be allocated, until July 1, 1980, to counties and cities for payment to specified entities to provide public transportation and transportation services to any group requiring special transportation assistance.

The bill would make a corrective change in a provision in the act related to the date.

(8) Under the act, a county in which there is no countywide transit district is authorized to file a claim to finance the construction of multimodal transportation terminals in the county.

The bill would authorize the claim also to finance the maintenance of such terminals.

(9) Under the act, a city with a population of less than 5,000, and eligible to receive funds for local street and road purposes, may be allocated funds for a transportation purpose in an amount more than 50% of the amount the city requires for that purpose.

The bill would grant a similar allocation eligibility to a county with a population less than 5,000.

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

Ch. 410 (SB 1722) Garamendi. Local transportation commission.

Under existing law, a local transportation commission composed of specified membership is required to be established within each county which is not within the jurisdiction of a statutorily created regional transportation planning agency or a council of governments. The board of supervisors and the city selection committee of the county are each authorized to appoint 3 members to the commission.

This bill would authorize the board of supervisors of a county in which there are no incorporated cities to appoint 5 members to the commission.

The bill would authorize, in a county with only 1 unincorporated city, the city council to make the 3 appointments to the commission that would otherwise be made by the city selection committee.

The bill would authorize each appointing authority to the commission, for each regular member it appoints, to appoint an alternate member to serve in place of the regular member when the regular member is absent or disqualified from participating in a meeting of the commission.

Ch 411 (SB 1705) Sieroty. Eminent domain.

Existing law provides that an eminent domain proceeding is commenced by the filing of a complaint and the service of summons as in civil actions generally.

Existing law also authorizes a property owner to commence an action in inverse condemnation if a public entity that has adopted a resolution of necessity has not commenced an eminent domain proceeding to acquire the property covered by the resolution within 6 months after the date of adoption of the resolution.

This bill would also permit an inverse condemnation action to be commenced by a property owner if a public entity, having commenced an eminent domain proceeding, has not diligently attempted to serve the complaint and the summons relating to such proceeding, within 6 months after the commencement of the proceeding.

Ch. 412 (SB 1494) Zenovich. Dentistry.

Existing law provides that physicians and podiatrists are not liable for damages for injury or death caused in an emergency situation occurring in the physician's or podiatrist's office or in a hospital on account of a failure to inform a patient of the possible consequences of a medical procedure where the failure to inform was caused by the unconsciousness of the patient, or where full information could not be given because of

the need for immediate treatment, or because the patient was legally incapable of giving consent and consent could not be otherwise obtained immediately.

Such limit on liability is only applicable to actions for damages for injuries or death caused by a physician's or podiatrist's failure to inform, and not to actions for such damages caused by a physician's or podiatrist's negligence in rendering or failing to render treatment.

This bill would extend such immunity to dentists.

Ch. 413 (AB 2225) Young. Loans: energy devices.

Existing law specifies the purposes for which banks and savings and loan associations may make loans and advances of credit.

This bill would permit banks and savings and loan associations to make amortized loans upon the security of residential real property to finance the purchase and installation of material or equipment designed to promote energy conservation upon the terms specified in this bill.

This bill would incorporate additional changes in Section 7184 of the Financial Code, proposed by AB 2877 or AB 3637, or both, to be effective only if AB 2877 or AB 3637, or both, and this bill are chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 414 (AB 2736) Chel. Public works.

Existing law contains no provision requiring contractors and subcontractors who enter into a public works contract, as defined, or a subcontract to supply goods, services, or materials pursuant to a public works contract, to assign to the awarding body all rights, title, and interest in and all causes of action it may have pursuant to specified provisions of federal and state law relating to antitrust actions arising from purchases of goods, services, or materials pursuant to such contract or subcontract.

This bill would enact such provisions.

Ch. 415 (SB 2149) Petris. Alameda-Contra Costa Transit District.

(1) Existing law provides that the provisions of the Elections Code for independent nominations shall substantially govern nomination of candidates for the office of director of the Alameda-Contra Costa Transit District, and specifies the number of days prior to the election when verification deputies may obtain the required signatures on the nomination paper of a candidate, when the nomination papers shall be filed with the secretary of the district, when the candidate's affidavit shall be filed, and when the secretary shall certify the names of the candidates to be placed upon the ballot.

This bill would revise these provisions to specify in addition when the secretary shall issue nomination papers, and would increase the number of days prior to the election the various procedures in the nominating process are required to take place.

(2) Under existing law, the Alameda-Contra Costa Transit District may invest its surplus money in its own bonds, securities secured by the full faith and credit of the United States, obligations issued under the Federal Home Loan Bank Act or the National Housing Act, and treasury notes or bonds of the state or any political subdivision which are legal as security for the deposit of public funds

This bill would also allow the district to invest its funds in any investment or deposit in which a city, county, or local public agency may place its funds pursuant to law.

This bill would take effect immediately as an urgency statute.

Ch. 416 (SB 2082) Cusanovich Highways: freeway agreements: abandoned streets and highways.

Under existing law, the Department of Transportation is authorized to enter into an agreement with a city council or a board of supervisors to permanently close a city street or county highway, as the case may be, under its jurisdiction for a state freeway.

This bill would authorize the city council or board of supervisors, by ordinance or resolution, to record a notice of specified content, in the office of the county recorder of the county where the street or highway is located, regarding the portion of the street or highway abandoned or vacated

The bill would provide that the notice or its recordation would not affect any private property right which may exist in the area described in the notice.

Ch. 417 (SB 1993) Alquist. Santa Clara Valley Water District.

Under existing law the Santa Clara Valley Water District is a flood control and water district created by special act and consisting of all the territory of Santa Clara County.

This bill would authorize the district to acquire, construct, maintain, operate and install, lease, and control facilities for the generation, transmission, distribution, sale, exchange, and lease of electric power.

Ch. 418 (SB 1953) Cusanovich. Municipal water district powers.

Existing law permits municipal water districts to acquire, control, distribute, store, spread, sink, treat, purify, reclaim, recapture, and salvage water, and to sell water under its control, without preference, to cities, other public corporations and agencies, and persons within the district for use within the district.

Existing law also authorizes such districts to acquire, construct, and operate facilities for the collection, treatment, and disposal of sewage.

This bill would expressly define the term "water" for such purposes to include potable water and nonpotable water. The bill would also define "disposal of sewage" to include the sale or resale of treated effluent for any purpose and would declare that such definition is declaratory of and does not constitute a change in existing law.

Ch. 419 (AB 1196) Bates. San Francisco Bay Area Rapid Transit District.

Under the San Francisco Bay Area Rapid Transit District Act, the Board of Directors of the San Francisco Bay Area Rapid Transit District is required, after each federal decennial census, to adjust the boundaries of the election districts of the transit district so that the election districts are as nearly equal in population as possible, taking into consideration the community of interest; the cohesiveness, contiguity, integrity, and compactness of territory; topography; and geography of the election district. If the transit district annexes territory between federal decennial censuses, the board is also required to adjust the boundaries of the election districts so that they are as nearly equal in population as possible.

This bill would require that the board, in both instances, adjust the boundaries of the election districts so that they are as nearly equal in population as practicable, taking into consideration the above factors.

Ch. 420 (AB 2103) Chappie. Alcoholic beverages.

Existing law makes it unlawful for any holder of an on- or off-sale alcoholic beverage license to sell, give or deliver any alcoholic beverage to any person between the hours of 2 a.m. and 6 a.m.

This bill would, in addition, make it unlawful for any person to knowingly purchase any alcoholic beverage between such hours

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill.

Ch. 421 (AB 2147) Ryan. Motor vehicles: safety requirements.

(1) Existing law defines a bicycle as a device propelled by human power, having two or three wheels in a tandem or tricycle arrangement.

This bill would delete the provision requiring that the wheels of a bicycle be in a tandem or tricycle arrangement and provide that a bicycle may have two or more wheels.

Currently, cities or counties are authorized to register bicycles of a specified size having two or three wheels. This bill would authorize the registration of bicycles having four or more wheels regardless of frame size.

(2) Currently, motorized bicycles are subject to code provisions governing the registration and licensing of bicycles generally. In addition, under present law, a motorized bicycle is required to comply with the Federal Motor Vehicle Safety Act of 1966 (15 U.S.C., Sec. 1381 et seq.).

This bill would specify some of the equipment required by the federal act. In addition, a motorized bicycle would be required to be equipped with a mirror, horn, and adequate muffler.

The bill would make it unlawful for the driver of a motorized bicycle to carry a passenger except on a seat, securely fastened to the machine at the rear of the driver, and provided with footrests. The bill would require use of such footrests when the vehicle is in motion.

(3) The bill would make it unlawful for any person to operate upon a highway a vehicle which was originally manufactured as a motorized bicycle and which has been modified in such a manner that it no longer conforms to the definition of a motorized bicycle. A $50 fine would be imposed on any person convicted of such offense.

(4) 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 the bill for a specified reason.

Ch. 422 (AB 2471) Wray. Vehicles: Salesmen's licenses.

(1) Present law requires the salesman's license to be posted at the salesman's place of employment. The department must be notified by the dealer of the employment or termination of a vehicle salesman.

The bill would require that licensed vehicle salesmen also notify the department of a change of address within 5 days of the change.

(2) The bill would also make specified uses of a salesman's license unlawful.

(3) The bill would provide that no appropriation is made and no obligation created for reimbursement of any local agency for any costs incurred by them pursuant to the act for a specified reason.

Ch. 423 (AB 2521) Fazio. Exhibits and depositions: destruction.

Existing law (a) provides that a court on its own motion may order the destruction or other disposition of any exhibit or deposition introduced or filed in a civil action or proceeding which remains in the custody of the court or clerk 3 years after the time for appeal has expired or after final determination of an appeal or 3 years after certain other specified actions; and (b) authorizes a court on its own motion to order the destruction or other disposition of any exhibit or deposition introduced or filed in a civil action or proceeding which remains in the custody of the court or clerk 5 years after the time for appeal has expired or after final determination of an appeal or 5 years after certain other actions.

This bill, as to (a) above, would shorten the 3-year periods to 6 months and would permit such destruction 6 months after the dismissal of an appeal.

Ch. 424 (AB 2522) Duffy. Embalming fees.

Existing law requires a county coroner who takes custody of a dead body to make a reasonable attempt to locate the family within 24 hours. At the end of 24 hours either the coroner, or a mortician authorized by him, may embalm the body. If embalming has been requested by the family or a person authorized to take charge of the body prior to the embalming, and the family or such person has agreed to accept the expense, the coroner is authorized to charge up to $100 for the embalming. However, if the coroner is unable to locate the family within the 24 hours, he cannot charge more than $30 for the embalming.

This bill would limit the application of such existing law to counties that own and maintain a central morgue with a paid, full-time staff that performs embalming.

This bill would provide that, in all other counties, whenever the coroner takes custody of a dead body the expense of embalming the dead body by the coroner is a county charge when the body is that of a person not more than 14 years old or that of a person for whose burial there is available less than $150. In other cases, the coroner would be authorized to embalm the body and charge the person entitled to its custody up to $100. In such counties where the coroner is paid a salary, the fee would be paid into the county treasury, except the board of supervisors could order the fee paid directly to the coroner if he is a funeral director in the county.

Ch. 425 (AB 2994) Bannai. Mortgage guaranty insurance.

Existing law regulates the transaction of the business of mortgage guaranty insurance. Such insurance insures against financial loss by reason of the nonpayment of sums agreed upon under the terms of any note or other evidence of indebtedness secured by a lien or charge on real estate.

For the purposes of the foregoing, this bill would define real estate security as including a stock or membership certificate issued to a tenant-stockholder or resident-member by specified cooperative housing corporations.

Ch. 426 (AB 3357) Chimbole. Subdivisions: consent to filing parcel map.

Present law requires only the subdivider's signature and acknowledgment for purposes of consent to the filing of a parcel map which creates 4 or fewer parcels and for which no dedication or offers of dedication are required. The subdivider in such cases is not required to be the owner of any interest in the property being subdivided.

This bill would authorize counties and cities to require such consent of the record title owners if the subdivider has no record title ownership interest in the land to be subdivided. The bill would define record title ownership for such purpose.

Ch 427 (AB 3483) Antonovich. Vehicle: removal: private property.

Under existing law, certain specified peace officers may remove a vehicle from private property when a report has been made that the vehicle is stolen or a complaint has been filed and a warrant issued charging that the vehicle has been embezzled.

This bill would allow such peace officers, except for peace officers employed by the board of directors of a regional park district, to remove a vehicle from private property after a reasonable time if the vehicle has been involved in an accident and left at the scene of the accident and no owner is available to grant permission to move the vehicle. The bill would not authorize removal of a vehicle when the owner has been contacted and has refused to permit removal.

Ch. 428 (AB 3642) Wray. Harbor improvement district: capital outlay funds.

Presently, the law prohibits the expenditure of money in the capital outlay fund of a local agency, as defined, for any purpose other than capital outlay unless the electorate of the local agency, by a two-thirds vote, approves the expenditure of such funds for some other specific purpose.

This bill would permit, until January 1, 1982, a county board of supervisors having control over a harbor improvement district, by a four-fifths vote, to adopt an ordinance allowing the harbor improvement district to expend capital outlay funds for some other purpose. The bill would make the action of the board of supervisors adopting the ordinance subject to a referendum by petition of the voters of the district.

Ch. 429 (SB 1596) Gregorio. Health and welfare: state government reorganization.

Existing law to become operative July 1, 1978, will dismantle the Departments of Health and Benefit Payments, abolish the Office of Alcoholism, remove the Youth Authority and the Department of Corrections from the Health and Welfare Agency on July 1, 1979, and establish within the agency the departments of Health Services, Mental Health, Developmental Services, Social Services, Alcohol and Drug Abuse, and the Office of Statewide Health Planning and Development. The departments would perform their own fiscal functions. The State Department of Alcohol and Drug Abuse will succeed to the duties and jurisdiction of the Office of Alcoholism and the substance abuse function of the former State Department of Health.

This bill would transfer administrative functions and make various technical, nonsubstantive changes to carry out this reorganization of the Health and Welfare Agency. Among other things, it would transfer specific functions relating to health manpower planning, health professions planning grants, nursing education scholarships, hospital survey and construction, and health facility construction loan insurance to the Office of Statewide Health Planning and Development. It would transfer responsibility for administering provisions governing a child sexual abuse prevention demonstration center from the State Department of Social Services to the State Department of Health Services. It also would authorize the State Department of Mental Health to contract with the State Department of Developmental Services to provide services in state hospitals under the latter department's jurisdiction to persons with mental disorders.

The bill would provide that any provision of the Governor's Reorganization Plan No. 1 of 1978, or any legislation enacted during the 1978 portion of the 1977–78 Regular Session which takes effect on or before January 1, 1979, and affects a section affected by this bill, shall prevail over this bill. Such provision regarding 1978 legislation would not apply to any act relating to the maintenance of the codes.

The bill would take effect immediately as an urgency statute and become operative July 1, 1978, except as specified.

Ch. 430 (SB 993) Holmdahl Property taxation.

Existing law specifies procedures for the redemption or other disposition of property which has been sold to the state or deeded to certain nonprofit organizations for delinquent property taxes.

This bill would revise such procedures.

This bill would specify that there are no state-mandated local costs in this act.

Ch 431 (SB 1324) Petris. Subpoenas.

Under existing law, a witness subpoenaed to appear in a civil trial in some instances may not be required to testify on the day set in the subpoena.

This bill would require that a subpoena to appear as a witness in a civil trial contain specified language that the person subpoenaed should call the attorney requesting the subpoena if there are questions regarding attendance.

The act would become operative on July 1, 1979.

Ch. 432 (SB 1410) Gregorio. Health and welfare.

(1) Under existing law, the Governor may appoint 1 chief deputy for the Director of Health Services, 1 chief deputy for the Director of Social Services, and 3 deputies for the Secretary of the Health and Welfare Agency.

This bill would authorize the Governor to appoint 2 chief deputies for each of the directors and an additional deputy for the Director of Social Services. It would authorize the Governor to appoint not more than 2 deputies for the Secretary of the Health and Welfare Agency.

(2) Under existing law, the State Council on Developmental Disabilities is attached for administrative purposes to the State Department of Developmental Services. The department is required to cooperate with the council by rendering reasonable support services when requested by the council.

This bill instead would attach the council to the Health and Welfare Agency for administrative purposes and require the agency secretary to ensure that the council is provided support services.

(3) Under existing law, the State Department of Health Services is required to license and regulate organizations which make continuing care contracts for more than 1 year with aged persons.

This bill would transfer such function to the State Department of Social Services.

(4) Under existing law, each worker employed by the State Department of Health Services must be provided with an identification card.

This bill would extend the requirement to workers employed by the State Department of Social Services while limiting it to workers in the departments whose responsibilities require making home visits.

(5) Under existing law, counties are required to retain public assistance records beyond 4 years when notified by the State Department of Social Services to retain the records for a longer time. Counties may authorize destruction of the case narrative portions of records that are over 4 years old after the record has been audited by the department.

This bill would transfer the above notice and audit functions to the State Department of Health Services for those records under that department's jurisdiction

(6) Under existing law, the directors of the State Departments of Mental Health and Developmental Services receive an annual salary of $30,000 plus an equal percentage increase based on additional funds appropriated by the Legislature.

This bill would increase the annual salary to $32,500 plus such equal percentage increase.

(7) Under existing law, the directors of the State Departments of Social Services and Health Services are required to jointly review and evaluate the systems within the Health and Welfare Agency for the payment and computation of benefits, insurance, and subvention moneys.

This bill would transfer such functions to the Secretary of the Health and Welfare Agency

(8) Under existing law, the Office of Statewide Health Planning and Development is vested with state government functions relating to health planning and research development.

This bill would authorize the office to enter into such agreements and contracts as are necesary to carry out such functions.

(9) Under existing law, the State Departments of Mental Health and Developmental Services are required to examine all facilities receiving or caring for the mentally disordered or the developmentally disabled.

This bill would make such examination permissive rather than mandatory.

(10) Under existing law, all information and records obtained in the course of providing services under the Lanterman-Petris-Short Act or the Short-Doyle Act, or pursuant to statutory provisions governing admissions and judicial commitments to mental hospitals and institutions, are confidential and may be disclosed only under specified circumstances.

This bill would make such law also applicable to all information and records obtained in the course of providing services under the Lanterman Developmental Disabilities Services Act.

(11) Existing law provides that to the extent family planning services are not available under Medi-Cal to former, current, or potential recipients of public social services, family planning services shall be provided by contracts between public or private agencies offering such services and the State Department of Health Services. The department is responsible for the processing, audit, and payment of claims for family planning services.

This bill would authorize the State Department of Social Services to provide family planning services pursuant to a purchase of services agreement with the State Department of Health Services. It would make the State Department of Social Services responsible for the processing, audit, and payment of claims for such services to the extent they are performed pursuant to Title XX of the federal Social Security Act.

(12) Under existing law, each county is required to submit to the State Department of Social Services by December 1 of each year a comprehensive plan for the financing and delivery of social services for the next fiscal year.

This bill would change the deadline to December 31.

(13) Existing law provides for an Advisory Council on Narcotics and Drug Abuse until July 1, 1979.

This bill renames it as the Advisory Council on Drug Abuse.

(14) Under existing law, the State Council on Developmental Disabilities includes as nonvoting ex officio members: the Director of Developmental Services, the Director of Social Services, the Superintendent of Public Instruction, the Chancellor of the California Community Colleges, and the Director of Rehabilitation, or their designated representatives.

This bill would repeal such law and would expand the membership of the council from 9 to 12 by including as voting ex officio members: the Secretary of the Health and Welfare Agency, the Superintendent of Public Instruction, and the Director of Developmental Services.

The bill would take effect immediately as an urgency statute and become operative on July 1, 1978.

Ch. 433 (SB 1589) Gregorio. Schools and community colleges: employees: health plans: conflict of interests.

Existing law generally permits the governing board of each school and community college district to include as part of the compensation of a teacher health and welfare benefits.

This bill would, with certain prescribed exceptions, prohibit, on or after July 1, 1979, the approval or renewal of any contract with any insurer or other employee welfare benefit provider, if an administrative employee of a school or community college district or any employee organization, or employee or agent thereof, has a direct financial interest, as defined, in any such plan or program.

Ch. 434 (SB 1991) Stull. School and community college districts: transfers of funds

Current law authorizes the governing board of a school district or a community college district to cause money to be transferred temporarily from one fund or account of the district to another fund under specified conditions. Current law requires that the amount transferred be repaid either in the same or the following fiscal year, but in any case not more than 120 calendar days after the transfer.

This bill would delete the requirement that the money be repaid not more than 120 calendar days after the transfer and would, instead, require that the amount transferred be repaid either in the same fiscal year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

Ch. 435 (SB 1999) Holmdahl. Dissolution of marriage.

Existing law details the procedures for a dissolution of marriage.

This bill would provide that where a petition for dissolution contains no demand for money, property, costs, or attorney's fees and the decree of dissolution is entered by default, the filing of a financial declaration in connection therewith shall not be required.

Ch. 436 (SB 2035) Ayala. Water quality: water conservation.

Existing law defines "facilities," for purposes of loans to local agencies from the State Water Quality Control Fund to mean (1) facilities for the collection, treatment, or export of waste when necessary to prevent water pollution, or (2) facilities to reclaim waste waters.

This bill would include in that definition facilities or devices to conserve water.

Existing law specifies necessary conditions before the State Water Resources Control Board may loan an applicant funds to construct proposed facilities.

The bill would add the condition that where an applicant proposes to construct facilities or devices to conserve water, the board determine that the facilities are a cost effective means of conserving water.

The bill would not become operative unless the Clean Water and Water Conservation Bond Law of 1978 is approved by the voters.

Ch. 437 (SB 2101) Rodda. School building aid.

Existing law validates certain final apportionments of state school building aid based on conditional apportionments made prior to January 1, 1977, and validates certain final apportionments of school building aid funds re structurally inadequate school facilities based on conditional apportionments made prior to January 1, 1977, 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, 1979.

Ch. 438 (AB 3631) McVittie. Drugs: labeling.

Existing law contained in the Penal Code makes it a misdemeanor for anyone lawfully selling drugs to willfully or negligently mislabel any drugs, fail to label the same, substitute a different article for any article prescribed or ordered, increase or reduce the quantity of any such article, or otherwise deviate from the terms of the prescription or order. Existing law makes it a felony if death should result from such act or omission. Existing law provides an exception for pharmacists who substitute a different article with the same active chemical ingredients for any article prescribed or ordered pursuant to provisions of the Business and Professions Code.

Existing law also makes it a misdemeanor for any pharmacist who mislabels any container of drugs

This bill would repeal such provision from the Penal Code, but would not affect any of those provisions relating to pharmacists under the Business and Professions Code.

Ch 439 (AB 2572) Bates. Disability insurance

Existing law provides that a disability insurance policy may provide for the payment of certain health expenses.

This bill would provide that a disability policy may provide for the payment of speech pathology and audiology expenses, and such a policy could not prohibit the insured from selecting a person licensed as a speech pathologist or audiologist to perform such services as are deemed necessary by a referring physician.

Ch. 440 (AB 2428) Chappie. Public Employees' Retirement System: service credit.

Existing provisions of Public Employees' Retirement System makes state members, other than school members, meeting certain conditions 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 services, the best interests of the state would be served.

This bill would make a member who received a layoff notice after July 1, 1975, and before December 31, 1975, and who transferred to a different state department or agency in anticipation of a layoff who retires on or after July 1, 1975, and before January 31, 1976, eligible for the additional 2 years of service credit under the above provisions of existing law.

Ch. 441 (SB 1317) Petris. State Teachers' Retirement System: benefits.

A portion of the State Teachers' Retirement Law, added by Chapter 1261 of the Statutes of 1977, permits retirants who left a position requiring membership to serve in a federal governmental position during World War II within 13 months prior to entering service with the American Red Cross to receive service credit for the later service upon application to the Teachers' Retirement Board on or prior to December 31, 1978. It would provide that this provision shall remain in effect only until January 1, 1979, and as of such date would be repealed. This provision will not become operative until January 1, 1979, as it was not chaptered until October 3, 1977.

This bill would repeal and reenact such provisions except that the 13-month period prior to entering service with the American Red Cross would be extended to 13 months and 15 days.

The bill would also declare that it is not the intent of the Legislature to establish a precedent for such extensions

The bill would take effect immediately as an urgency statute.

Ch. 442 (SB 279) Holden. Commission for Teacher Preparation and Licensing: Aprivate citizen members: reimbursement.

Under current law the compensation of members of the Commission for Teacher Preparation and Licensing who are employees of public agencies may not be reduced because of absence caused by attending to the business of the commission or any of its committees or subcommittees.

This bill would allow the private citizen members of the commission to receive a stipend of up to $50 per day for attendance at a meeting of the commission or any committee or subcommittee thereof, if such attendance results in loss of income.

Existing law creates the Teacher Credentials Fund into which is deposited various fees charged by the commission. The fund is continuously appropriated for the activities and functions of the commission.

This bill would appropriate money from that fund by specifying that the reimbursements required by this bill shall be made from the Teacher Credentials Fund.

Ch. 443 (SB 853) Sieroty. Fish and game fees and taxes.

(1) Under existing law, every person operating under a packing and processing license is required, in addition to the license fee, to pay a privilege tax, at a specified rate, for each pound, or fraction thereof, of fish purchased, received, or taken. Such revenues are continuously appropriated to the Department of Fish and Game for specified purposes.

This bill would increase, effective for a period of two years only, the specified rates for such privilege taxes.

(2) Existing law prescribes annual fees for various licenses and permits required in connection with commercial fishing activities. Such revenues are continuously appropriated to the department for specified purposes.

This bill would increase, effective for a period of two years only, the fee for mariculture licenses, kelp harvesting licenses, commercial fishing licenses, registration of commercial fishing vessels, packing and processing licenses, fish broker and importer's licenses, and lobster permits. The bill would provide for a commercial passenger fishing boat license, rather than a fishing party boat license, and increase effective for a period of two years only, the fee for such license The bill would make such increases operative on specified dates.

(3) Under existing law, any person authorized by the department to sell licenses and license tags is allowed as compensation 5% of the amount collected and accounted for by him, except that such compensation may not exceed specified amounts for specified licenses and tags.

This bill would specify the maximum compensation which may be so allowed for certificates of boat registration, commercial passenger fishing boat licenses, and hunting permits and would specify the operative dates for such provisions.

Ch. 444 (SB 915) Foran. Vehicles: license plates: fees.

(1) Under existing law, the Department of Motor Vehicles either issues distinctive license plates for vehicles provided for the use of Members of the Legislature or, upon request of the Rules Committee of the Senate or Assembly, issues regular series license plates for any vehicle owned by or in possession and use of the Senate or Assembly. In addition, the department, upon request, issues distinctive license plates for a vehicle owned by a current or retired Member of the Legislature, and also issues distinctive license plates for vehicles owned by a Member of the Congress of the United States. The fees for the issuance of the plates for such privately owned vehicles are the same as those applicable to other privately owned vehicles.

This bill would revise such fees by imposing an original fee of $12, and a transfer fee of $10, in addition to regular fees.

(2) Under existing law, any person holding an unexpired amateur radio station license, other than a novice station license, and any person who is regularly employed or engaged as a bona fide newspaper, newsreel, or television photographer or cameraman, may apply for special license plates for an additional fee of $3. Existing law provides that such plates may be transferred for a fee of $3.

This bill would delete such existing additional fee provisions, would establish an original issuance fee of $15, and a fee of $7 for each transfer of special plates for a licensed amateur radio station; and, an original fee of $12 and a transfer fee of $7 for special plates issued to a bona fide newspaper, newsreel, or television photographer or cameraman.

~~[(3) The additional fees which would be imposed under this bill could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and, therefore, this bill would make an appropriation.]~~*

Ch. 445 (SB 1343) Behr. On-site wastewater disposal zones.

(1) Existing law empowers any public agency, as specified and which may acquire, construct, maintain, and operate sanitary sewers and sewage systems, to form on-site wastewater disposal zones.

This bill would condition such authorization on a determination by the county health officer, as specified, where there are fewer than 12 voters, as specified, in a proposed zone.

This bill would also authorize the annexation of land to and the detachment of land from existing zones under the same procedures provided for the formation of a zone.

(2) Existing law also requires an election on the proposal to form a zone, under specified conditions, to be conducted pursuant to the Uniform District Election Law.

This bill would require such election to be conducted pursuant to the law pertaining to regular or special elections held in the public agency.

(3) Existing law provides for a hearing by the governing authority of a public agency on the question of the formation of a proposed on-site wastewater disposal zone and requires that such hearing be commenced within a certain period, as specified

This bill would require that the hearing be completed within a certain period, as specified.

The bill would also modify certain procedures, as specified, relating to the formation of a zone and make technical and clarifying changes.

Ch 446 (SB 1350) Behr Programs for deaf children.

Existing law authorizes the establishment of 2 experimental programs for deaf or severely hard-of-hearing children who are at least 6 months of age.

This bill would specify that not more than 5 programs for deaf or severely hard-of-hearing children may be established, and would delete the limitation on age in which children are eligible to participate

This bill would require the Superintendent of Public Instruction to prepare and submit to the Legislature, no later than March 1, 1980, an evaluation of the programs

The bill would also specify that such programs shall continue until the Master Plan for Special Education becomes operational and authorizes the inclusion of these programs

This bill would appropriate $125,000 for the support of such programs.
This bill would take effect immediately as an urgency statute.

Ch. 447 (SB 1521) Campbell. Appropriation to Abandoned Vehicle Trust Fund.
Money in the Abandoned Vehicle Trust Fund is continuously appropriated to the Department of the California Highway Patrol for the administration and operation of the abandoned vehicle program and for disbursement to cities and counties that have procedures for the abatement and removal of abandoned, wrecked, dismantled, or inoperative vehicles. In 1976, $7,800,000 was transferred, pursuant to Chapter 1229 of the Statutes of 1976, from the Abandoned Vehicle Trust Fund to the State Highway Account in the State Transportation Fund for allocation by the California Highway Commission, as specified.
This bill would appropriate $3,000,000 from the Motor Vehicle Account in the State Transportation Fund for transfer, in 2 equal annual installments commencing with the 1978–79 fiscal year, to the Abandoned Vehicle Trust Fund.
The bill would also make a declaration regarding the intent of the Legislature with respect to further funding of the Abandoned Vehicle Trust Fund and would require the Legislative Analyst, in cooperation with the Department of the California Highway Patrol and impacted local governments, to analyze the costs and benefits of the program and report its recommendations, as specified, to the Legislature.
The bill would take effect immediately as an urgency statute.

Ch 448 (SB 1583) Johnson. Kings Beach State Recreation Area.
Existing law does not provide for the exchange of real property between the state and the County of Placer under which certain Kings Beach State Recreation Area property would be transferred to the county in exchange for the transfer of certain county property to the state as an addition to the state recreation area.
This bill would require such an exchange of specified real property. The property transferred to the county would be granted on the condition that it be used only for park purposes, and if it ceases to be so used, fee title would revert to the state
The bill would also appropriate $250,000 from the Bagley Conservation Fund to the Department of Parks and Recreation for planning and development of Kings Beach State Recreation Area, subject to proviso.
The bill would take effect immediately as an urgency statute.

Ch. 449 (SB 2106) Stull. Rainbow Municipal Water District contracts.
Under existing law, a municipal water district is authorized to contract with the United States under federal reclamation law, subject to the approval of the voters of the district at an election held for that purpose. Existing law requires the maximum interest on the indebtedness to be known and included in the proposition submitted to the voters
This bill would specify that any proposed contract approved by the voters of the Rainbow Municipal Water District at a special election held prior to January 1, 1978, shall be an approved contract notwithstanding that the maximum interest rate was not known at the time of the special election and was not included in the proposition submitted to the voters.
The bill would go into immediate effect as an urgency statute.

Ch 450 (SB 2126) D Carpenter. Insurance.
Existing law, with specified exception, makes no provision regarding the contents of a certificate of insurance or verification of insurance evidencing insurance coverage
This bill would require such certificates and verification to contain, among other things, a statement to the effect that it is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy.

Ch 451 (SB 2201) D. Carpenter. Appropriation· payment of judgment.
This bill would appropriate $327,231.14, plus interest thereon at a rate of 7% from January 20, 1978, from the Motor Vehicle Account in the State Transportation Fund, to pay the judgment in favor of plaintiffs against the State of California in Estefana Moran, et al. v. County of Los Angeles, et al.
This bill would take effect immediately as an urgency statute.

Ch. 452 (SB 2213) Song. Claims: Aubrey McNeely, et al.

This bill would appropriate $75,000 to the State Department of Justice to settle the claims of Aubrey McNeely, et al. against the State of California in the action entitled Aubrey McNeely, et al. v. State of California, et al.

This bill would take effect immediately as an urgency statute.

Ch. 453 (AB 1184) Cordova. Yacht and ship brokers.

Existing law (the Yacht and Ship Brokers Act) prohibits a person from engaging in the business or acting in the capacity of a yacht and ship broker or salesman, as defined, without first obtaining a license to do so. Such law authorizes the Department of Navigation and Ocean Development to regulate and control the issuance and revocation of such licenses, prescribes administrative and enforcement powers of the department in such connection, and prescribes conditions for issuance, suspension, and revocation of such licenses and related matters.

This bill would repeal and reenact the Yacht and Ship Brokers Act with numerous changes. The bill would, among other things, redefine "yacht" for the purposes of the act, transfer specified powers from the department to the Navigation and Ocean Development Commission, require the placement of certain funds by a broker in a trust fund account, require the written authorization from a broker's principal to state specified matters, revise the qualifications for applicants for a broker's or salesman's license, revise the examination requirements for applicants, revise the requirements for renewal or reinstatement of licenses, revise prescribed fees which are continuously appropriated for purposes of the act, revise the period of validity of a certificate of convenience issued to the executor or administrator of the estate of a deceased broker, revise the terms and conditions for issuance of licenses to corporations and partnerships, revise the bonding requirements of licensees, and prescribe penalties for violation of the act.

The bill would declare that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 454 (AB 2245) M. Waters. Alcoholic beverages.

Existing law does not impose a time limitation for the refiling of an application for an alcoholic beverage license when such application is withdrawn for any reason.

This bill would require a waiting period of 1 year before refiling of such application when such application is voluntarily withdrawn as a result of any protest being filed opposing the issuance of such license, as specified. The bill would provide that all verified protests shall remain valid for 1 year against subsequent applications at the same premises if such application is withdrawn.

Ch. 455 (AB 2394) Greene. Schools: building aid.

Existing law excludes from the computation of the area of adequate school construction in a school district applying for school building aid, the area of those buildings which have been given, devised, or bequeathed, or built with funds given or bequeathed, to a school district after September 11, 1957.

This bill would remove from this exclusion buildings received, or built from funds received, from the state or federal government.

Ch. 456 (AB 2588) Tucker Crimes: fire protection

Existing law prohibits tampering with, breaking, molesting or injuring a public fire alarm apparatus, wire or signal, and making a false fire alarm by a public alarm system or signal or other means.

This bill would prohibit tampering with, breaking, molesting or injuring any fire protection equipment, fire protection installation or fire alarm apparatus, wire or signal, and would prohibit making a false alarm regardless of the public nature of the alarm system or signal.

This bill would also provide that no appropriation is made to local agencies for costs incurred by them pursuant to its provisions because of a specified reason.

Ch. 457 (AB 2624) Rosenthal. Vehicles: parking: disabled persons.

Under existing law, the Department of Motor Vehicles may issue distinguishing license plates or placards to persons who have lost, or lost the use of, one or more limbs or both hands, or suffer from severe lung disease or heart disease, or who are legally blind Vehicles displaying distinguishing license plates or placards may park for unlimited periods in restricted zones and park in metered zones without being required to

pay fees. Local authorities may designate spaces for the exclusive use of these vehicles.

This bill would repeal these provisions and recast them by reenacting similar provisions. The bill would also include within the definition of "disabled persons" persons who have a diagnosed disease or disorder which substantially impairs or interferes with mobility. In addition, the bill would allow persons who are temporarily disabled to apply for a distinguishing placard.

Ch. 458 (AB 2797) Bates. Alcoholic beverages.

Existing law requires a person to obtain a license from the Department of Alcoholic Beverage Control to manufacture beer.

This bill would provide that no license shall be required for the manufacture of limited quantities of beer for personal or family use, and not for sale, by a person over the age of 21 years.

Ch. 459 (SB 2230) Deukmejian. Constitutional amendments.

This bill would require the submission of Senate Constitutional Amendment Number 42 or any other amendment relating to state or local expenditure limits passed by the Legislature prior to August 16, 1978, to the voters at the November 1978 General Election under specified conditions.

This bill would require all arguments with respect to such amendments be delivered to the Secretary of State within specified time periods and that such amendments be placed on the ballot in the order submitted and received by the Secretary of State.

This bill would appropriate $2,000,000† from the General Fund to the Secretary of State for the administration of the provisions of this act.

This bill would take effect immediately as an urgency statute.

Ch. 460 (SB 1750) Mills. Transportation: appropriation.

Existing law makes funds in the Transportation Planning and Research Account in the State Transportation Fund available for funding the construction of public transportation projects to improve the interface of various transportation modes, when such funds are appropriated by the Legislature.

This bill would appropriate $9,918,800† from the account: $5,918,800 to the Department of Transportation: $5,268,800 for funding of specified public transportation projects by specified applicants, $150,000 for the administration of the act, and $500,000 for a contingency fund and $4,000,000 to the California Transportation Commission for public transportation demonstration projects in County Group No. 2, except San Diego County.

The department, with respect to the funds to be allocated by it for projects, would be authorized, under specified conditions, to reallocate the funds that would be appropriated for specified public transportation projects to other such specified projects.

Ch. 461 (AB 90) Dixon. Juvenile court law

Under existing law state moneys, through the Department of the Youth Authority, are required to be made available to counties which operate approved supervision programs established by county probation departments for the purpose of reducing the number of persons committed to the Department of the Youth Authority or the Department of Corrections The amount of moneys made available to each county is generally determined by the use of a statutory table which requires the state to reimburse each county on the basis of the county's actual performance in reducing the commitment rate.

Existing law also provides state moneys to counties which operate certain other juvenile programs, including the juvenile homes, ranches, camps, and forestry camps.

This bill would, as of July 1, 1978, repeal the above-mentioned state funding provisions and it would enact a uniform county justice system subvention program. Under such program, the Department of the Youth Authority would be required to administer subventions to counties for numerous programs and services, including, for example, operating local crime and delinquency prevention programs, and establishing and maintaining juvenile homes, ranches, camps, forestry camps, schools, day care centers, and group homes for wards of the juvenile court.

† Appropriation deleted by action of the Governor
† Appropriation reduced to $5,918,800 by action of the Governor

A county board of supervisors would be required to submit its application, after receiving certification from the Department of the Youth Authority, for state funding to the State Controller. The receipt of state funds under the program would be contingent upon the county maintaining its funding year commitment rate as provided in the bill.

The bill would require the Department of the Youth Authority to report annually to the Legislature regarding the progress and effectiveness of the program, and it would require the department to contract with an independent public or private agency to evaluate the effectiveness of such program and report thereon to the Legislature by January 1, 1983.

This bill would appropriate $55,000,000 to the Department of the Youth Authority for the purposes of the act.

The bill would also provide that on or after July 1, 1978, no appropriation is made or obligation created by the act for which counties must be reimbursed.

The bill would take effect immediately as an urgency statute. Certain provisions of the bill would not be operative until July 1, 1978.

Ch. 462 (AB 81) Chappie. Identification of dead bodies: dental records.

Under existing law, the coroner or medical examiner is required to investigate deaths which occur without medical attendance and under other specified circumstances.

This bill would require the coroner or medical examiner, when he is unable to establish the identity of the body in the investigation of a death by visual means, fingerprints, or other identifying data, to have a dentist carry out a dental examination of the body. If the coroner or medical examiner with the aid of the dental examination and other identifying findings is still unable to establish the identity of the body, such person would be required to prepare and forward the dental examination records to the Department of Justice, as specified.

This bill would require a sheriff, chief of police, coroner or medical examiner, or other law enforcement authority to request the family or next of kin of a missing person who has not been found within 30 days to give them written consent to contact and request the missing person's dental records from such person's dentist or dentists and to send such records to the Department of Justice, along with a missing person report, for recordkeeping, after conferring with the coroner or medical examiner, as specified. It would require the sheriff, chief of police, coroner or medical examiner, or other law enforcement authority to report to the Department of Justice when a person reported missing is found, and would require the department to erase specified records with respect to such missing person upon receipt of such report.

This bill would require the Department of Justice to maintain a file containing, among other things, the information from the dental records obtained from a missing person's dentist or dentists. It would require the Department of Justice, upon receipt of dental examination records of an unidentified body submitted by a coroner or medical examiner, as discussed above, to compare such records with those dental records of missing persons on file with the department and determine which scoring probabilities are the highest for purposes of identification, and send such information to the pertinent coroner or medical examiner, as specified.

The bill would require the department to report on the program established pursuant to the bill within 3 years following implementation.

The bill would appropriate $37,000 to the State Controller for allocation to the Department of Justice and to local agencies for costs incurred under the bill.

Ch. 463 (AB 3028) Agnos. In-home supportive services.

(1) Under existing law, county welfare departments are required to develop and submit a plan to the State Department of Social Services for the provision of in-home supportive services to certain current, former, and potential recipients of public assistance. To implement a plan, the departments may hire homemakers and other in-home supportive personnel, make direct payments to recipients for the purchase of such services, or contract with agencies or individuals for the provision of such services.

Existing law includes various classes of persons within the coverage of the unemployment and disability compensation laws and the workers' compensation law. The former includes domestic service in a private home for an employer who pays wages of $1,000

or more during any calendar quarter, while the latter includes any person employed by the owner or occupant of a residential dwelling whose duties are incidental to the ownership, maintenance, or use of the dwelling, including the care and supervision of children, or whose duties are personal and not in the course of the trade, business, profession, or occupation of the owner or occupant, as defined. Persons so employed who do not work at least 52 hours, or receive at least $100, from the owner or occupant of the dwelling in the 90-calendar-day period immediately preceding the date on which the injury occurred, are excluded from coverage of the workers' compensation law.

This bill would include within the coverage of the workers' compensation law specified persons who perform domestic service comprising in-home supportive services under county programs.

For purposes of the workers' compensation law, the recipient of in-home supportive services would be regarded as the employer, if the state or county makes or provides direct payment to the recipient or to a provider chosen by the recipient. The bill would similarly make recipients of domestic services comprising in-home supportive services "employers" for purposes of the unemployment and disability compensation laws, along with individuals and entities contracting to provide such services, and counties which provide such services by county civil service or merit system personnel.

Under such circumstances, the State Department of Social Services would be required to perform or assure the performance of all rights, duties and obligations of the recipient for purposes of such laws, as well as the federal and state income tax laws and federal old-age, survivors and disability insurance benefits The State Compensation Insurance Fund could issue one workers' compensation insurance policy to insure such recipients to the extent of the department's obligation.

The bill would appropriate $13,000,000 to the State Department of Social Services for purposes of the bill.

The bill would take effect immediately as an urgency statute.

Ch. 464 (AB 2091) Dixon Juvenile court law.

Chapter 1241 of the Statutes of 1977 appropriated $18,000,000 to reimburse counties for costs incurred pursuant to Chapter 1071 of the Statutes of 1976 (an extensive revision of the juvenile court law). It also delineated a procedure for filing of such claims.

This bill would make various changes in such procedure.

It would also make other changes in juvenile court law contingent upon the enactment and prior chaptering of AB 90 of the 1977–78 Regular Session of the Legislature and future repeal of a designated provision of law.

This bill would take effect immediately as an urgency statute.

Ch. 465 (AB 24) Cline. Creation of new counties.

(1) 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.

Chapter 1247 of the Statutes of 1975 appropriated $100,000, without regard to fiscal years, to be used by the State Controller to make loans, of up to $100,000 to each county formation review commission, for the commissions' expenses.

This bill would appropriate an additional $300,000 for such purposes.

(2) Existing law requires all officers and employees of any affected county to cooperate with and perform any functions requested by the commission and necessary for the performance of its duties.

This bill would authorize any such commission to appoint a counsel, in lieu of using the county counsel, and fix and order paid such counsel's compensation to provide legal assistance to the commission in the performance of any functions requested by the commission and necessary for the performance of its duties

The bill would take effect immediately as an urgency statute

Ch. 466 (SB 1227) Ayala. Rialto Unified School District.

The California Supreme Court, on the basis of recent statutory changes in the law concerning marijuana possession, held invalid the attempted dismissal by the Rialto Unified School District of a teacher convicted of marijuana possession in 1971, and ruled

that the teacher was entitled to full backpay for the period of his suspension.

Existing statutory law requires judgments against a school district to be paid out of funds available to the district or to be paid over a period of up to 10 years if sufficient funds are not immediately available.

This bill would appropriate $54,500 to the Rialto Unified School District as reimbursement for obligations incurred in satisfaction of the judgment, including attorney's fees and costs.

Ch. 467 (AB 2110) Cullen. Hydrilla control.

Under existing law, the Director of Food and Agriculture, in cooperation with federal, city, county, city and county, and other state agencies, is directed to take any steps necessary to accomplish the eradication of the plant pest Hydrilla (Hydrilla verticillata).

This bill would authorize the Department of Food and Agriculture, with the cooperation of the University of California, to develop and implement biological control methods to eradicate or control the plant pest Hydrilla (Hydrilla verticillata) in any area of the state and to conduct studies for such purpose. When the development or implementation involves the use of fish, each individual program for development or implementation would be required to first be approved by the Department of Fish and Game.

Ch. 468 (AB 2120) Hallett. Appropriation· Department of Finance.

This bill would appropriate $150,000 to the Department of Finance to pay the claim of Lynn Dana against the State of California.

This bill would take effect immediately as an urgency statute.

Ch. 469 (AB 2200) Mello. Santa Cruz Port District.

Under existing law a port district is governed by a board of port commissioners consisting of 5 members, 2 of whom are appointed by the board of supervisors, 2 of whom are appointed by the city council of the city situated in the district, and 1 of whom is jointly appointed in a prescribed manner.

This bill would provide for the Santa Cruz Port District to be governed by a board of port commissioners consisting of 5 members elected from the district at large in accordance with the provisions of the Uniform District Election Law and would specify related matters. The bill would make legislative findings as to the necessity of an elected board of port commissioners for such district.

The bill would provide that there shall be no reimbursement nor any appropriation for any state-mandated local program for a specified reason.

Ch. 470 (AB 2206) Maddy. Hospitals: tort claims; insurance.

Under the existing law, the Chowchilla Memorial Hospital District, and other hospital districts having less than 100 beds which have entered into a joint powers agreement with the Chowchilla Memorial Hospital District, have the right, subject to availability of moneys appropriated, to borrow from the state to pay portions of medical injury tort judgments or settlements exceeding $300,000, in accordance with regulations of the State Department of Health Services. However, total loans may not exceed $1,000,000 in the aggregate.

This bill would require the Department of General Services to assist the Chowchilla Memorial Hospital District, and any other hospital district having less than 100 beds ~~in~~ [which has entered into]* a joint powers agreement with ~~it, in procuring~~ [the Chowchilla Memorial Hospital District, to procure]* insurance for paying medical injury tort judgments or settlements exceeding $1,000,000 in the aggregate.

The bill would declare that the Legislature finds that a special statute is needed and that a general statute cannot be made applicable

Ch 471 (AB 2334) Robinson. Workers' compensation: subsequent injuries.

Existing law requires an employer to pay the total dependency death benefit and accrued and unpaid workers' compensation to the Department of Industrial Relations when the deceased employee leaves no surviving dependent or other person entitled to such benefits. The department is required to place such payments in the General Fund, and such payments so received are continuously appropriated for the payment for subsequent injuries pursuant to specified provisions of law.

This bill would delete the provision continuously appropriating the payments so re-

ceived for such purposes, and would instead require the payments so received to be deposited in the General Fund and credited, as a reimbursement, to any appropriation made to the department, for payment of the additional compensation for subsequent injury, in the fiscal year in which a receipt therefor is issued.

This bill would make various technical changes.

This bill would become operative July 1, 1979.

Ch. 472 (AB 2431) Alatorre. Transfer of offenders.

Existing law does not authorize the Governor or his designee to approve the transfer of an offender from the state to a foreign country, pursuant to a treaty between the United States and a foreign country.

This bill would permit the Governor or his designee to approve such a transfer.

Ch. 473 (AB 2646) Hallett. Beef cattle: fees.

Existing provisions of the California Beef Council Law require that a fee of 10¢ per head be collected on the sale of beef cattle for disbursement by the Director of Food and Agriculture for the necessary expenses incurred by the director and the California Beef Council in carrying out the programs and activities of that law.

This bill would raise the above fee to 25¢ per head on such beef cattle. It would also provide that in the event that a national promotion program for beef is approved by the producers, such a fee shall immediately revert to 10¢ per head. The bill would make an appropriation because the fee increase would increase the money available for expenditure by the director for carrying out duties under the California Beef Council Law.

Ch. 474 (AB 2660) Young. Structural pest control.

Existing law requires all accusations against licensees of the Structural Pest Control Board to be filed within 2 years after the act or omission alleged as the ground for disciplinary action.

This bill would require all complaints against such licensees to be filed with the board within such time limitations rather than requiring all accusations to be so filed and would specify that such board shall file any disciplinary action against any such licensee within 1 year after such complaint has been filed.

Ch. 475 (AB 2724) Maddy. Criminal records.

Under existing law managing and supervising correctional officers of county jails and other county correctional facilities do not have access to state and local summary criminal history information unless such persons are one of specified peace officers, or are authorized under specific circumstances by law.

This bill would remove such qualifications to allow such access by any such correctional officers.

A local agency would not be authorized to charge a fee for furnishing such information to such correctional officers for purposes of employing, licensing, or certifying a peace officer or criminal investigator.

This bill would also provide that no appropriation is made to local agencies for costs incurred by them pursuant to its provisions because of a specified reason.

Ch. 476 (AB 2877) Bane Finance.

Existing law defines a "service office" of a savings and loan association.

This bill would revise the definition

Existing law provides that any amendment to the articles of incorporation or bylaws of an association which makes any change in the rights, preferences, or privileges of any outstanding stock or shares of such association is not valid unless the amendment is approved by a majority of the shareholders.

This bill would provide that the above shall not apply to a stock split, stock dividend, or stock consolidation.

Existing law requires the Savings and Loan Commissioner to hold a hearing before issuing a branch license to a savings and loan association.

This bill would permit the hearing to be waived under specified conditions

Existing law provides that the commissioner may approve an office or offices for an association as its executive or administrative headquarters

This bill would require a $375 filing fee to accompany applications for an executive

or administrative headquarters office.

Existing law provides that except as otherwise provided, no fee, charge, or deduction of principal shall be made against any shareholder for the purpose of creating a fund to be used in the payment of current expenses.

This bill would repeal that provision.

Existing law provides that an association shall not issue shares or certificates or pay withdrawals elsewhere than at the principal office or a branch of such association.

This bill would amend existing law to delete the restriction on paying withdrawals elsewhere than at a principal office or branch.

Existing law permits an association to purchase its own stock under specified conditions, and stock so purchased is carried as reacquired stock.

This bill would provide that such stock is restored to the status of authorized but unissued shares.

Existing law sets forth the purposes for which associations may make loans.

This bill would permit an association to make loans for the purpose of construction or substantial alteration, repair or improvement of residential real property under specified conditions.

Existing law provides that an association may, with or without security, make loans, advance credit and purchase obligations representing loans and advances of credit, for the purpose of financing repairs, alterations, improvements or equipment, except furnishings, on residential real property. Such loans or advances may not exceed $10,000.

This bill would raise the limit on such loans to $15,000, and would provide that the limitations apply to net proceeds of the loans.

Existing law permits an association to make unsecured loans of funds from a deposit of the association to a member bank of the Federal Deposit Insurance Corporation, provided that the total of all time deposits and such loans in the same bank does not exceed the greater of: (1) ¼ of 1 percent of the total deposits in such bank or, (2) $20,000.

This bill would raise the limit on such loans to $40,000.

Existing law requires agents and salesmen of associations to be licensed.

This bill would repeal these provisions.

Existing law defines "control" for the purpose of the provisions of law relating to the acquisition of control of a savings and loan association or a savings and loan holding company.

This bill would revise the definition of "control."

This bill would also incorporate additional changes in Section 7184 of the Financial Code proposed by AB 2225 or AB 3637, or both, to be effective only if this bill and AB 2225 or AB 3637 or both are chaptered and become effective January 1, 1979, and this bill is chaptered last.

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

Ch. 477 (AB 3241) Chimbole. Alcoholic beverages.

Existing law requires the Department of Alcoholic Beverage Control, upon receipt of an application for a transfer of a license, to make a thorough investigation with regard thereto, as specified.

This bill would provide that the department is not required to investigate the personal qualifications or premises of a currently licensed person when a license is being transferred between partners and no new partner is being licensed.

Ch. 478 (AB 2153) Brown. California State University and Colleges employees

Existing law authorizes the trustees of the California State University and Colleges to establish rules and regulations which allow their academic employees to reduce their workload from full-time to part-time. The regulations must provide, among other things, that an employee have been employed full-time as an academic employee for at least 10 years, of which the immediately preceding 5 years were full-time employment.

This bill would specify that the option of reducing workloads applies to academic teaching employees, librarians, counselors, and student affairs officers and would provide that sabbatical and other approved leaves shall not constitute a break in service, though they may not be counted in satisfying the 5-year, full-time employment requirement.

Ch 479 (AB 3192) McAlister. Witnesses.

Existing law provides for a forfeiture of $100, in addition to damages, to a party aggrieved by a witness who disobeys a subpoena. Such forfeiture and damages are recoverable in a civil action.

This bill would increase the amount of such forfeiture to $500.

Ch. 480 (AB 2830) Imbrecht. Counties: purchasers.

Existing law authorizes the purchasing agent in certain counties to engage independent contracters to perform services for the county and its offices, with or without the furnishing of material, where the aggregate cost does not exceed $6,500.

This bill would increase the limit to $16,250.

Ch. 481 (AB 2741) Lehman. Vehicles: combinations: length.

Existing law prohibits any combination of vehicles, including attachments, being longer than 65 feet. Under existing law, any extension or device used to increase the carrying capacity of a vehicle is required to be included in measuring the length of a vehicle except (1) a drawbar is not required to be included in measuring the length of a vehicle but is required to be included in measuring the overall length of a combination of vehicles, and (2) extensions of not more than 18 inches in length on each end of a vehicle or combination of vehicles used exclusively to transport vehicles are not required to be included in measuring the length of a vehicle or combination of vehicles when the vehicles are loaded.

The bill would provide that any extension or device which is not used to carry any load and which does not exceed 3 feet in length, added to the rear of a vehicle and used exclusively for pushing the vehicle or a combination of vehicles, which vehicle or combination of vehicles is designed and used exclusively to transport earth, gravel, sand, and similar material shall be included in measuring the length of the vehicle but shall not be included in measuring the overall length of the combination of vehicles.

Ch. 482 (AB 2372) Brown. Renters: credits and refunds.

The Budget Act of 1977 appropriated money for transfer to the Personal Income Tax Fund by the State Controller for the purpose of providing credits and refunds for renters as required by existing law

This bill would appropriate $5,000,000 to the Personal Income Tax Fund for deficiencies in such appropriation.

The bill would take effect immediately as an urgency statute.

Ch. 483 (AB 2023) M. Waters. Improvement Act of 1911: bonds.

(1) Under the Improvement Act of 1911, the treasurer is required to send a card, not later than April 1st and October 1st, to the owner of property for which assessments are delinquent stating the amount due and the date when payment is due from him on the assessment and stating that the payment is subject to penalty if not paid on or prior to the due date

The bill would require the card to state, in 14-point boldface type, that the property will be sold if the assessments are not paid and that the assessments are not related to property tax.

(2) Under the act, the treasurer is required to send a notice of sale to any owner of property to be sold for nonpayment of assessment.

The bill would require that the notice include, in 14-point boldface type, a warning that the property will soon be sold unless payment is made. The telephone number of the foreclosure clerk at the treasurer's office would be included in the notice.

(3) Under the act, the day specified in the notice of sale may not be less than 30 days from the date of the first publication of the notice. At least 15 days prior to the sale, the treasurer is required to send a copy of the notice to the bondholder and to the property owner as shown on the last equalized assessment roll and the person to be shown as the owner on the next roll.

The bill would revise the above periods to 45 days and 30 days respectively.

The treasurer would be required to send, with the copy of the notice of sale, to the property owner and such person another notice in 14-point boldface type, stating that the treasurer has arranged to sell the property at a specified date unless the delinquency debt is paid by that date. The telephone number of the foreclosure clerk would be included in the second notice.

(4) Under the act, the owner of any property sold for nonpayment of assessment may

redeem the property within 12 months from the date of sale or before application by the purchaser for a deed.

The bill would require the treasurer, within 10 days of the issuance of a certificate of sale, to send by first-class mail to the owner of the property as shown on the last equalized assessment roll and the person to be shown as the owner on the next roll a notice, in 14-point boldface type, stating that the property was sold for failure to pay for the improvement, but that there is still at least 11 months to make the necessary payment to save the property. The telephone number of the foreclosure clerk would be included.

(5) Under the act, redemption of property may be made by payment to the treasurer of an amount which, among other things, includes the purchase money.

The bill would require the amount for redemption to include, among other things, the amount due on the bond rather than the purchase money.

(6) Under the act, the purchaser of the property is required, at least 30 days prior to the expiration of the time of redemption or 30 days before his application for a deed, to request the treasurer to send, by certified mail, to the property owner a notice stating the intention of the purchaser to apply for a deed. The treasurer is required to mail and post the notice by such 30-day period. In addition, the notice is required to be personally served on the owner.

The bill would increase the above periods from 30 days to 60 days.

The bill would also require the notice to state, in 14-point boldface type, that the property has been sold, but may be saved by paying what is owed by a specified date. The notice would include the telephone number of the foreclosure clerk.

The bill would delete the requirement that the owner be personally served if the treasurer executes a certificate stating, among other things, that the owner could not, with reasonable diligence, be so served during the 60-day period.

(7) Under the act, the purchaser, within 60 days of the purchase of property for delinquency, may send to the person to whom the property is assessed for taxation as shown on the last equalized assessment roll and to the legal owner as shown in the recorded deed a copy of the certificate of sale by registered mail. If a copy is so sent, no action may be commenced to attack the validity of the sale after 1 year of the date of sale.

The bill would require that the copy of certificate of sale be sent by first-class mail also and would bar any such action 1 year after the date of mailing the copy. The bill would require that a notice be sent also. The notice would be in 14-point boldface type stating that the property has been sold for nonpayment of assessments and that the validity may be contested within 1 year of the date of the mailing of the notice.

(8) Under the act, any action contesting the validity of a deed issued for the purchase of property because of nonpayment of assessment, or the validity of the proceedings subsequent to the issuance of the certificate of sale, is required to be brought within 6 months after the issuance of the deed.

The bill would extend the above period to 12 months.

(9) Under the act, the treasurer is required to reinstate any delinquent bond upon payment to him of all principal and interest coupons delinquent at the time of reinstatement together with enumerated penalties and costs.

The bill would authorize the treasurer also to collect $3 for ascertainment of the name and address of the property owner in such a case.

(10) The bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 484 (AB 2087) Gualco. Improvement Act of 1911: assessments.

Under the Improvement Act of 1911, assessments to finance a project are based on the cost thereof less contributions therefor, other than dedication and improvement constructed at private expense for which credit is given to the land owned or occupied by the person making the expenditure.

This bill would authorize the board of supervisors or the city council, by resolution and in accordance with the terms and conditions under which federal funds were made available to it for the benefit of low- and moderate-income households owning and occupying lands, to apply those federal funds to the payment of assessments levied on such lands to finance any work done under the act.

The bill would take effect immediately as an urgency statute.

Ch. 485 (AB 2106) Stirling. Crimes: auto theft.

Existing law specifies the punishment for grand theft auto, joyriding, and the unlawful taking of an automobile.

This bill would establish a special punishment for any person convicted of any such crime and who served a term in a penal institution or was imprisoned as a condition of probation therefor, who is subsequently convicted for joyriding.

Ch. 486 (AB 2159) Duffy. State Teachers' Retirement System, service credit.

Under existing provisions of the State Teachers' Retirement Law, a member is given 4 years' service credit in the State Teachers' Retirement System if the member, by reason of the member's Japanese ancestry, was required to leave his or her teaching position in California and returned prior to July 1, 1972, to a position requiring membership in the system.

This bill would give a member or retirant service credit in the system if the member, by reason of the member's Japanese ancestry, was placed in a relocation center administered by the Wartime Civil Control Administration, the member possessed a California teaching credential or a bachelor's degree in education from a California postsecondary institution and served in a teaching capacity for compensation while in the relocation center, and the member or retirant elects and pays or has paid ⅓ of the present value of the service credit credited under the bill. The Teachers' Retirement Board would be required to determine present value based on prescribed guidelines and could allow installment payments of amounts due.

Ch. 487 (AB 2223) Duffy. Workers' compensation: death benefits.

Existing law provides that when an injury causes death, an employer is liable under the workers' compensation law for, among other things, the reasonable burial expenses of an employee, up to $1,000

This bill would increase such amount to $1,500.

This bill also 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. 488 (AB 2236) Thurman. Vehicles: farm labor vehicles.

(1) Existing law defines a farm labor bus and a farm labor truck as a bus or truck, operated or leased by a farmer or farm labor contractor, used for transportation of 7 or more employees of a farmer or farm labor contractor.

This bill would delete those definitions and replace them with a definition of "farm labor vehicle."

The new definition of farm labor vehicle would not apply to vehicles carrying only the immediate family members of the owner or driver or to any vehicle being operated pursuant to authority of the Public Utilities Commission or authority granted to a transit system by an authorized city or county agency.

(2) Generally, under present law, no person may operate a farm labor truck or bus unless he has a farm labor vehicle driver certificate.

This bill would provide, in addition, that no farm labor vehicle driver certificate shall be valid unless the driver also has a medical certificate issued within the past 2 years.

This bill makes other related, conforming changes.

Ch. 489 (AB 2278) Antonovich. Local agencies: financial affairs.

Existing law authorizes the treasurer of a local agency to deposit funds of the agency with a depositary for a rate of interest of not less than one-half of 1% a year and for a term of not to exceed one year

This bill would remove the rate of interest limitation on deposits of funds of local agencies with a depositary.

This bill would also remove the term limitation on deposits of funds for the treasurer of any county with a population of six million or more.

Ch. 490 (AB 2534) Knox. Bulk transfers.

The provisions of the Commercial Code on bulk transfers generally require that advance notice be given to the seller's creditors of an impending bulk transfer. Existing law provides that the enterprises subject to these provisions are bakers, cafe or restaurant owners, garage owners, cleaners and dyers or retail or wholesale merchants.

This bill would include manufacturers as an enterprise subject to the bulk transfer provisions.

Existing law includes the creation of a security interest as a transfer to which the provisions relating to bulk transfers apply.

This bill would exclude the creation or modification of a security interest from such provisions

Existing law provides that a notice to creditors of an intended bulk transfer be recorded, published and delivered to the county tax collector at least 10 days before the transfer is to be consummated.

This bill would require notice to be recorded, published and delivered at least 12 business days before the transfer is to be consummated.

No provision of existing law requires a transferee of a bulk sale to apply the consideration for such sale to pay the debts of the transferor

This bill would provide that upon every bulk transfer for cash or for an obligation to pay cash in the future, except for such a sale by auction, it is the duty of the transferee to apply the consideration to pay the debts of the transferor which are filed in writing with the transferee or his agent or an escrow agent prior to the consummation of the transfer.

Ch. 491 (AB 2614) Keene Public contracts.

(1) Existing law requires any project, as defined, of the California State University and Colleges which will exceed in cost a total of $10,000, with certain exceptions, to be performed pursuant to competitive bid. Painting is not expressly included in the existing definition of such projects.

This bill would expressly include painting within the definition of projects subject to such competitive bidding requirements.

(2) Existing law requires counties, generally, to let to the lowest responsible bidder after bid advertisement, specified construction and repair contracts estimated to cost over $4,000, and, for counties with over 500,000 population, those contracts estimated to cost over $6,500. However, in counties with over 2,000,000 population, contracts for the alteration or repair of specified county-owned buildings estimated to cost less than $50,000 are exempt from such competitive bidding requirements.

This bill would expressly include painting contracts, in addition to construction and repair contracts, in such existing provisions for competitively bid contracts by counties generally and by counties with over 500,000 population. However, alteration or repair work on specified county-owned buildings in counties with over 2,000,000 population estimated to cost less than $50,000 would remain exempt from such provision pursuant to existing law.

(3) Existing law requires, when the expenditure for any public project, as defined, of a general law city exceeds $5,000, that such contract be let to the lowest responsible bidder after notice.

This bill would expressly include painting in the definition of such contracts.

Ch. 492 (AB 2677) Ellis. Goods and services

Existing law prohibits the solicitation of money by means of a statement or invoice, or any writing that could reasonably be interpreted as a statement or invoice, for goods not yet ordered or for services not yet performed and not yet ordered unless a designated statement declaring that the writing is a solicitation and that there is no obligation to make payment unless the offer is accepted appears on the face of the statement, invoice, or writing. A person damaged by noncompliance with such requirement is entitled to damages in an amount equal to 3 times the sum solicited.

This bill would additionally: (1) require such statement to be at least 10 points larger than any other type on the face of the bill, invoice or statement; (2) make any such solicitation a misdemeanor, and (3) in addition to the action for damages authorized by present law, provide for a civil penalty not to exceed $10,000 for each violation of such provision to be assessed and recovered in a civil action by the Attorney General or by a district attorney, county counsel, or city attorney

This bill would provide for neither appropriation nor reimbursement to local entities for specified reasons.

Ch 493 (AB 2965) McVittie. Medical records: availability: costs.

Existing law requires licensed physicians and surgeons, dentists, osteopaths, chiropractors, pharmacists, and other specified medically related occupational groups to make a patient's records available for inspection and copying by an attorney having written authorization for such inspection and copy. No provision is made for charges incurred in making records available.

This bill would provide that the person whose written authorization required the records to be made available may be charged all reasonable costs incurred in making the records available up to specified limits.

Ch 494 (AB 1969) Dannemeyer. Judgments: execution: exemption.

Existing law exempts from execution, attachment, or garnishment in bankruptcy proceedings, money held, controlled, or in process of distribution by any private retirement plan or any profit-sharing plan designed and used for retirement purposes, or the payment of specified benefits from such retirement or profit-sharing plan, and all contributions and interest returned to any member of such retirement or profit-sharing plan.

This bill would delete the limitation that such exemption applies only in bankruptcy proceedings, would revise the definition of exempt retirement plans, would specify that the exemption applies regardless of whether the funds are in the possession of the pensioner or beneficiary, or are deposited by him.

The bill would also limit application of the expanded exemption to moneys held in self-employed retirement plans and individual retirement annuities or accounts which are exempt from federal income taxation.

Ch. 495 (AB 2229) Hart. Community college: attendance

Existing law authorizes the president of a community college to accept on a special part-time basis those 11th or 12th grade students recommended by their high school principals for either community college or vocational education classes. No high school principal may recommend for community college classes more than 15% of the 11th and 12th grade students in the high school. A high school principal may also recommend as special summer session students up to 5% of the students in the high school who have completed the 11th grade immediately prior to the recommendation.

This bill would allow students of any grade, with parental consent, to be recommended for special student status at community college or vocational education classes and would remove the restriction on the percentage of students who may be recommended for community college classes, while retaining the restriction on the number of special summer session students from any one grade. This bill would also make provision concerning apportionments to school and community college districts for attendance of such special students at community colleges.

Ch. 496 (AB 2343) Perino. State vehicular recreation area.

Pursuant to existing law, moneys in the Off-Highway Vehicle Fund are continuously appropriated to the Department of Parks and Recreation for, among other purposes, the planning, acquisition, development, construction, maintenance, administration, and conservation of recreational areas and trails for the use of off-highway motor vehicles. Existing law makes no provision for the acquisition of property in the Counties of Alameda and San Joaquin, commonly known as the Carnegie Cycle Park, for state park purposes.

The bill would authorize the Director of General Services to purchase or lease such property on behalf of the state

The property would be transferred to the administrative jurisdiction of the Department of Parks and Recreation, which would be required to plan, develop, construct, maintain, administer, and conserve the area and trails for the use of off-highway motor vehicles. Any rent accruing from a lease after jurisdiction over the property is transferred to the department would be required to be deposited in the Off-Highway Vehicle Fund, rather than the General Fund, as would otherwise be required by existing law.

The bill would authorize the Director of General Services to lease all or part of the

property to any private party, and any such lease would be subject to the determination of the Director of Parks and Recreation that the property is not then needed for the purposes of the state park system.

This bill would appropriate $1,500,000 from the Off-Highway Vehicle Fund to the department for the planning, acquisition, and development, as a state vehicular recreation area, of such property.

The bill would prohibit expenditure of any funds appropriated thereby until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

The bill would take effect immediately as an urgency statute.

Ch. 497 (AB 2485) Chappie. Vehicles· parking fines; transfer fees; schoolbus registrations.

(1) Present law requires the Department of Motor Vehicles to notify persons who have outstanding parking violations of the amount owed and to collect such amount prior to renewing registration of the vehicle. The department is also required to collect an administrative fee to cover the cost of collecting the parking fines. The fee consists of costs incurred by the Department of Motor Vehicles in administering specified provisions and certain costs incurred by the Department of the California Highway Patrol.

This bill would prescribe the basis on which costs incurred by the Department of the California Highway Patrol are to be calculated.

(2) Under existing law, a privately owned schoolbus, under contract with a public school district or nonprofit educational organization or owned by a nonprofit organization and operated according to prescribed rules and regulations of the Department of Education, is subject to a special vehicle registration fee of $10. When privately owned buses are temporarily used in operations which would subject them to regular full year registration, a 3-month permit must be obtained within 20 days of commencing operations which subject the bus to regular vehicle fees.

This bill would require that the temporary permit be obtained prior to commencing operations that would subject the bus to regular vehicle fees

(3) Under existing law, when the applicant for a transfer of registration of a vehicle is unable to present the certificate of ownership or registration card, the department may transfer registration of the vehicle on specified conditions. Also, under existing law, the department may issue a duplicate certificate of ownership or registration card for a fee of $3. There is, however, no existing provision of law which specifically authorizes the imposition of a fee for a transfer under such conditions when no duplicate certificate is issued.

The bill would specify that the above fee is applicable for the transfer of a vehicle when the ownership certificate or the registration certificate or both the ownership certificate and the registration certificate are not available.

(4) Existing law provides that a fee of $1 shall be charged for duplicate registration stickers for a vessel.

This bill would provide that when the department transfers ownership of a vessel when the certificate of ownership or certificate of number, or both, are missing, the above fee shall be paid to the department in addition to the regular transfer fee.

Ch. 498 (AB 2513) Suitt. Coachella Valley: ground water.

Existing law provides for county water districts with specified powers. Such districts are not authorized to levy replenishment assessments on persons extracting ground water.

This bill would authorize the Coachella Valley County Water District only to levy and collect water replenishment assessments for the purpose of replenishing ground water supplies within the district, would provide the procedure for making such levy and enforcing its collection, and would provide, on specified conditions, that extraction of ground water without specified water-measuring devices is punishable by a fine not to exceed $300, imprisonment in the county jail not to exceed 30 days, or by both such fine and imprisonment

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 for a specified reason.

Ch 499 (AB 2668) Chappie. Westside Water District: contracts and water charges.

Existing provisions of the California Water District Law prescribes the general powers of water districts.

This bill would add provisions pertaining only to the Westside Water District which would authorize the district to enter into long term service contracts with landowners and to establish an alternative procedure for levying water charges.

The bill would state that a special law is necessary and that a general law could not be made applicable.

This bill would take effect immediately as an urgency statute.

Ch. 500 (AB 2679) Mangers. Vehicles: windshield: visibility.

Except for certain specified exemptions, existing law prohibits driving any motor vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield in such a manner as to obstruct or reduce the driver's clear view.

This bill would provide that transparent material could be installed or affixed to the topmost portion of the windshield and would specify where and under what conditions the material could be placed

The bill would make additional changes in Section 26708 of the Vehicle Code, proposed by Senate Bill No. 1536, to be operative only if this bill and Senate Bill No. 1536 are both chaptered and effective January 1, 1979, and this bill is chaptered after Senate Bill No. 1536.

Ch 501 (AB 2816) Mangers Highways: state: Route 1· excess real property.

Under existing law, the Department of Transportation is authorized to sell real property acquired for state highway purposes, but no longer required for such purposes, on such terms as established by the California Transportation Commission. The general practice of the department is to sell such property at public auctions or by sealed bids.

This bill would authorize the department to first offer for sale, at fair market value as determined by the department, to the Mills Land & Water Company the approximate 28 5 acres acquired from the company by the department on May 11, 1965.

The bill would require the company, within 60 days after receipt of the first offer of the department to sell the approximate 28.5 acres, to notify the department of its acceptance of that offer, or any subsequent offer from the department, and any conditions attached to the acceptance.

The bill would require the department, after acceptance of its offer by the company and from 45 days after opening of escrow until transfer of title, to join in executing any documents reasonably related to efforts of the company to obtain necessary approvals in developing the property The department would bear none of the expenses in obtaining the approvals.

The bill would specify that the acceptance of the offer by company would constitute a settlement of any and all claims the company may have against the State of California with respect to the parcel.

The bill would declare that a special law is necessary.

The bill would take effect immediately as an urgency statute.

Ch. 502 (AB 3140) Bannai. State Teachers' Retirement System.

(1) The State Teachers' Retirement Law provides retirement allowances and benefits to its members and retirants.

This bill would make technical changes in a number of provisions of such law.

(2) Under such law, family or disability allowances payable on account of a full-time student begin to accrue at the beginning of the month during which the full-time student qualified for the allowance and terminate at the beginning of the month in which the student no longer qualifies for it.

This bill would provide for such allowances to begin to accrue on the day of the month following the day the death of the member occurs and to terminate on the day in which the student no longer qualifies for it, and would specify how any adjustments shall be made to an allowance on account of full-time student's periods of nonattendance.

Ch. 503 (AB 3692) Levine. Medical review: immunity: discovery.

Existing law provides that there shall be no monetary liability on the part of, and no cause of action shall arise against, any member of a peer review committee whose purpose is to review the quality of medical or dental services rendered by physicians and surgeons or dentists, for any act or proceeding undertaken or performed in such review, absent malice and under other specified circumstances.

This bill would extend the same civil immunity to such a committee reviewing the quality of service rendered by a dental hygienist.

Existing law further provides that neither the proceedings of, nor the records of, organized committees of medical staffs or medical-dental staffs in hospitals, having responsibility for evaluation and improvement of the quality of care rendered in such hospitals, shall be subject to discovery in litigation

This bill would extend the same exemption from discovery to the proceedings and records of a dental hygienist review committee or dental hygienist society having responsibility for evaluation and improvement of the quality of care rendered by the group

The bill also makes additional changes in Section 43.7 of the ~~Evidence~~ [Civil]* Code made by Assembly Bill No. 2408, which has been signed and chaptered

Ch. 504 (SB 1969) Presley. Vehicle: evasion of peace officer

Existing law makes it a misdemeanor for any person operating a motor vehicle and hearing a siren or seeing a flashing red light emanating from a vehicle painted a distinctive color, distinctively marked and operated by a member of the California Highway Patrol or any peace officer of any sheriff's or city police department, wearing a complete, distinctive peace officer's uniform, including an appropriate badge, to willfully disregard the siren or flashing light or to flee or otherwise attempt to evade the officer.

This bill would make it a misdemeanor to willfully disregard, flee or otherwise seek to evade a distinctively marked car, operated by a member of the California Highway Patrol or any peace officer of any sheriff's department or police department wearing a distinctive uniform, when the siren is on and a red light is emanating from the vehicle.

Ch. 505 (SB 1970) Presley Vehicle: impoundment

Existing law authorizes specified peace officers, having reasonable cause to believe that a vehicle has been involved in a hit-and-run accident and the driver has failed to stop and render assistance, to remove the vehicle from the highway for inspection. The vehicle is required to be released after 24 hours at the owner's demand.

This bill would require the vehicle to be released after 48 hours at the owner's request. Weekends and holidays would not be included in determining the 48-hour period.

Ch. 506 (SB 246) Presley. County boards of education.

Current law authorizes the county board of supervisors to transfer specified duties and functions to the county board of education.

This bill would authorize a county board of education, as specified, to which such duties and functions have been transferred to exercise the power of eminent domain to acquire any property necessary or convenient for carrying out specified duties and functions.

This bill would take effect immediately as an urgency statute.

Ch. 507 (AB 3517) Brown. Longshoremen's and harbor workers' insurance.

Chapter 444 of the Statutes of 1976, effective only for a 2-year period from the date of enactment, did the following:

(1) Permitted the State Compensation Insurance Fund to insure California employers against their liability for compensation or damages for injury or death occurring outside this state under the Workers' Compensation Law of any other state under specified conditions, the Longshoremen's and Harbor Workers' Compensation Act, or other federal or maritime laws with respect to operations carried on principally within the borders of this state, as fully as any private insurer.

(2) Required the Insurance Commissioner to approve or issue a classification of risks and premium rates relating to United States longshoremen's and harbor workers' insurance.

(3) Added provisions which require that the assets, premiums, reserves, investment income, and property acquired by the fund from its transaction of insurance pursuant to the Longshoremen's and Harbor Workers' Compensation Act be maintained in sepa-

rate accounts and records from that acquired pursuant to its transaction of workers' compensation insurance, and require that joint or shared use of office space, supplies, and equipment be charged to each class of insurance on an equitable and proportional basis.

This bill would reenact without limitation such provisions of Chapter 444 of the Statutes of 1976, and require the State Compensation Insurance Fund to make an annual report to the Legislature, to take effect immediately as an urgency statute, but to be applied retroactively commencing July 10, 1978.

Ch. 508 (AB 539) Maddy. Summary dissolution of marriage.

Existing law does not provide procedures for summary dissolution of marriage.

This bill would provide for a summary dissolution of marriage where there are no minor children of the parties born or adopted during the marriage, the parties have no real property, there are no unpaid debts over $2,000 except as specified, the parties waive rights to spousal support, and where other prescribed conditions exist relating to the marriage.

This bill would provide that a proceeding for summary dissolution be commenced by filing in a superior court a joint petition therefor in the form prescribed by the Judicial Council.

This bill would also provide for revocation of the summary dissolution proceeding by either party to the marriage.

Further, the bill would require each superior court to make available a brochure, as prescribed by the Judicial Council, describing the requirements, nature, and effect of proceedings under the summary dissolution procedure, as well as a statement that the parties should not rely exclusively on such brochure which is not intended as a guide for self-representation in such proceedings.

The bill would appropriate $24,000 from the General Fund to the Judicial Council for the purposes of developing the legal forms and brochure required by the provisions of the bill.

Ch 509 (AB 2118) Chimbole. Mortgages and deeds of trust.

Existing law provides that when any mortgage or deed of trust has been satisfied, the mortgagee or beneficiary, upon demand of the mortgagor, trustor or landowner, is required to execute a certificate of discharge, or a request to the trustee for a full reconveyance, so as to entitle the certificate to be recorded or a full reconveyance to be executed by the trustee, or to cause satisfaction of the mortgage to be entered of record. Upon execution of a full reconveyance by a trustee under a deed of trust, or of a certificate of discharge by a mortgagee, the trustee or mortgagee is required to record or cause to be recorded such full reconveyance or certificate of discharge unless the trustee has received instructions to the contrary or the reconveyance or certificate of discharge is to be delivered to the trustor or mortgagor, or owner of the land, through an escrow.

This bill would provide, instead, that, when any mortgage has been satisfied, the mortgagee or the assignee of the mortgagee is required to execute and record or cause to be recorded a certificate of discharge, and that, when any deed of trust has been satisfied, the beneficiary or the assignee of the beneficiary is required to execute and deliver to the trustee a request for a full reconveyance. The trustee, in turn, would be required to execute and record or cause to be recorded such full reconveyance.

The bill would also limit the exception to such provision to instances where the mortgagee, beneficiary or trustee, or assignee thereof, has received written instructions to the contrary from the trustor, mortgagor, or owner of the land, or from the owner of the obligation secured by the deed of trust, his agent or escrow, or where the certificate of discharge or full conveyance is to be delivered to the mortgagor or trustor, or to the owner of the land, through an escrow to which such mortgagor, trustor, or owner is a party.

Ch. 510 (SB 2242) Rains. Constitutional amendments.

This bill would require the submission of Senate Constitutional Amendment Number 67 passed by the Legislature prior to August 19, 1978, to the voters at the November 1978 General Election under specified conditions.

This bill would require all arguments with respect to such amendment be delivered to the Secretary of State within specified time periods and that such amendments be placed on the ballot in the order submitted and received by the Secretary of State.

In connection with constitutional amendments adopted by the Legislature after June 29th, but prior to August 19th, the bill would permit the Secretary of State to mail ballot pamphlets, including inserts, for the November 1978 General Election directly to the voters.

This bill would take effect immediately as an urgency statute.

Ch. 511 (AB 2117) Chimbole. State park system: Antelope Valley Indian Museum.

Existing law requires that proposed expenditures by the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund be included as separate items in the Budget Bill

This bill would, notwithstanding such provisions, appropriate $300,000 from the account to the department for the acquisition for the state park system of the Antelope Valley Indian Museum. The bill would require such acquisition to be subject to the provisions of the Property Acquisition Law and would prohibit the expenditure of any funds appropriated thereby until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

The bill would also authorize the Director of Parks and Recreation to provide for the long-term operation and maintenance of the museum on a self-sustaining basis pursuant to a contract with any natural person, corporation, association, organization, or public agency

Ch. 512 (AB 2337) Statham. Map of boundaries of new city or district: payment of filing fees.

Existing law requires the State Board of Equalization to establish a schedule of fees for the filing and processing of statements and maps or plats regarding local governmental boundary changes or the boundaries of newly created cities or districts or special zones thereof that are required to be filed with affected assessors and the state board. Such fees are required to be paid at the time such statement is filed.

This bill would require that payment of such fees be deferred until such time as a newly created city or district receives its first revenues.

Ch. 513 (AB 2213) Lehman. State land: transferral.

Present law authorizes the Director of General Services to transfer to the City of Fresno certain land adjacent to Fresno Air Terminal upon condition that the land be used for public purposes

This bill would delete the requirement that the land be used for public purposes, but would require that title to the land remain in a public agency. In addition, this bill would specifically provide that any portion of this property which has been transferred by the City of Fresno to the City of Clovis shall not be subject to a condition that it be used for a public purpose

This bill would provide that as a condition to the operation of this bill and to the removal of the public purpose restriction, the City of Fresno and the City of Clovis shall transfer to the state all mineral deposits in the property.

Ch. 514 (AB 1503) Ingalls. Vehicles: size and weights.

Under existing law, there are limits as to the size, weight, and load of vehicles operated on the highways of this state.

This bill would ratify and approve the Multistate Highway Transportation Agreement to encourage, among other things, uniformity in allowable vehicle size and loads, as long as such uniformity is compatible with safe operation of vehicles on member highway systems and does not have an adverse impact on highway maintenance programs. The agreement would remain in force for three years, at which time the Secretary of Business and Transportation would be required to make recommendations to the Legislature as to whether or not it should be continued.

The bill would also specify that funds necessary to carry out the provisions of the agreement are to come from the State Highway Account

Ch. 515 (AB 2743) Berman Health planning.

Existing law generally requires that a certificate of need be obtained for construction of new health facilities, or for services, equipment, or modernization thereof costing in excess of $150,000. However, certain remodeling and projects involving the replacement of health facilities are exempt from the requirement of the issuance of a certificate of need.

This bill would require the Office of Statewide Health Planning and Development to grant a certificate of exemption for remodeling a health facility or for the replacement of equipment or services of a health facility, or for remodeling or replacing a basic emergency center or its equipment, which would otherwise not be eligible for such a certificate for prescribed reasons, when the health facility has been purchased for the purpose of providing services to existing members and reasonably anticipated members of a comprehensive group practice prepayment health care service plan which is licensed under the Knox-Keene Health Care Service Plan Act of 1975 and qualified as a health maintenance organization under prescribed provisions of the federal Public Health Service Act, and if the applicant for the certificate demonstrates that the project is necessary to meet the needs of such members, submits a letter of intent to undertake the proposed project within 2 years of the date of purchase of the facility, agrees not to sell, lease, or rent the facility within 5 years without the permission of the Office of Statewide Health Planning and Development, and the applicant and the affected health facility meet prescribed criteria.

Ch. 516 (AB 1514) Thurman. 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.

Ch. 517 (AB 2896) Arnett. Pacific State Hospital: name change.

Existing law provides that the Pacific State Hospital is under the jurisdiction of the State Department of Developmental Services.

This bill would change the name of such hospital to the Frank D. Lanterman State Hospital.

The bill would provide that forms, letters, and other printed matter containing references to Pacific State Hospital may be used until such time as they are depleted.

Ch. 518 (SB 1779) Dills. Health and Welfare Agency Data Center.

Existing law provides for the establishment of the Health and Welfare Agency Data Center.

This bill would create in the State Treasury the Health and Welfare Agency Data Center Revolving Fund and would provide that monies in such fund shall be utilized for the payment of expenses incurred by the data center upon appropriation by the Legislature. It would provide that if the fund balance at the end of any fiscal year exceeds $2,000,000, the excess amount shall be used first to repay the appropriation made by the bill and then to reduce billing rates for services rendered during the following fiscal year.

The bill would appropriate $1,000,000 to the data center without regard to fiscal years and take effect immediately as an urgency statute

Ch. 519 (AB 64) Greene. School sites.

Existing law, with certain prescribed exceptions, makes a school district subject to nonuse payments if it acquires a site for school purposes and does not use the site within a designated period of time

This bill would, with such exceptions, make a school district subject to nonuse payments if it has a site at any grade level which has previously been used but has not been used for school purposes within the preceding 5 years.

Ch. 520 (AB 2419) Perino. Fish and Game Commission: mammal regulations.

Under existing law the Fish and Game Commission is required to hold designated meetings in April and May in connection with the adoption of regulations relating to mammals.

This bill would require such meetings to be held one month earlier in March and April.

Existing law requires the Department of Fish and Game to determine prior to February 15 of each year proposed recommendations to be made to the commission regarding management of deer, and requires that the department not later than February 15, notify affected counties of such recommendations. When the county decides to hold a public hearing on the proposed recommendations, existing law requires that such hearing be held prior to April 1, and allows a county, not later than April 1, to object to such recommendations.

This bill would advance such deadlines by one month, to January 15 and March 1.

Ch. 521 (SB 1308) Alquist. Subdivision of land.

(1) Existing law requires that prior to the time when subdivided lands are to be offered for sale or lease, the owner, his agent or subdivider notify the Real Estate Commissioner in writing containing certain designated information of his intention to sell or lease such offering.

This bill would require, in addition, that such notice of intention contain a statement, if applicable, referencing any soils or geologic reports prepared specifically for the subdivision.

(2) Existing law requires a final map be prepared for all subdivisions creating 5 or more parcels and specifies certain requirements for the content of the final map. When a soils report has been prepared, this fact is required to be noted on the final map, together with the date of such report and the name of the engineer making the report.

This bill would require additionally that the final map note any geologic report prepared specifically for the subdivision, together with the date of such report and the name of the geologist making the report. This bill would require that the soils report or geologic report, or both, be kept on file for public inspection by the city or county having jurisdiction.

(3) This bill would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason.

Ch. 522 (SB 1512) Smith. School and community college districts: governing boards: meetings.

Existing law requires open and public governing board meetings in all school and community college districts, and requires that minutes be taken at such meetings and that an agenda for such meetings be posted. Existing law also allows testimony to be taken at such meetings on matters not on the agenda, provided that the board takes no action on the matter at the meeting at which the testimony is presented.

This bill would require that governing boards adopt reasonable regulations to carry out legislative intent that members of the public be able to place matters directly related to school and community college district business on the agenda and to address the governing board regarding such agenda items.

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 the bill for a specified reason.

Ch 523 (SB 2123) Song Commission on Uniform State Laws.

Under existing law, the Legislative Counsel is an ex officio nonvoting member of the Commission on Uniform State Laws.

This bill would delete the provision that prohibits the Legislative Counsel from voting on the commission.

Existing law requires the commissioners of the Commission on Uniform State Laws to either each attend the meetings of the National Conference of Commissioners on Uniform State Laws, or to arrange for the attendance of at least one of their number at such national conference

This bill would provide that the attendance of a commissioner at such a meeting shall be deemed an excused or authorized absence from his or her employment.

Ch. 524 (SB 1770) Sieroty. Drug abuse: special proceedings.

Existing law provides for the repeal, effective January 1, 1979, of the provisions establishing special proceedings in narcotics and drug abuse cases.

This bill would repeal such provision.

It would also provide that the bill makes no appropriation for the reimbursement of local agencies for costs incurred as a result of its enactment for a specified reason.

Ch. 525 (AB 1814) Ingalls. Vehicles: private party vehicle markets.

(1) Existing law, generally, requires that the transferor of a vehicle notify the Department of Motor Vehicles of the transfer, and that the transferee, after receiving a properly endorsed certificate of ownership and the registration card from the transferor, make application to the department for a transfer of registration.

This bill would require that every private party vehicle market operator maintain, for not less than one year, the name of each vendor selling, exchanging, or offering for sale or exchange, any vehicle at a private party vehicle market, the vendor's driver's license number, the registration number assigned to the vehicle, the vehicle identification number, and the make, model, and color of the vehicle. Such information would be required to be made available, upon request, to any peace officer and to any employee of the department designated by the Director of Motor Vehicles.

Every such operator would be required to supply specified forms and information to vendors regarding the requirements for the transfer of vehicle ownership and registration.

The bill would also define various terms for purposes of such provisions.

(2) Existing law imposes certain recordkeeping and reporting duties upon "secondhand dealers" as defined.

This bill would specify that transactions subject to the bill's provisions would not be subject to such provisions of existing law.

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 the bill for specified reason.

Ch. 526 (AB 2502) Roos. Highways: city streets: easements: abandonment.

Under existing law, a city council may reserve and except, from the vacation of a city street, easements for public utilities. The abandonment procedure for such an easement requires, among other things, that public notices be posted on the street of the time and place to consider the proposed abandonment.

This bill would authorize a city council, by the adoption of an ordinance or a resolution at a hearing for which notices have been posted conspicuously along the easement proposed to be vacated at least 30 days before the hearing, to summarily abandon an easement reserved and excepted from the vacation of a city street A certified copy of the ordinance or resolution, as the case may be, would be required to be recorded in the office of the county recorder of the county within which the city is located. The easement would be extinguished upon recordation of the ordinance or resolution.

The bill would apply only to easements occupied solely by facilities of the city summarily vacating or abandoning the easement.

Ch. 527 (AB 2519) N. Waters Civil defense and disaster· interstate compact

Existing law provides that the provisions of the Interstate Civil Defense and Disaster Compact shall be repealed December 30, 1978.

This bill would delete the repeal of the Interstate Civil Defense and Disaster Compact on December 30, 1978

This bill would take effect immediately as an urgency statute.

Ch. 528 (AB 2531) McVittie Process servers.

Existing law requires any person who makes more than 10 services of process during 1 calendar year to file a verified certificate of registration as a process server with the county clerk of the county in which he resides or has his principal place of business. Various persons, such as government employees and attorneys and their employees, are excluded from such requirement

This bill would provide that the return of a registered process server upon process or notice establishes a presumption, affecting the burden of producing evidence, of the facts stated in the return.

Ch. 529 (AB 2603) Lancaster. Improvement districts: street lighting.

The Improvement Act of 1911 and the Highway Lighting District Act, in general, define the terms "highway" and "street" as those dedicated to public use and used by the public.

This bill would include, within those terms, streets and highways which are privately owned, opened to public traffic, and located within the boundaries of an assessment district established to provide street lighting (in the case of 1911 act) or a district created under the lighting district act (in the case of that act).

The bill would also delete an obsolete reference to the California Resort District Law, which has been repealed.

Ch. 530 (AB 2623) Rosenthal. Embalming.

Under existing law an embalmer may embalm a dead body without permission of authorized persons, except in specified circumstances involving the manner of death.

This bill would prohibit embalming a dead body without the permission of specified persons, except when otherwise required by law or to avoid irreparable deterioration of the body, and then only after a good faith attempt to secure permission from a person authorized by law to permit such embalming.

Ch. 531 (AB 2712) Stirling. Licensing massage establishments.

Existing law provides that a city or county may deny the issuance of a license to operate a massage establishment upon a showing by the licensing authority that the massage personnel, owners, or operators have been convicted of certain specified state offenses.

This bill would provide that the license may also be denied upon a showing by the licensing authority that the massage personnel, owners, or operators have been convicted in any other state of any offense similar to the specified state offenses.

Ch. 532 (AB 2953) McVittie. Prisoners: good time credits.

Existing law provides for specified loss of good behavior and participation credit by an inmate who manufactures or sells intoxicants.

This bill would instead provide for such loss of credits by an inmate for the manufacture, sale or unauthorized possession or use of alcoholic beverages or poisons.

Ch. 533 (AB 3142) Keysor. County central committees.

Existing law does not require various county central committees, which are governed by the provisions of the Elections Code, to conduct their meetings in quarters which are accessible to the physically handicapped.

This bill would impose such a requirement.

Ch. 534 (AB 2338) Statham. Disaster assistance: allocations to local agencies.

(1) Existing provisions of the Natural Disaster Assistance Act, relating to allocations to local agencies, establish criteria for determining the amount to be allocated by the state and to be contributed by the local agency and require that funds received from the federal government for any portion of the cost of a project be deducted from the cost of the project in applying such criteria.

This bill would provide that only funds received from the federal government for disaster relief shall be deducted from the cost of a project when applying such criteria for the purposes of determining the allocation and contribution and would make such provisions retroactive commencing with the effective date of the Natural Disaster Assistance Act, May 31, 1974

(2) Existing law authorizes allocation of state disaster relief funds to state agencies for, among other things, preliminary investigations, estimates, reports, and reimbursement for expenditures in anticipation of actual applications by local agencies.

This bill would also authorize allocations of state disaster relief funds to state agencies for training of state agency personnel

(3) The bill would make other technical, conforming changes

Ch. 535 (AB 2544) Gage Courts.

Existing law provides for 4 judges in the municipal court of Sonoma County.

This bill would raise the number to 5

This bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or

entities which desire authority to act pursuant to the act.

Ch. 536 (AB 3222) Deddeh. Restraint of trade: standing to sue.

Existing statutes do not specify that an injured person may bring an action for restraint of trade against a defendant regardless of whether the injured person dealt directly or indirectly with the defendant.

This bill would so provide and declare that such authorization is declarative of existing law.

Ch. 537 (AB 3257) Ryan. Political Reform Act: financial disclosure.

Existing law, contained in the Political Reform Act of 1974, requires persons appointed to specified offices to file statements of economic interests not less than 10 days before assuming office. The act also requires persons assuming non-civil-service positions as designated employees to file statements of economic interests not less than 10 days before assuming office or, if subject to confirmation, not less than 10 days before being confirmed.

This bill would provide instead, for such persons appointed or nominated to specified offices, that statements of economic interests be filed not more than 10 days after assuming office, or if subject to confirmation by the Commission on Judicial Appointments or the State Senate, not more than 10 days after the appointment or nomination. This bill would provide, for persons assuming non-civil-service positions as designated employees, that statements of economic interests be filed not more than 10 days after assuming office, or if subject to State Senate confirmation, not more than 10 days after appointment or nomination.

This bill also makes technical changes in the act so that the act's references to the California Coastal Commission reflect its new name.

Ch. 538 (AB 3599) Dixon. State Teachers' Retirement System: contributions, discontinued plans.

Existing State Teachers' Retirement Law requires school districts which have discontinued district retirement plans to maintain an annuity reserve fund on behalf of the members of the discontinued plan and permits earnings to be credited to members' accounts on June 30th of each year or on such other dates as the annuity reserve fund board may determine

This bill would make a conforming change regarding earnings which are required to remain in the fund with respect to a participant who separates from service.

Ch. 539 (AB 3742) Antonovich. Juveniles: removal from parental custody.

Existing law authorizes the juvenile court to adjudge a person a dependent child of the court upon one of several determinations, including (1) that the person is in need of proper and effective parental care or control and has no parent or guardian capable of exercising such care or control, (2) that the person is not provided with the necessities of life; or (3) that his or her home is an unfit place.

This bill would provide that a parent may not be determined to be incapable of exercising proper care or control solely because of a physical disability, unless the court finds that the disability prevents the parent from exercising such care or control

It would also provide that where a minor is alleged to be eligible to be declared to be a dependent child on the basis that he or she is in need of medical treatment, the court shall give consideration to any treatment being provided the minor by spiritual means through prayer alone under specified conditions

Ch 540 (AB 2104) Chappie Alcoholic beverages· club licenses.

Existing law provides for the issuance of a club license for the sale of alcoholic beverages to specified organizations

This bill would authorize the Department of Alcoholic Beverage Control to issue a club license to certain nonprofit property owners' associations, as defined.

The revenues from licenses for the sale of alcoholic beverages are continuously appropriated.

This bill, by increasing the number of qualified licensees, would affect the appropriation.

Ch. 541 (SB 1374) P Carpenter. Mobilehomes: tenants.

Under existing law there is no requirement that a mobilehome owner or manager inform a tenant of the reasons the owner or manager rejects a tenant's purchaser as a prospective tenant.

This bill would impose such a requirement.

This bill would incorporate into proposed Section 798.74, as added to the Civil Code by SB 2119, the changes in Section 789.10 of the Civil Code made by this bill, contingent upon the enactment of SB 2119

Ch. 542 (SB 1501) Alquist. California State University and Colleges: program for California residents 60 years of age or older.

Former provisions of law which were in effect until July 1, 1978, provided for a special pilot project at two institutions of the California State University and Colleges to allow persons 60 years or older to enroll in regular courses without paying the application for admission fee or regular session registration fees.

This bill would provide for the continuation of such pilot project until July 1, 1979.

This bill would take effect immediately as an urgency statute.

Ch. 543 (SB 1666) Zenovich. Vehicle. lighting equipment.

Under existing law, the use of lighting equipment on vehicles is regulated and certain lighting devices are required to be installed on motor vehicles while other devices are permitted.

This bill would permit the use of lamps on each side of a schoolbus when visibility is substantially reduced, as specified. The bill would require the Department of the California Highway Patrol to establish regulations relating to the installation of these lamps. Such regulations are required to be adopted by January 1, 1980.

Ch. 544 (SB 1751) Rains. Santa Barbara County Flood Control and Water Conservation District.

(1) Under the Santa Barbara County Flood Control and Water Conservation District Act, the Santa Barbara County Flood Control and Water Conservation District is authorized to issue bonds to finance any work or improvement for a zone upon a ⅔ vote of approval in the zone.

This bill would authorize the district to issue bonds to finance work or improvement for the benefit of the entire district upon a ⅔ vote of approval, except that only a majority vote of approval is required if the work on improvement is for the utilization of a water supply made available from the State Water Resources Development System pursuant to a contract.

(2) Under the act, the amount of any bonds issued to finance any work or improvement in any zone may not exceed 5% of the taxable property in the zone.

The bill would increase the allowable percentage to 8, which would also be the allowable percentage for district bonds for a districtwide work or improvement.

(3) Under the act, bond principal and interest payments, at the discretion of the district board, are required to be paid annually or semiannually.

The bill would delete this requirement.

(4) Under the act, bonds issued are required to mature within 2 to 40 years.

The bill would delete this requirement.

(5) Under the act, the denomination of a bond may not be less than $100 or greater than $1,000

The bill would delete this limitation

(6) Under the act, the bonds are required to be sold at their par value

The bill would authorize the bonds to be sold at 95% of their par value.

(7) Under the act, the district is not authorized to issue negotiable bond anticipatory notes.

The bill would authorize the district to do so.

(8) Under the act, the district board is prohibited from calling or ordering another special bond election in any zone which rejected a bond proposition for the same purpose less than 6 months previously

The bill would prohibit the district from holding the election within 6 months after rejection of the bond proposition.

(9) Under existing law, funds are continuously appropriated from the State General Fund to compensate local governmental entities for property tax revenues lost by reason

of the homeowners' property tax exemption.

The bill, by increasing the amount of bonds that may be issued, could increase the tax rate imposed on homes within the district and this would increase the amount of that exemption which, in turn, would have the effect of increasing the appropriation.

(10) The bill would also make technical nonsubstantive changes.

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

Ch. 545 (SB 1939) Rodda. The State Printer.

Existing law provides that the State Printer shall receive an annual salary of $22,500 and that he shall be appointed by the Governor with the approval of the Senate for a 4-year term.

This bill would delete the provision regarding the salary of the State Printer and allow the Director of the Department of General Services to fix his compensation. It would also eliminate Senate approval of the State Printer and provide that the appointment shall be made by the Governor upon recommendation by the director and that the State Printer shall serve at the pleasure of the director.

Ch. 546 (SB 2131) Beverly. Mortgage guaranty insurance

Existing law with respect to mortgage guaranty insurance on real estate loans prohibits the authorized real estate security from exceeding 95% of the fair market value of the real estate, as specified.

This bill would permit a mortgage guaranty insurer to insure certain real estate loans subject to the restriction that the amount of the loan not exceed 95% of the fair market value of the real estate unless the loan is secured by a mortgage, deed of trust or other instrument constituting a lien or charge on real estate in conjunction with a pledge or lien on personal property in the form of cash, or equivalent, or such loan is an experimental mortgage instrument, as specified, in which case the loan insured shall not exceed 100% of the fair market value of the real estate.

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

Ch. 547 (AB 3685) Deddeh. Public school sporting events: volunteer physicians: civil damages immunity.

Existing statutes do not provide for immunity of volunteer physicians rendering medical services at school or community college district sporting events.

This bill would confer immunity upon any physician and surgeon who in good faith, without compensation, renders voluntary emergency medical care to a participant in a school or community college athletic event or contest at the site thereof, or during transportation to a health care facility, for an injury suffered in the course of the event or contest, from civil damages resulting from related acts or omissions in rendering such emergency care, but not in the event of an act or omission constituting gross negligence

This bill would take effect immediately as an urgency statute.

Ch. 548 (SB 2137) Stull. Metropolitan water districts.

Existing law authorizes a metropolitan water district to provide, generate, and deliver hydroelectric power and authorizes such a district to contract to provide, sell, and deliver hydroelectric power to the United States, the state, and public and private entities engaged in the sale of electric power at retail or to use all or any part of such hydroelectric power.

This bill would, in addition, authorize a metropolitan water district to provide, generate, and deliver electric power within or without the state for the purpose of developing, storing, and distributing water for such district and as necessary or convenient to carry out the objects or purposes of the district The bill would authorize a district to contract to provide, sell, exchange, and deliver electric power to the United States, the state, and public and private entities engaged in the sale of electric power at retail, or use all or any part of such electric power directly or by exchange

The bill would also authorize a district, in accordance with prescribed procedures, to issue and sell electric revenue bonds for specified purposes relating to providing, generating, or delivering electric power, and would authorize a district to issue and sell negotiable electric revenue bond anticipation notes, subject to specified conditions

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

Ch. 549 (AB 3628) Cline. Automotive repair: oral authorizations.

Existing law prohibits an automotive repair dealer from charging for work or parts in excess of that stated in his written estimate unless he first obtains oral or written consent therefor.

This bill would require, in the case of an oral consent, that the dealer make specified notations, confirming such consent on the work order and either make the same notations on the invoice or obtain a subsequent written consent from the customer, as specified.

The bill would state that no appropriation or reimbursement is made by the bill for a specified reason.

Ch. 550 (AB 3798) Mori. Temporary housing projects. Komandorski Village.

Pursuant to existing law, and with certain exceptions, the Temporary Housing Projects Law required demolition, prior to March 4, 1972, of dwelling structures in temporary housing projects acquired by any city, county, or housing authority from the federal government. Existing law expressly provides that the Housing Authority of the City of Pleasanton need not demolish the temporary housing project known as "Komandorski Village" until January 1, 1979.

This bill would extend the date for the required destruction of Komandorski Village until January 1, 1981. Additionally, the bill would make legislative findings regarding such project.

Ch. 551 (AB 3678) Goggin Political Reform Act of 1974.

Existing law provides that every committee, as defined, which contributions received total $500 or more in a calendar year, must file with the Secretary of State a statement of organization within 10 days after it is formed as a committee.

This bill would delete from the above provision of law certain obsolete language.

Ch. 552 (AB 3638) Nestande. Escrows.

Existing law prohibits any person from requiring, as a condition precedent to entering into any transaction involving the transfer of real property containing a single family residence, that the escrow be conducted by any specified escrow agent.

This bill would repeal existing law, and would prohibit a real estate developer from requiring, as a condition precedent to the transfer of real property containing a single family dwelling, that escrow services effectuating the transfer be provided by an escrow entity in which the real estate developer has a financial interest, as defined. It would make a developer who violates the provisions of this bill liable to the purchaser of the real property for treble damages, plus attorney's fees and costs.

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

Ch. 553 (AB 3223) Imbrecht. Mobilehomes: zoning

Existing state law relating to mobilehome parks specifies that its provisions do not prevent a city, county, or city and county from prohibiting mobilehomes or mobilehome parks within all or certain zones of such city, county, or city and county.

This bill would delete such provisions of existing law, and would provide instead that state law relating to mobilehome parks does not prevent a city, county, or city and county from exercising its police powers to establish certain zones or types of uses and locations for various mobilehome or mobilehome park developments, as specified. However, the bill would specify that it would not impose any new requirement on local governments to establish, maintain, or repeal zones for any or all of such uses

Ch. 554 (SB 1677) Presley Vehicles chemical tests.

Under existing law only a physician, registered nurse, licensed vocational nurse, licensed clinical laboratory technologist or clinical laboratory bioanalyst acting at the request of a peace officer can withdraw blood for the purpose of testing its alcoholic content

This bill would permit certified paramedics, other than any employee of a fire department, to withdraw blood samples at the request of a peace officer in order to test the alcoholic content The bill would also specify that emergency paramedic calls would take precedence over peace officer requests for a paramedic to withdraw blood for determining its alcoholic content. A certified paramedic would be prohibited from withdrawing blood for such purpose unless authorized by his or her employer

The bill would also make technical nonsubstantive changes.

Ch. 555 (SB 1879) Mills Historical buildings regulation.

Existing law provides for regular building regulations and for alternative building regulations for the rehabilitation, preservation, restoration or relocation of qualified historical buildings, as defined in existing law. Existing law permits the building department of a city or county to apply regular building regulations or the alternative building regulations, or any combination thereof, in permitting repairs, alterations, and additions to historical buildings or structures and permits state agencies to apply State Building Standards Code or alternative building regulations, or any combination thereof, in permitting repairs, alterations, and additions to historical buildings or structures.

Existing law also requires that the application of various other prescribed statutes be governed by the provisions relating to the building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historical buildings.

This bill would require that the application of any other statute or regulation, in addition to such existing prescribed statutes, be governed by the provisions relating to the building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historical buildings

This bill would take effect immediately as an urgency statute.

Ch. 556 (AB 2365) Kapiloff. County Employees Retirement Law of 1937.

Under existing provisions of the County Employees Retirement Law of 1937, a retirement board makes determinations with respect to retirement matters under its jurisdiction.

This bill would authorize a superior court, in its discretion, to award reasonable attorney's fees as costs to a member or beneficiary of a member of a county employees' retirement system who obtains a superior court reversal of a retirement board decision denying a retirement allowance, a survivor's allowance, or a claimed pension right or benefit.

The bill would provide that there would be no appropriation to local agencies for costs incurred by them under the act.

Ch. 557 (SB 1928) Song Lieutenant Governor: California Advisory Commission on Youth

Existing law provides for the duties and powers of the Lieutenant Governor.

This bill would establish a California Advisory Commission on Youth consisting of 21 members appointed by the Lieutenant Governor. This commission would be representative of youth throughout the state and allow their input into various matters concerning youth of California. The commission would serve as an advisory group to the Legislature and the executive branch.

Ch. 558 (SB 2135) Rodda. Community college employees.

Existing law authorizes the governing board of a community college district to establish regulations which allow its certificated employees, under certain circumstances, to reduce their workload from full-time to part-time duties without loss of retirement benefits upon the payment of specified employee and employer retirement contributions Such regulations may not be made applicable to persons who are administrators in community colleges

This bill would eliminate provisions specifying that such regulations are not applicable to persons who are administrators in community colleges

This bill would also require such regulations to include, if adopted, specified employee and employer contributions to be made to the Teachers' Retirement Fund.

Ch 559 (SB 2142) Nejedly Irrigation district assessments.

Under existing law an irrigation district is authorized to enter into a contract with any public agency located within the district which provides for the public agency, in accordance with specified provisions, to collect for the district, assessments levied by the district against all or part of the lands within the district, or, in the alternative, to pay to the district in lieu of assessments by the district upon all or any part of the lands within the district a sum of money which shall not be less than the total amount of assessments which would have been levied by the district against those lands in the absence of such contract, calculated upon the same basis as assessments made upon an acreage basis against other land in the district receiving gravity water service

This bill would authorize an irrigation district, if the contract provides for the payment of a water charge in addition to the assessment upon district lands, to determine that

a lesser rate of assessment or no assessment would be appropriate upon lands covered by the contract, and to so provide in the contract and adjust or eliminate the assessment.

Ch. 560 (SB 1456) Marks. Vehicles:Aenvironmental plates: weight fee exemptions.

(1) Currently, the holder of an environmental license plate may retain the plate for 1 year without it being assigned to a currently registered automobile by paying a $10 fee

The bill would allow the environmental license plate to be retained indefinitely upon payment of an annual fee of $10.

The additional fees which would be imposed under this bill will be deposited in the California Environmental Protection Program Fund, a portion of which is continuously appropriated; and, therefore, this bill would make an appropriation.

(2) Existing law exempts 1 commercial vehicle registered to a disabled person or a commercial vehicle primarily used to transport a disabled person which is not registered to such person from payment of weight fees.

This bill would restrict the exemption to commercial vehicles which have an unladen weight of 6,000 pounds or less and display the distinguishing license plate

The bill would also specify that the weight fee exemption does not apply to a vehicle having only a distinguishing placard.

Ch. 561 (SB 1556) Campbell. Fires: State Fire Marshal.

(1) Existing law requires the State Fire Marshal to aid in the enforcement of, among other things, the rules and regulations adopted under the provisions of Chapter 1 (commencing with Section 13100) of Part 2 of Division 12 of the Health and Safety Code, which pertain to, among others, fire protection systems in state institutions or other state-owned buildings, and homes for children, aged, and incompetents, fire protection standards for jails, asylums, schools, and other specified facilities, and regulations on fire alarms, fire alarm devices, and fire alarm systems, automatic sprinkler systems, flammable liquids, and flammable materials in specified uses

This bill would, in addition, require the State Fire Marshal to aid in the enforcement of the rules and regulations adopted pertaining to explosives and fireworks and all other provisions of Division 11 (commencing with Section 12000) of the Health and Safety Code and in the enforcement of rules and regulations pertaining to fire equipment and portable fire extinguishers, clothes cleaning establishments, high-rise structures, and all other provisions of Part 1 (commencing with Section 13000) and Part 2 (commencing with Section 13100) of Division 12 of the Health and Safety Code.

(2) Existing law requires the State Fire Marshal to take charge of, and protect all property which may be imperiled by, any fire, except as specified, including in such exception a fire occurring within a county fire protection district. Existing law reorganized county fire protection districts under the Fire Protection District Law of 1961.

This bill would change such duty of the Fire Marshal to except a fire occurring within any fire protection district.

Ch 562 (SB 1741) Campbell. Office of the State Fire Marshal: revolving fund

Existing law does not authorize the office of the State Fire Marshal to withdraw General Fund money appropriated in support of such office without at the time furnishing vouchers and itemized statements.

This bill would permit the office of the State Fire Marshal to withdraw for investigative purposes a sum not to exceed $5,000 in each fiscal year from such General Fund money to be used as a revolving fund when cash advances are necessary It would require that at the close of each fiscal year, or at any other time, upon demand of the Department of Finance, such money be accounted for and substantiated, as specified.

Ch. 563 (SB 1811) Ayala Water rights· temporary permit.

Existing law authorizes the State Water Resources Control Board to issue, in accordance with specified procedures, and upon making specified findings and determinations, a conditional, temporary permit to appropriate water.

This bill would also authorize the board to issue such a permit, in accordance with such procedures, to a person who is an applicant for a regular permit to appropriate water,

when the board finds that the person has a need to divert and use water under unforeseen emergency conditions, as specified, and would make related changes.

Ch. 564 (SB 2079) Nejedly. County contracts: special services.

The existing law authorizes the board of supervisors to contract for various specified special services for the county or on behalf of any district or court in the county.

This bill would include laundry and linen services among the specified services for which a county could contract.

Ch. 565 (SB 2050) Holmdahl. Prepayment: obligations relating to real property.

Existing law provides a right in specified circumstances to a buyer of real property to pay all or a portion of his remaining obligation prior to the time when such obligation is due.

This bill would limit such right by permitting the parties to agree in writing to prohibit prepayment for up to 12 months following the sale.

Ch. 566 (SB 2138) Rains. Political Reform Act: financial disclosure.

Existing law provides that members of the Fair Political Practices Commission in office on September 16, 1975 shall file their first financial disclosure statements disclosing their investments and interests in real property within 30 days of that date.

This bill would repeal these provisions. This bill would also delete an obsolete reference to certain repealed provisions of the Political Reform Act of 1974.

Ch. 567 (AB 2180) Knox. Corporations.

Existing law provides for the organization of nonprofit corporations, and except as to matters specifically provided for under such law, the General Corporation Law as in effect on December 31, 1976, applies to such corporations.

This bill would enact a new, comprehensive Public Benefit Corporation Law and a separate Mutual Benefit Corporation Law and Religious Corporation Law which would govern such corporations to the exclusion of the General Corporation Law. Specifically this bill would provide for all of the following with respect to such corporations:

(1) The purposes, powers and formation of such corporations;
(2) Their articles and bylaws;
(3) Directors and management;
(4) Members;
(5) Distributions;
(6) Meetings;
(7) Voting of memberships;
(8) Amendment of articles;
(9) Sales of assets;
(10) Mergers;
(11) Records, reports and inspection rights; and
(12) Voluntary and involuntary dissolution.

This bill would also provide that no appropriation is made pursuant to its provisions to the State Controller for disbursement to local agencies for costs incurred by them pursuant to its provisions

Ch 568 (SB 1623) Nejedly. Alameda-Contra Costa Transit District, Southern California Rapid Transit District. competitive bidding.

Existing law requires the Alameda-Contra Costa Transit District and the Southern California Rapid Transit District to let to the lowest responsible bidder all contracts for purchase of supplies, equipment, and materials and the construction of facilities and works which exceed $3,000 for the Alameda-Contra Costa Transit District and $5,000 for the Southern California Rapid Transit District

This bill would raise the amount of the contracts which are required to be let to the lowest responsible bidder to those contracts exceeding $10,000.

Ch 569 (AB 3802) Kapiloff. Personal Income Tax Law: credits.

Under the existing Personal Income Tax Law, a tax is imposed on the entire taxable income of residents and the entire taxable income of nonresidents which is derived from sources within this state. Such tax is imposed on fixed graduated income brackets at an

increased rate for each higher income bracket.

This bill would require the Franchise Tax Board to annually recompute the personal income tax brackets and adjust such brackets according to an inflation adjustment factor, commencing with the computation of taxes for taxable years beginning on or after January 1, ~~1979~~ [1978]*. The "inflation adjustment factor" would be determined by reflecting in each bracket of taxable income the percentage change for all items in the California Consumer Price Index in excess of 3% for the preceding 12 months.

Existing Personal Income Tax Law imposes a tax based on taxable income. Various credits are authorized against such tax.

This bill would authorize a credit for the elderly against such taxpayer's personal income tax liability. The bill would, in addition, for the 1978 taxable year only, increase the amount of the credits for personal exemptions, from $25 to $100 for single individuals and from $50 to $200 for heads of households and married persons filing joint returns. This bill would also require the Franchise Tax Board to recompute such credits for taxable years beginning on or after January 1, 1979 of a specified inflation factor.

Existing Personal Income Tax Law, provides a $40 nonrefundable tax credit for single persons or married persons filing a separate personal income tax return whose adjusted gross income is $5,000 less, or a credit of $80 for heads of household, surviving spouses, or married couples filing a joint return, whose adjusted gross income is $10,000 or less, and reduces such credit fifty cents for each one dollar of such income in excess of such specified limit, and prohibits such credit if the adjusted gross income of such persons exceeds an amount equal to twice the amount of such specified limits or such person paid a tax on preference income for the taxable year.

This bill would require the Franchise Tax Board to annually recompute the amount of such credits, beginning with taxable years beginning on or after January 1, 1979, by the percentage change in the Consumer Price Index for all items for a specified period.

Under existing Personal Income Tax Law, certain taxpayers are authorized to elect to take certain deductions of expenses incurred or paid during the taxable year or to take a standard deduction of specified amount.

This bill would require the Franchise Tax Board to annually recompute the amount of the standard deduction for each taxable year beginning on or after January 1, 1979 by adjusting such amount by the percentage change in the California Consumer Price Index for all items for a specified period

Under the existing Personal Income Tax Law, a specified percentage of the recognized gain on the sale of a capital asset is included in gross income.

This bill would permit a taxpayer to exclude from gross income up to $100,000 of the gain on the sale of an owner-occupied dwelling under specified conditions.

Existing law authorizes a credit against taxes due under the Personal Income Tax Law for qualified renters, but prohibit such credit if the renter received certain public assistance payments

This bill would repeal such prohibition with regard to taxable years beginning on January 1, 1979 and thereafter.

Under existing law, qualified persons 62 years of age or older who own or rent their homes may claim state funds to reimburse them for a portion of the property taxes paid or deemed to be paid on their homes.

This bill would revise the assistance schedule for renters and would extend assistance benefits to qualified persons of any age who are totally disabled, as defined, and would apply such changes to claims for assistance for the 1978–79 fiscal year and for fiscal years thereafter

The bill would take effect immediately as a tax levy, but its provisions would apply in the computation of personal income taxes for taxable years beginning on and after January 1, 1978.

Ch. 570 (SB 2002) Greene Department of General Services. communications.

Existing law authorizes the Department of General Services to acquire, install, equip, maintain, and operate new or existing communications systems and facilities

This bill would require the department to acquire, install, equip, maintain, and operate all new or replacement microwave communications systems operated by the state, with an exception for microwave systems used for specified traffic purposes

In addition, it would expressly provide that any system established shall be available

to all public agencies in the state on such terms as may be agreed upon by the public agency and the department.

Ch. 571 (SB 2129) Nejedly. State park system: appropriation: Frank's Tract State Recreational Area.

Under current law, funds have been appropriated for the acquisition of Frank's Tract State Recreational Area.

This bill would appropriate $15,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for allocation to the Department of General Services for expenditure during the 1978–79, 1979–80, and 1980–81 fiscal years, for the purpose of acquiring or extinguishing any and all rights in real property now encumbering or affecting the state's title to Frank's Tract State Recreational Area. The Department of General Services would be required to attempt to negotiate a settlement for the acquisition of such rights, and would also be required to bring suit to extinguish such rights or to acquire such rights by eminent domain if efforts at negotiating a settlement have not been successful by November 1, 1978. In purchasing such rights through negotiation, the Department of General Services would be prohibited from spending an amount that is in excess of a fair and reasonable price for such rights.

Upon the acquisition of such rights, the Department of General Services would be required to pay to the grantor of the property acquired from the California Peat Co., Inc., for Frank's Tract State Recreational Area, or its successor in interest, $10,000, less specified costs and expenses, whether by negotiated purchase or the exercise of eminent domain If, however, such rights are acquired without payment of consideration, the Department of General Services would be required to pay to the grantor or its successor $10,000 less specified costs and expenses.

The act would take effect immediately as an urgency statute, and would become operative July 1, 1978.

Ch. 572 (SB 1524) Alquist. Physical therapists.

Existing law provides for the licensing of physical therapists. Such provisions are administered by the Physical Therapy Examining Committee.

This bill, among other things, would (1) generally recast the provisions relating to license fees, (2) increase the delinquency fee to 50% of the renewal fee but not more than $25; (3) provide that designated fees are to be set by the committee, rather than the Board of Medical Quality Assurance; (4) expressly authorize the Board of Medical Quality Assurance to revoke, impose probationary conditions upon, or issue subject to terms and conditions, any license, certificate, or approval issued under the provisions relating to physical therapy; and (5) make various clarifying and conforming changes.

Under existing law physical therapy license fees are collected and deposited in the Physical Therapy Fund which is continuously appropriated.

The increased fees authorized by this bill would result in an increase in the amount of fees collected and deposited in such continuously appropriated fund.

Ch 573 (AB 73) Lockyer. Municipal utility districts: board members: vacancies

(1) Existing law requires that the board of directors of a municipal utility district fill all vacancies on the board. However, if the vacancy exists for 60 days, the Governor is required to fill the vacancy

This bill would permit the remaining board members, in accordance with specified requirements, to fill the vacancy by appointment or to call a special election to fill the vacancy, would permit the county board of supervisors to fill the vacancy by appointment or to call a special election if the district board does not fill the vacancy or call an election, would require the district to call a special election if the district board or the county board of supervisors has not so acted, and would specify related matters.

(2) Under existing law, the secretary of the district is required, among other things, to certify the names of all candidates to be placed upon the ballot at least 67 days prior to the date of the election

This bill would change the number of days from 67 to 62 The bill would also provide that if nomination papers for an incumbent director are not filed by 5:00 p.m on the 74th day before the election, the voters would have until 5 00 p m. on the 64th day before the

election to nominate candidates other than the incumbent for such office.

The bill would take effect immediately as an urgency statute.

Ch. 574 (AB 2940) Mori. California State Agency for Surplus Property.

Under existing law, the Department of Education is designated as the California State Educational Agency for Surplus Property with specified powers, duties, and functions relating to the disposition of federal surplus property to eligible institutions in California.

This bill would make various technical changes to reflect the broader categories of agencies and organizations eligible to receive surplus property, and deletes from the title "California State Educational Agency for Surplus Property" and from "Educational Surplus Property Revolving Fund" the word "Educational."

This bill would designate the California State Agency for Surplus Property as the agency responsible for the distribution of food commodities donated by the federal government, and would authorize that agency to accept, receive, or purchase for resale property or food commodities from any state agency, at the request of, and with the approval of, the Department of General Services.

This bill would authorize moneys in the Surplus Property Revolving Fund to be used to cover, in addition to those costs already authorized, the costs of consultant and contract services.

This bill also would designate the Department of Finance, rather than the Department of General Services, as the agency giving the State Agency for Surplus Property approval for drawing sums in excess of $30,000 from the Surplus Property Revolving Fund.

The bill would appropriate $23,720,398 from the Surplus Property Revolving Fund, in augmentation of the appropriation made by Item 301 of the Budget Act of 1978, for expenditure by the State Agency for Surplus Property.

This bill would declare the intent of the Legislature that any savings to a state agency from the use of unbudgeted federal food commodities be reverted to the General Fund and not utilized for any other purpose unless submitted to the Legislature for review as specified.

The bill would take effect immediately as an urgency statute.

Ch. 575 (AB 3771) Papan. School employees: reassignment.

Currently, if a certificated employee of a school district is terminated due to a reduction in attendance or reduction or discontinuance of a particular kind of service, for a period of 39 months from the termination, the employee generally has a preferred right to reappointment.

This bill would provide that any permanent or probationary employee whose position was terminated because of the discontinuance of a service subsequently made mandatory as a result of the enactment of the federal Education for All Handicapped Children Act of 1975 and, where the termination occurred prior to October 1, 1977, in the San Bruno Park Elementary School District shall not have a preferential right of reappointment for a position that is necessitated as a result of the enactment of such federal act; provided, the discontinued service can be reestablished by the reassignment of one or more permanent or probationary employees of the district who are certificated and competent to render the service involved

This bill would take effect immediately as an urgency statute.

Ch 576 (AB 2463) Suitt Property tax· possessory interests

Existing law defines "full cash value" of real property for purposes of Article XIII A of the California Constitution

This bill would include possessory interests in real property within such definition of full cash value for real property.

Existing law provides that taxable property which is sufficient security for the payment of any taxes levied on such property shall be placed on the secured roll, and all other property shall be placed on the unsecured roll, and provides that, in a county having a population of 4,000,000 or more, taxable possessory interests may, in the discretion of the county board of supervisors, be considered as sufficient security for the payment of taxes levied thereon and may be placed on the secured tax roll.

This bill would provide that such provisions shall be operative for the 1978–79 fiscal

year, in all counties, regardless of population, in which the maximum property tax rate imposed on property on the unsecured roll exceeds a specified rate.

Under existing law, qualified persons 62 years of age or older who own or rent their homes may claim state funds to reimburse them for a portion of the property taxes paid on their homes, and payment of the property taxes on homes owned by certain persons 62 years of age or older may be postponed.

This bill would permit totally disabled persons, as defined, who own or rent their homes to claim state funds to reimburse them for a portion of the property taxes paid on their homes, and would provide for the postponement of property taxes by possessory interest holders, as defined.

Under existing law funds are continuously appropriated from the General Fund to the Controller to pay certificates on postponed property taxes.

This bill, by enlarging the number of persons who would be able to postpone property taxes, would affect such continuous appropriation.

This bill would take effect immediately as an urgency statute, and would apply to claims for postponement for the 1978–79 fiscal year and thereafter.

This bill would incorporate additional changes in Section 20542 of the Revenue and Taxation Code, proposed by Senate Bill No. 1656, to be effective only if Senate Bill No. 1656 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last

Ch. 577 (SB 1735) Mills. Transportation: San Diego Metropolitan Transit Development Board.

(1) Under the Mills-Deddeh Transit Development Act, the San Diego Metropolitan Transit Development Board is authorized to plan and construct exclusive public mass transit guideways.

This bill would authorize the transit board to acquire, construct, maintain, and operate (or let a contract to operate) public transit systems and related transportation facilities and services as it deems necessary.

(2) Under the act, the transit board is authorized to acquire, hold, and dispose of any real or personal property within the area under its jurisdiction if necessary to the exercise of its powers.

The bill would delete the restriction that the real or personal property of the transit board be within the area under its jurisdiction

(3) Under the act, all officers and employees of the transit board, except the members thereof, are members of the Public Employees' Retirement System.

The bill would also exempt, from membership in that retirement system, officers and employees in groups as agreed by the transit board and the retirement system board of administration or in groups which are exempted if the officers and employees were state employees under designated provisions.

(4) Under existing law, with specified exceptions, public employees do not have the right to engage in concerted activities

The bill would grant the employees of the transit board that right.

(5) Under the act, there are no provisions regarding the rights of employees of utilities acquired by the transit board.

The bill would require the transit board to appoint, without examination, to comparable positions those employees, who have been employed by the utility for at least 75 days and whose duties pertain to the facilities acquired by the transit board from the utility. In addition, such employees would retain specified benefits as indicated in the records of the utility. Such rights could be extended to officers and supervisory employees of the acquired utility as designated by the transit board.

The bill would require the transit board, in the operation of its transit facilities, to protect the interests of its employees as required under the Urban Mass Transportation Act of 1964 when receiving assistance under that act

(6) Existing law requires the California Transportation Commission to adopt a 5-year state transportation improvement program which includes all funds to be allocated by the commission.

The bill would authorize the commission to adopt a plan under which the Department of Transportation would advance, but not after June 30, 1983, State Highway Account funds that would be allocated for the succeeding 5 fiscal years to the transit board after

it submits an application with a financial element to the commission for use of such funds for exclusive public mass transit guideway construction purposes. Advances in excess of entitlement during the previous years, including the interest thereon, would be amortized from allocations to be made to the transit board after June 30, 1983. The amount advanced would not be deemed an expenditure on the state highway system solely within the year of advance, but would be deemed such an expenditure spread over the 5-year period.

Ch 578 (AB 2971) Levine. Crime resistance.

Under existing law the Office of Criminal Justice Planning and the California Council on Criminal Justice have various powers and duties relative generally to the improvement of criminal justice and to delinquency prevention including the dispersal of federal funds for approved programs.

This bill would further create a California Crime Resistance Task Force in the Office of Criminal Justice Planning to advise relative to crime resistance and prevention programs.

The California Council on Criminal Justice would be encouraged to make funds available from the local share of federal money under its control to carry out the bill's provisions.

Ch. 579 (SB 709) Presley. Imprisonment: sentences.

Existing law specifies for many public offenses that the term of imprisonment imposed by the trial court be selected from 1 of 3 prescribed terms for that offense. Presently, there are 4 such sets of 3 terms: 16 months, 2 or 3 years; 2, 3, or 4 years; 3, 4, or 5 years; and 5, 6, or 7 years.

The bill would revise the punishment prescribed for a number of public offenses by substituting additional longer sets of terms.

Existing law provides that assault with intent to commit specified felonies, including robbery, is punishable by imprisonment in the state prison for 2, 3, or 4 years and assault with intent to commit other felonies, except murder, is punishable by imprisonment in the state prison for 16 months, 2 or 3 years, or in the county jail not exceeding one year or by a fine not exceeding $1,000, or by both.

This bill would delete robbery from such specified felonies for which assault with the intent to commit is punishable by imprisonment in the state prison for 2, 3, or 4 years.

Existing law makes solicitation to commit murder a crime punishable by imprisonment in the state prison for 16 months, or 2 or 3 years, or by imprisonment in the county jail, or by a fine, or both.

This bill would make solicitation to commit murder punishable by imprisonment in the state prison for 2, 4, or 6 years.

Existing law defines burglary of the first degree to include burglary of an inhabited dwelling house, trailer coach, or building committed in the nighttime.

This bill would instead provide that burglary of the first degree includes burglary of an inhabited dwelling house or house trailer, or the inhabited portion of any other building in the nighttime.

Existing law precludes the imposition of consecutive sentences where the punishment for one of the crimes is life imprisonment.

This bill would permit the imposition of life terms running consecutively with each other or with any other term for a felony conviction as specified.

Existing law prohibits parole for a prisoner under a life sentence until he has served at least 7 years

This bill would require that a prisoner sentenced to consecutive life sentences serve at least 7 years of each such sentence.

Existing law provides for an additional punishment of 3 years imprisonment for a person who intentionally inflicts great bodily injury upon a person other than an accomplice in the commission or attempted commission of a felony unless great bodily injury is an element of the offense of which the person was convicted or if the offense was murder, manslaughter, assault with a deadly weapon, or assault by means of force likely to produce great bodily injury

This bill would remove the restriction against such additional punishment when the offense is assault with a deadly weapon or assault by means of force likely to produce

great bodily injury.

This bill would incorporate additional changes in Section 1170.2 of the Penal Code proposed by Assembly Bill 2632 to be operative only if Assembly Bill 2632 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

This bill would apply prospectively only to crimes committed on or after January 1, 1979.

This bill would also make technical, nonsubstantive changes.

This bill would provide that the provisions thereof are severable and the invalidity of any provision shall not affect other provisions.

Ch. 580 (AB 2233) Hughes. Burglary prevention.

Existing law provides for technological research relative to crime prevention generally by the California Crime Technological Research Foundation, and provides specifically for development of building security standards relative to burglary prevention by the Department of Justice and other specified agencies. Also under existing law funding is provided for various local projects relative to burglary prevention through the Office of Criminal Justice Planning.

This bill would appropriate $20,000 from the General Fund to the Department of Justice for expenditure in combination with federal funds for a pilot project including specified purposes relative to burglary prevention and education.

Ch. 581 (SB 1078) D. Carpenter. Firearms: use: probation.

Existing law prohibits granting of probation to any person who used a firearm during the commission or attempted commission of certain crimes, and prohibits probation except in unusual cases to any person who used or attempted to use a deadly weapon, other than a firearm, in any crime.

This bill would prohibit probation except in unusual cases to any person who used a firearm in any crime other than the specified crimes for which probation is prohibited altogether.

Ch. 582 (SB 1057) Presley Parole.

(1) Under the existing determinate sentencing law, operative July 1, 1977, the maximum period of parole for an inmate under a life sentence is 3 years and the maximum period of parole for all other inmates is 1 year. In either case, an extension of parole supervision or custody up to specified maximum periods is authorized where the prisoner absconds, is returned to custody as a parole violator or has his parole revoked.

This bill would raise such parole to a period not exceeding 5 years in the case of an inmate under a life sentence and not exceeding 3 years for all others except that release within 30 days after 3 years or 1 year, respectively, would still be required as to persons who have been on continuous parole except for good cause determined by the board. The bill would increase the maximum for the additional period of custody or parole for the absconding prisoner or prisoner returned to custody as a parole violator or whose parole was revoked. Where the prisoner has been reconfined for parole revocation, the bill would provide that the maximum period of parole would be that portion of the maximum parole period of 5 years or 3 years established by this bill which was unexpired at the time of revocation.

(2) Under the determinate sentencing law, revocation of parole results in a maximum 6 months confinement.

This bill would provide instead that confinement pursuant to revocation of parole shall not exceed 12 months.

Ch. 583 (AB 3393) Bane State property: sale and acquisition.

This bill would appropriate $3,316,778 to the Department of General Services to acquire property for purposes of a state-owned building in the area of the Van Nuys Civic Center, to plan for an on site parking structure, and to plan and construct a new state building in Sacramento

This bill would also authorize the Director of General Services, with the approval of the State Public Works Board, to sell specified state property to the City of Los Angeles and would provide that if funds appropriated are not available, or the sale of such

property is not consummated, the authorization shall not be operative.

This bill would take effect immediately as an urgency measure.

Ch. 584 (AB 2357) Thurman. Quarantine regulations: approval; misbranded foods: ingredients

(1) Existing law requires that all quarantine regulations involving another state, territory, district, or foreign country be made by the Director of Food and Agriculture, and be approved and proclaimed by the Governor.

This bill would require that the regulations be approved and proclaimed by the Governor or by the director as the Governor's designee.

(2) Existing law requires that any food fabricated from more than one ingredient bear a label stating the name of each ingredient in descending order of predominance.

The bill would exclude from that requirement the labeling of water as an ingredient for orange, grapefruit, or lemon juice from concentrate.

Ch. 585 (AB 3267) Thurman. Produce markets: unloading.

The existing law, generally, provides for the regulation, by the Director of Industrial Relations and Labor Commissioner, of unloading farm products in markets, as defined, by registered unloaders, as defined, throughout the state.

This bill would, until January 1, 1982, provide for specific provisions to be applicable to unloading of farm products in any market, as defined, in Alameda, San Francisco, and San Mateo Counties, by restating, with various substantive changes, the provisions applicable to unloading of farm products in markets throughout the state and would, very generally, do the following, as applicable to markets in such specific counties:

(1) Require the commissioner to supply each registered unloader with a badge, to be worn at all times while the registrant is employed or seeking employment in unloading any farm product in a market.

(2) Require a produce dealer operating a produce market to provide sufficient numbers of registered unloaders when specifically requested to do so by the producer or hauler of the farm products being delivered.

(3) Delete the requirements for an association of produce dealers to obtain a service for dispatching registered unloaders and to act as a bargaining agent with a union regarding the scale of charges.

(4) Revise the provisions setting forth the manner in which the charges for unloading farm produce in a market are established, authorize and entitle any union representing unloaders to bargain with their employer to establish a scale of charges, and provide for mediation in cases of dispute pursuant to designated provisions.

(5) Require the Labor Commissioner to investigate any complaint brought to his attention involving produce dealers or registered unloaders and make of any such provision or of any laws affecting personal injury or property damage by either a produce dealer or registered unloader would be grounds for license or registration revocation or suspension. Before suspending or revoking any registration or license, the commissioner would be required to afford the holder an opportunity to be heard. Violation of any such provision would continue to be a misdemeanor.

(6) Authorize the Director of Industrial Relations to assess a fee of not more than 25 cents per unloading to cover the costs of administration.

(7) Provide that there will be no appropriation to local agencies for cost incurred by them under the bill for a specified reason.

Ch. 586 (SB 2187) Vuich Agricultural cooperatives

(1) Under existing law, nonprofit agricultural cooperative associations are governed by the General Corporation Law in effect on December 31, 1976, except where such provisions are in conflict with the provisions of the Food and Agricultural Code governing such associations.

This bill would make such associations subject to the new General Corporation Law which took effect January 1, 1977, except where such provisions are in conflict with the provisions of the Food and Agricultural Code.

(2) Existing law provides that the bylaws may prescribe, among other things, the number of directors, and further provides that the number of directors may be changed by a bylaw which is duly adopted by the shareholders or members.

This bill would allow the number of directors to be set forth in the articles of incorporation or in the bylaws, as either a fixed number or a variable number, as specified, and would require that any such bylaw provision be approved by the outstanding shares. The bill would make other related changes.

(3) Existing law requires the board of directors to send an annual report to the members of the association unless the report is expressly dispensed with in the bylaws.

This bill provides for interim reports of the operations of the association if required by the bylaws.

Ch. 587 (SB 2047) Vuich. Imported and domestic honey

Under existing law, any container or subcontainer of honey imported from any territory or foreign country is required to be labeled with the name of the territory or country of origin.

This bill would delete the definition of "foreign honey" for purposes of such provisions, define the terms "imported honey" and "domestic honey," and provide that imported honey when it is repackaged subsequent to importation may be labeled as "imported" or "domestic and imported blend" under specified circumstances, instead of being labeled with the name of the territory or foreign country from which it is imported.

Ch. 588 (SB 1981) Vuich. Farm products: commission merchants.

Existing law requires a commission merchant who receives a product for sale to keep a record of the lot number or other identifying mark which has been placed on each individual farm product container.

This bill would require that each individual farm product container be marked only when requested by the consignor, as prescribed, and that only exposed containers be marked when containers are on pallets, and provide that the container need not be marked when identifying each container is impractical.

Existing law requires a commission merchant to obtain a federal-state inspection certificate indicating the substandard condition of a lot before the commission merchant may make a downward price adjustment on the consignor's account or a reduction in the quantity of farm products delivered due to a breach of contract.

This bill would provide that the commission merchant need not obtain a federal-state inspection certificate unless the lot involved is of a substandard condition, and would provide that where the lot is not substandard but for other reasons there is a downward price adjustment the commission merchant is required to affirm in writing that the lot was at least of standard quality at the time of sale.

Existing law requires that the commission merchant notify the consignor of a transaction adjustment within 24 hours after the adjustment has been made. If the commission merchant is unable to contact the consignor by phone or in person within the 24 hour period, he is required to immediately provide notification by certified mail.

This bill would require that the commission merchant, when requested by the consignor, as prescribed, notify the consignor of any adjustment on a transaction adjustment within 48 hours, and where the commission merchant is unable to contact the consignor by phone or in person, he would be required to give notification immediately by mail.

Existing law provides that a claim may not be made against the seller of a farm product by a dealer or cash buyer for a specified reason, unless the dealer or cash buyer has secured a certificate, as specified.

The bill would provide that such claim may not be made by a licensee unless the licensee has secured such certificate, and provides further that a private, third party inspection or the signed statement of two or more disinterested parties may be substituted for such inspection, as specified.

The bill would make additional technical changes in existing law.

Ch. 589 (SB 1818) Vuich. Agricultural industry: vermiculture marketing orders.

The existing law declares various activities as a branch of agricultural industry of the state.

This bill would, in addition, define vermiculture and would specify that vermiculture, the commercial production of earthworms, as designated, as well as the commercial processing, packaging, sale and use of its by-products, shall be considered a branch of

the agricultural industry.

The existing California Marketing Act of 1937 provides for the establishment of marketing orders which regulate the marketing, processing, distribution, or handling of various commodities, as defined, produced in this state.

This bill would include vermiculture within such provisions.

Ch. 590 (AB 3803) Thurman. Motor vehicles: cotton module mover.

Under existing law, there are various axle weight restrictions on vehicles.

This bill would authorize, until July 1, 1980, cotton module movers to carry a gross weight on each set of tandem axles in excess of 34,000 pounds, on any county highway in specified counties, unless the board of supervisors having jurisdiction over the county highway adopts a resolution prohibiting or limiting the operation of any cotton module mover exceeding the allowable axle weight limits on that county highway or all county highways under its jurisdiction

The bill would take effect immediately as an urgency statute

Ch. 591 (AB 3660) Lehman. Agriculture: one-variety cotton districts: pest control.

The existing law provides for the eradication and control of agricultural pests by the establishment of host-free periods or host-free districts by the Director of Food and Agriculture, and authorizes the director to adopt regulations in carrying out the eradication or control of pests. Any violation of such provisions or any regulations adopted pursuant thereto is a misdemeanor

This bill would, instead, make it an infraction to violate any such provision or regulation relating to the eradication or control of cotton pests, subject to a prescribed fine, and provide that any punishment, other than a fine, imposed on or after a designated date, pursuant to such provisions, shall be terminated.

The bill would take effect immediately as an urgency statute.

Ch. 592 (AB 3061) Lehman. Cotton: one-variety cotton district.

The existing law provides for the regulation of planting and growing of one variety or species of cotton, which is known as "Acala", in certain areas of the state designated as one-variety cotton districts.

This bill would revise and restate, with various substantive changes, the provisions of such law, and would do, generally, all of the following:

(1) Establish a one-variety cotton district in the San Joaquin Valley.

(2) Establish an Acala Cotton Board, with prescribed powers, duties, and responsibilities, to perform specified duties in the administration of such one-variety cotton district law, and provide for the election and appointment of members and alternate members of the board.

(3) Authorize the Director of Food and Agriculture to require, as prescribed, the board to correct or cease any activity or function under designated conditions.

(4) Provide for a referendum, to be held during a prescribed period, among cottongrowers in the district to determine if the provisions of the district law are to remain operative.

(5) Provide for the payment of designated fees to the director by prescribed persons who or organizations which engage in the reproduction, sale, and distribution of Acala cottonseed for planting purposes However, no assessment shall be paid for any cottonseed for which the assessment has already been paid Such fees would be deposited in the Department of Agriculture Fund to be used only for the purposes of the bill.

(6) Authorize the board to establish a promotion and research program for cotton, after approval of such program, under a referendum, by the cottongrowers in the district, and authorize the board to annually assess such growers designated fees to be used exclusively for promotion, research, and related administrative expenses.

(7) 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. 593 (SB 2099) Sieroty. Theft: library property.

Existing law provides that petty theft of merchandise from a merchant subjects a first-time offender to a mandatory fine of not less than $50 nor more than $1,000 and

possible imprisonment not exceeding 6 months, or both. A minor may be required to perform public services by the juvenile court, and any person may be required to perform public service in lieu of the fine. Petty theft of merchandise from a merchant by an unemancipated minor without regard to whether it is a first offense is imputed to his parent or legal guardian who is jointly and severally civilly liable with the minor to the merchant for the value of the merchandise, damages of not less than $50 nor more than $500, and costs. Total damages including the value of the merchandise may not exceed $500 The collected fines are distributed in a specified manner

Existing law also provides that a merchant may, without civil or criminal liability, detain a person for specified purposes if the merchant acted reasonably and had probable cause to believe that the person is attempting to steal or had stolen merchandise from the merchant's premises.

This bill would provide the same sanctions for the theft of books or other library materials, as defined and would authorize detentions for specified purposes, without civil or criminal liability, by a person employed by a library facility

This bill would provide that neither appropriation is made nor an obligation created for the reimbursement of any local agency for any cost incurred by it pursuant to the bill because of a specified reason

Ch. 594 (AB 1029) Keysor. Elections.

Existing law provides that the device for marking the ballot may be of any size, shape or form, and the impression made on the ballot may be in the form of a cross, square, circle, rectangle, or any other design that will clearly indicate the choice of the voter

This bill would specify, in the case of absent voter ballots, that voters may be provided with a supply of stickers for indicating their choices.

Existing law prescribes the dates on which notices, filings, and related election activities must occur in the conduct of library district, school district, community college district and county board of education elections.

This bill would provide that the provisions of such law requiring or authorizing the occurrence of such activities in 1978 will be inapplicable if AB 2224 is chaptered and AB 2224 changes the date of such elections from March in odd-numbered years to November of such years.

Existing law provides for the filing of a candidate's statement containing pertinent information with respect to the candidate's qualifications.

This bill would provide, with an exception in the case of a city recall election, that a candidate being recalled, may also file such a statement.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for the minor costs incurred by it pursuant to this act.

The bill would take effect immediately as an urgency statute

Ch. 595 (SB 396) Campbell. Office of Emergency Services. appropriation for prototype rescue-firefighting apparatus.

The Budget Act of 1978 contains an appropriation for the support of the Office of Emergency Services.

This bill would augment such appropriation by appropriating an additional $30,000 to the Office of Emergency Services for the development and construction of 1 prototype heavy rescue-firefighting apparatus for the heavy rescue program of the Fire and Rescue Division of the office.

The bill would take effect immediately as an urgency statute, and the appropriation would become operative on August 25, 1978

Ch. 596 (SB 1100) Roberti Courts.

Existing law generally authorizes courts of record to adopt rules for their own government but contains no specific provision preventing a judge from communicating with a party, attorney for a party, judge, or judicial officer.

This bill would specifically prevent a judge or judicial officer who heard a case subsequently appealed and any judge of the reviewing court from communicating concerning the case, and would prevent the judge of a court named as a party in a petition for an original writ and any judge hearing the writ from communicating concerning the peti-

tion, unless such communications are written and copies are sent to all parties.

Ch. 597 (SB 1205) D. Carpenter. Classified employees: merit system.

Under current law, a county board of education is required to adopt the merit system specified for classified employees of a school district if the county had a merit (civil service) system in effect at the time of the adoption of the applicable provision.

This bill would make such requirement inapplicable to a county board of education which has been transferred specific duties and functions of the county board of supervisors on or after June 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 598 (SB 1345) Alquist. Public Utilities Commission: federal proceedings.

Present law directs the Public Utilities Commission to participate in proceedings before federal regulatory agencies affecting the energy needs of this state and, in this connection, to consult with state agencies having an interest in federal regulatory proceedings. It also directs the commission to represent the united interests of such state agencies in such federal proceedings, reflecting any statewide policy which may be developed by the Legislature and approved by the Governor, and contains provisions for resolving any dispute which may arise in such matters.

This bill would delete the provision directing the commission to represent the united interests of state agencies in federal energy proceedings, reflecting state policy therein, and providing for the resolution of disputes between such agencies in these matters.

Ch. 599 (SB 1483) Stiern. Diseased animals: disposed compensation.

Under the existing law, generally, any person whose animal or property is destroyed pursuant to designated provisions dealing with the eradication or control of disease shall be paid a prescribed amount for such an animal or property.

The Department of Food and Agriculture is authorized to pay, from money available for its support from the Department of Agriculture Fund which is continuously appropriated, all sums that are due, or to become due, from the state to an owner of livestock or property which is taken, destroyed, or otherwise disposed of pursuant to designated provisions.

This bill would make the above provision applicable to animals or property, instead of livestock or property, and provide that indemnity payments shall not be paid under designated provisions for any animal or property which is taken, destroyed, or otherwise disposed of pursuant to any provision of the Food and Agricultural Code that relates to the control, prevention, or eradication of disease, if the owner is in violation of any quarantine order issued pursuant to such designated provisions or any regulation adopted pursuant thereto.

Ch. 600 (SB 1497) Presley. Professional engineers.

Existing law authorizes the State Board of Registration for Professional Engineers to approve engineering disciplines as the board finds necessary for the protection of public health and safety within the limits of the Professional Engineers Act.

This bill would authorize the board to establish, by rule, the criteria and fee for the establishment of an engineering discipline by petition

Under existing law all money derived from the Professional Engineers Act is deposited in the Professional Engineers' Fund which is continuously appropriated to carry out the provisions of such act.

The fees provided in this bill would increase the amount available in such fund for expenditure.

Ch. 601 (SB 1505) Nejedly. Groundwater investigation.

Under existing law the Department of Water Resources is generally authorized to investigate both surface and underground water conditions.

This bill would require the department, in conjunction with other public agencies, to conduct an investigation of the state's ground water basins, including specified matters, and to identify such basins on the basis of geological and hydrological conditions and consideration of political boundary lines whenever practical. The bill would require the department to report its findings to the Governor and the Legislature by January 1, 1980.

Ch. 602 (SB 1506) Sieroty. Industrial loan companies.

Existing law provides for the organization of Thrift Guaranty Corporation of California whose members are licensed industrial loan companies, and whose purpose is to guaranty the outstanding thrift obligations of its members. Existing law permits the Commissioner of Corporations to take possession of an industrial loan company under specified conditions.

This bill would permit the commissioner to take possession of an industrial loan company if the company fails to permit certain appointees or employees of Guaranty Corporation to have free access to its offices and records.

Existing law permits Guaranty Corporation to appoint accountants to prepare an audit report of any member, and to appoint investigative committees and hire specialized employees to investigate the operations of member companies.

This bill would permit such action by written consent of a majority of its directors. This bill would also require the approval of the commissioner prior to preparing the audit report of the member, or investigating the operations of the member.

Existing law requires Guaranty Corporation to establish and maintain a guarantee fund. It also provides for a refund to members whenever the total amount in the fund on March 15 of any year is in excess of 1½% of the total outstanding thrift obligations of all members.

This bill would delete the provisions for a refund to members, and would instead provide for a levy only upon members who have not fulfilled specified conditions in the event of a surplus in the fund.

Ch. 603 (SB 1551) Beverly. Insurance: surplus line brokers

Existing law requires surplus line brokers to fully and faithfully comply with applicable regulatory provisions.

This bill would additionally specify that the Insurance Commissioner may deny, suspend or revoke any license applied for or granted on all or any one of specified grounds whenever the commissioner finds that the applicant or licensee has violated any such provisions.

Existing law permits licensure as a surplus line broker to be issued to an individual, a corporation or a partnership

This bill would additionally permit licensure of an individual who maintains more than one surplus line office in this state, as specified.

Existing law requires such surplus line broker to maintain an office in this state.

This bill would require such office to be a principal office, maintained at all times. It would also require the licensee to report to the commissioner the address of any other branch office maintained in this state and any change in location in any of its offices.

Existing law requires such licensee to keep complete books of the business transacted by him, with nonadmitted insurers, as specified.

This bill would delete such specifications and instead require the commissioner, after notice and hearing, to promulgate reasonable rules and regulations specifying the manner and type of records to be maintained.

Existing law provides for termination of the authority of a surplus line broker under specified conditions.

This bill would delete such provisions.

Ch. 604 (SB 1582) Holmdahl. Inheritance and gift taxes: interest.

Under the existing Inheritance Tax Law, interest on refunds of overpayments of inheritance taxes is paid only after a refusal to pay a final judgment for such refund. The existing Gift Tax Law requires interest payments on refunds of overpayments of gift taxes not made because of a taxpayer error at the rate of 12% per year.

This bill would require the payment of interest on refunds of overpayments of inheritance and gift taxes at a rate equal to the Federal Reserve Rate on January 1 of each year, not to exceed 7% per year, except that overpayments of gift taxes not made because of a taxpayer error shall continue to bear interest at 12% per year

Ch 605 (SB 1611) Beverly. State funds: investment

Existing law specifies the securities eligible for investment and reinvestment of surplus state funds by the State Treasurer and authorizes the State Treasurer to enter into repurchase or reverse repurchase agreements with respect to such securities

This bill would, in addition, authorize the State Treasurer to enter into futures con-

tracts for certain eligible securities upon a contract market designated and regulated by the Commodity Futures Trading Commission and commencing January 15, 1980, would require the State Treasurer to submit annually to the Legislature a full and accurate report of all futures contracts, repurchase agreements, and reverse repurchase agreements entered into during the prior year.

In addition, this bill would provide that the amendments to the existing law made by this bill would remain in effect only until December 31, 1982, and on that date the section amended by this bill would be restored to the form in which it read immediately prior to the effective date of this bill

Ch. 606 (SB 1635) Petris. Regional libraries for blind and physically handicapped: toll-free telephone service.

This bill would appropriate $15,000 to the Division of Libraries in the Department of Education for the purpose of providing, during the 1978–79 fiscal year, toll-free telephone services for registered patrons of the federally designated regional libraries for the blind and physically handicapped, as specified. This bill would also require the State Librarian to administer such funds and to adopt related regulations.

Ch. 607 (SB 1674) Nimmo Political reform: financial disclosure.

Existing law, contained in the Political Reform Act of 1974, defines "interest in real property" as including any leasehold interest if the fair market value of the interest is greater than $1,000.

The bill would provide, for the purposes of the financial disclosure provisions of the Political Reform Act, that a leasehold interest does not include a lessee's interest in a lease on real property which expires within 10 years of the first day of the period covered by the filer's statement of economic interest.

Existing law, contained in the Political Reform Act of 1974 and as interpreted by the Fair Political Practices Commission, defines "investment" as including an interest in a diversified mutual fund, as specified, or a common trust fund, as specified, when the value of such an interest exceeds $1,000.

This bill would exclude such interests from the definition of investment.

Existing law provides that the investments of an individual include a pro rata share of the investments of a business entity or trust in which the individual or spouse owns a 10% interest or greater.

This bill would specify that the investments of an individual include a pro rata share of the investments of any mutual fund in which the individual or spouse owns a 10% interest or greater.

Ch. 608 (SB 1681) Holmdahl. Water rights

Under existing law, the cessation of or reduction in the use of water under any existing right regardless of the basis of right, as a result of the use of reclaimed water or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses, is a reasonable beneficial use of water to the extent of such reduction and precludes loss of an existing right under such conditions. The State Water Resources Control Board may require any water user seeking the benefit of such provisions to file periodic reports as specified.

This bill would prohibit the board, to the extent and in the amount that reclaimed or polluted water is used in lieu of water appropriated by a permittee, from reducing the appropriation authorized in the user's permit, and would specify that such use of reclaimed or polluted water shall constitute good cause for the board to extend, as prescribed, the period specified in a permit for application of appropriated water to beneficial use. The bill would also prohibit the board, in issuing a license to appropriate water, from reducing the appropriation authorized by permit, to the extent and in the amount that reduction in a permittee's use during the perfection period has resulted from the use of reclaimed or polluted water in lieu of the permittee's authorized appropriation.

Ch. 609 (SB 1691) D. Carpenter Veterinary medicine: animal health technicians.

Existing law authorizes someone other than a licensed veterinarian to treat animals under the direct supervision of a licensed veterinarian

This bill would limit such authorization to animal health technicians, require the Board of Examiners in Veterinary Medicine to define the required degree of supervision of animal health technicians by licensed veterinarians, and authorize the board to adopt regulations establishing animal health care tasks which may be performed by unregistered assistants and the degree of supervision by an animal health care technician or licensed veterinarian necessary in such instances.

Existing law sets the various fees relative to veterinary medicine.

This bill would require the Board of Examiners in Veterinary Medicine to set the fee for approval of a school for animal health technicians not to exceed the cost involved.

Ch. 610 (SB 1724) Dunlap. Scenic conservation.

Existing law authorizes the Departments of Water Resources, Parks and Recreation, Fish and Game, Finance, and Transportation to acquire interests in real property in certain lands adjacent to the Westside Freeway and the California Aqueduct which have scenic values.

This bill would replace the Department of Finance with the Department of General Services.

Ch. 611 (SB 1736) Presley. Vehicular crossing restrictions.

Existing law prohibits certain types of vehicles and vehicles carrying certain materials, including explosives or more than 10 gallons of corrosive liquid, from being on any vehicular crossing unless a special permit has been obtained.

This bill would delete the provisions requiring vehicles carrying explosives or corrosive liquids to obtain a permit before being on any vehicular crossing.

Ch. 612 (SB 1768) Wilson. Fish and game regulations booklet.

Existing law requires the Fish and Game Commission to publish and distribute in booklet form designated regulations and requires such booklet to contain in the front portion specified descriptive information on the Fish and Game Commission, the Wildlife Conservation Board, the Marine Research Committee, the Department of Fish and Game, and the Assembly Committee on Water and the Senate Committee on Natural Resources and Wildlife

This bill would repeal the requirement that such booklet contain such descriptive information.

Ch. 613 (SB 1847) Stiern. Milk products: frozen yogurt, sour cream, and sour cream dressing.

Existing law, generally, sets composition standards and labeling requirements for milk products.

This bill would:

(1) Delete the present definition of "milk product" which lists various specific products and substitute a definition for "milk products" or "dairy products" which would include any product which is prepared or manufactured from milk for which a standard of composition is established and any new milk product or combination milk and food product for which a temporary standard of composition is established, but which would not include "products resembling milk products."

(2) Change references to "frozen yogurt dessert", "frozen lowfat yogurt dessert", and "frozen nonfat yogurt dessert" to "frozen yogurt", "lowfat frozen yogurt", and "nonfat frozen yogurt", respectively

(3) Establish standards of acidity, coliform, molds, yeasts, and other fungi for frozen yogurt, lowfat frozen yogurt, and nonfat frozen yogurt.

(4) Permit sour cream and sour cream dressing to contain designated percentage of harmless edible stabilizers, emulsifiers, and coagulating enzymes.

(5) 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. 614 (SB 1875) Smith. Dam safety regulation.

Existing law provides for the regulation and supervision by the Department of Water Resources of dams and reservoirs, as defined.

This bill would exclude from the definition of a dam for such purposes a barrier which

is not across a stream channel, watercourse, or natural drainage area and which has the principal purpose of impounding water for use as a sewage sludge drying facility.

Ch. 615 (SB 1892) Nejedly. General plan; historical units; cultural preserves.

(1) Under existing law, units of the state park system are classified by the State Park and Recreation Commission into one of several categories, including historical units which consist of areas established primarily to preserve objects of historical, archaeological, and scientific interest, and archaeological sites and places commemorating important persons or historic events, and natural preserves which consist of distinct areas of natural or scientific significance established within the boundaries of other state park system units.

This bill would permit an area within an historical unit, but outside the primary historic zone, to be designated as a recreation zone upon approval of the commission.

The bill would create the new category of cultural preserves, consisting of distinct areas of cultural interest established within the boundaries of other state park system units.

(2) Under existing law, the Department of Parks and Recreation is required to prepare, and the commission is empowered to approve, a resource management plan and a general development plan for each state park system unit.

The bill would instead require the department to prepare, and empower the commission to approve, a general plan for each unit consisting of specified elements.

The bill would make additional technical changes in existing law

Ch. 616 (SB 1904) Holden. Elections: nomination documents

(1) Existing law requires there to be set forth in nomination papers the oath or affirmation provided for in the Constitution.

This bill would require such oath or affirmation to be set forth in the declaration of candidacy.

(2) Existing law does not require county clerks to give a receipt to persons who deliver nomination documents to the county clerk.

This bill would specifically require such practice

(3) Under existing law a candidate is required to file the declaration of candidacy with the county clerk.

This bill would specify that such document must be obtained from and filed with the county clerk of the county in which the candidate resides and is a voter.

It would also provide that a candidate must execute the declaration of candidacy in the office of the county clerk, except in cases where the candidate designates another person to receive a declaration of candidacy form.

The bill would also provide that no appropriation is made by this bill to local agencies for costs incurred by them because of a specified reason.

Ch. 617 (SB 1912) Beverly. Authorized emergency vehicle.

(1) Existing law defines, for purposes of the Vehicle Code, an authorized emergency vehicle as, among other things, any publicly owned vehicle operated by specified persons of various organizations.

This bill would include within such definition any vehicle of the Harbor Department of the City of Los Angeles while operated by peace officer personnel of the Harbor Department under specified circumstances.

(2) The Department of Motor Vehicles is currently authorized to issue regular series license plates to vehicles exempt from registration fees. Such plates, issued only upon certification by the Attorney General, as specified, are issued for a period not extending beyond the calendar year in which they are issued.

The bill would authorize issuance of regular series plates for law enforcement vehicles for a one-year period.

Ch 618 (SB 1809) Ayala. Water quality: federal requirements.

Under existing law, the State Water Resources Control Board and the regional water quality control boards are directed, to the extent such actions are required and authorized under the Federal Water Pollution Control Act, as amended, to issue waste discharge requirements which ensure compliance with and meet specified federal water

quality standards and requirements

This bill would generally direct the state board and regional board to issue waste discharge requirements which apply and ensure compliance with all applicable provisions of the Federal Water Pollution Control Act and acts amendatory thereof and supplementary thereto, together with any more stringent effluent standards or limitations necessary to implement water quality control plans, or for the protection of beneficial uses, or to prevent nuisance, and would delete reference to specified federal standards and requirements

The bill would also expressly require waste discharge requirements to be adopted to permit the discharge of a specific pollutant or pollutants in a controlled manner from a point source to a defined managed aquaculture project if such discharge meets specified applicable requirements and standards.

Ch. 619 (SB 1889) Presley. Crestline-Lake Arrowhead Water Agency.

Under existing law, the board of directors of the Crestline-Lake Arrowhead Water Agency is required to cause a tax to be levied, in accordance with specified procedures, to raise specified sums.

This bill would require the board to cause to be levied as a tax, in accordance with prescribed procedures, any delinquent and unpaid charges for water and other services, or either, requested in writing by the owner of the property which remain delinquent and unpaid for 60 days or more on July 1.

The bill would specify that there shall be no reimbursement for any state-mandated local program for a specified reason

Ch. 620 (SB 2046) Vuich. Cities and counties. ground water recharge.

Existing law allows cities and counties to require the payment of fees or other consideration in lieu thereof in connection with a proposed land subdivision to defray the cost of constructing drainage facilities, sanitary sewer facilities, bridges, and major thoroughfares.

This bill would allow the governing body of a city or county to adopt an ordinance requiring the payment of a fee or other consideration in lieu thereof as a condition to approval of a final map, parcel map, or the issuance of a building permit, to defray the cost of constructing planned recharge facilities for the replacement of surface waters into underground aquifers if the conditions, specified in the bill are satisfied.

The bill would require, among other things, that the governing body provide for payment of a share of improvement costs by land benefited, but not subject to such fees, by other means as a condition of adoption of such ordinance.

The bill would authorize a city or county to construct, operate, and maintain, or designate another agency to construct, operate, and maintain, ground water recharge facilities

The bill would prohibit the construction of recharge facilities unless the water agency furnishing water approves the facilities design and agrees on the terms and conditions for furnishing water for ground water recharge facilities

The bill would provide that a water agency which is required to apportion water to its landowners shall receive credit for such requirement for water delivered for ground water recharge and such agency will be relieved of such requirement to apportion water for that amount of water delivered for ground water recharged.

The bill would exempt from such fees specified landowners presently receiving a pro rata share of surface water and landowners who have not applied for approval of a final or parcel map or a building permit.

Ch. 621 (SB 2041) Sieroty. Financial institutions.

Existing law prohibits a bank from imposing any charge on a savings account or on a depositor for the failure of a depositor to deposit, or for the late deposit of, any agreed periodic installment deposit into such account For the purposes of the foregoing, existing law defines a "savings account"

This bill would revise the definition of "savings account."

Ch. 622 (SB 2034) Ayala. Regional water quality control boards.

Under existing law regional water quality control boards consist of 9 members appoint-

ed by the Governor from specified backgrounds, including one person associated with county government. Existing law also specifies that public officers, whether elected or appointed, may be appointed to, and serve contemporaneously as members of, a regional board.

This bill would provide that if appointments cannot be made of persons associated with county government because of specified conflict of interest provisions, those appointments may be made of persons not specifically associated with any category. The bill would also expressly provide that public officers associated with any area of government, including planning or water, may serve on a regional board.

Ch. 623 (SB 2169) Dills. Vehicles: motorcycles: price information.

Existing law prohibits a dealer selling, offering for sale, or displaying any new motorcycle unless there is a statement attached to the motorcycle by the dealer indicating the manufacturer's suggested retail price, the delivered price of all accessories and optional equipment, the amount charged, if any, for transportation to the dealer and assembly, preparation, or both.

This bill would prohibit a dealer selling, offering for sale or displaying any new, assembled motorcycle unless there is a label (approved by the Department of Motor Vehicles and furnished by the manufacturer) attached to the handlebars stating the manufacturer's retail price, the recommended price of accessories or optional equipment attached to the motorcycle when delivered to the dealer, the amount charged for dealer added accessories or optional equipment, the amount charged, if any, for transportation to the dealership, and the cost of assembly, preparation, or both. The bill would require the total recommended retail price to be the sum of the costs described.

Ch. 624 (SB 2182) Robbins. Insurer: auto repairs.

Under existing law an insurer issuing an automobile collision or comprehensive policy may elect to pay the repairs of an automobile by check or draft to the repairer, or to the named insured and the repairer, jointly.

This bill would specifically include all cases where the insured has received actual notice that the repairer is doing work pursuant to a contract approved by the insurance company in which case the payment shall include the name of the repairer.

Ch. 625 (SB 2115) Zenovich. Service of process: unlawful detainer.

Existing law authorizes in specified circumstances service of process by posting in an action for unlawful detainer of real property primarily used for commercial purposes.

This bill would remove the condition that the property be primarily used for commercial purposes. It would also require that a copy of the summons and complaint be mailed by certified mail to the party being served at his last known address, and make related changes.

Ch. 626 (SB 2127) D. Carpenter. School safety patrols.

Under existing law, any person who disregards a traffic signal or direction given by a member of a school safety patrol or a nonstudent school crossing guard is guilty of a misdemeanor and is subject to the penalties provided for in Section 42001 of the Vehicle Code. Such section provides for various fines and jail terms depending upon the offense, including a graduated penalty which for a third and subsequent convictions consists of a jail term of not exceeding 6 months or by fine not exceeding $500, or by both, for willful failure or refusal to comply with a lawful order, signal, or direction of any traffic officer.

This bill would specifically provide that any person who disregards a traffic signal or direction given by a member of a school safety patrol or a nonstudent school crossing guard is guilty of an infraction punishable by a fine not exceeding $50, $100, or $250 for a first, second, or third conviction within a year, respectively.

Ch. 627 (SB 2188) Holmdahl. Highways: private byroads.

Under existing law, a road division in any portion of a county not included in a road division may be established by the board of supervisors for the construction, improvement, and maintenance of a highway within the road division upon a petition filed with the board, signed by a majority of the landowners, or by owners of more than 50% of the assessed valuation, within the proposed road division.

This bill would authorize a board of supervisors to order the opening, laying out, or

alteration of a private byroad for the necessity of one or more residents or landowners of any road district, upon petition of a landowner of the road district.

The bill would require a bond in double the amount of the probable cost of the proceeding, including the market value for land taken and any severance damage resulting from such taking, or a sum of money in an amount to be fixed by the board in an amount not less than the amount of the bond, to be submitted with the petition.

The bill would require the person whose land would be taken for the private byroad to be reimbursed for his expenses in contesting the opening or alteration of the land, if the petition is not granted or the byroad is not opened or altered, from the bond or sum of money submitted with the petition. The person for whose benefit the private byroad is required would be required to pay the compensation awarded to any landowner, and to build and maintain the byroad.

The bill would define "private byroads", for purposes of above provisions, as roads opened, laid out, or altered for the purpose of providing access to parcels of contiguous private lands of more than 100 acres which have been cut off by a change in the course of a navigable stream.

Ch. 628 (SB 2114) Sieroty. Hiring of property.

Existing law provides that the hiring of property which is not terminable at the pleasure of 1 of the parties is not terminated by the death of 1 of the parties.

This bill would provide that, in the case of a hiring of accommodations from month to month in a nursing or convalescent home, the hiring shall be terminated by the death of the patient by or for whom the hiring was made and the hirer or his heir, legatee, or personal representative shall not be liable for any rent due for such accommodations under the hiring agreement beyond that rent due for the date on which the patient died. It would also require the refund of any advance payment of rent to the heir, legatee, or personal representative of the hirer within 2 weeks after the patient's death.

This bill would specify that any provision in the hiring agreement by which the hirer agrees to waive any of his rights under the foregoing provisions shall be void as contrary to public policy.

This bill would provide that its provisions shall be applicable to all hiring agreements executed or renewed on or after January 1, 1979.

Ch. 629 (SB 2062) Petris. Highways: state: directional signs: California College of Arts and Crafts

The Department of Transportation has adopted criteria for the erection of directional signs on state highways for colleges and universities.

This bill would require the department to erect directional signs for the California College of Arts and Crafts similar to those erected by the department for Mills College, Holy Names College, St. Mary's College, and JFK University.

Ch. 630 (SB 1436) D. Carpenter. Records· peace officers.

Existing law requires police and sheriffs' departments to establish a procedure to investigate citizens' complaints against the personnel of such departments and to make a written description of such procedure available to the public.

This bill would require each department or agency in the state which employs peace officers to establish such a procedure and would specify that the information derived from the investigation of citizens' complaints shall become part of a peace officer's personnel record and require that complaints and reports derived therefrom be retained for at least 5 years.

Existing law does not contain provisions characterizing peace officer personnel records as privileged.

This bill would enact such provisions, delineating the circumstances under which such privilege can be asserted, the holders, and the scope thereof, and the exceptions thereto.

This bill would provide that no appropriation or reimbursement is made to local agencies for costs incurred because of this bill for a specified reason.

Ch 631 (AB 3383) McVittie Court orders: reconsideration.

Under existing law, there is no statutory authority permitting a party to a civil action to file a motion for reconsideration by the court of its prior order; however, decisional

law does recognize certain exceptions permitting such reconsideration.

This bill would specifically authorize any party affected by an order granting or refusing, in whole or in part, or conditionally, an application for an order, to apply within a specified period, based upon an alleged different state of facts, to the same judge who made the order, to reconsider the matter and modify or revoke the prior order. The bill would also provide sanctions for violations and authority to revoke or vacate orders improperly made.

Ch. 632 (AB 3391) Ingalls. Vehicles: advertising

(1) Existing law requires that every conditional sales contract of a motor vehicle contain certain cost information, as specified.

This bill would require that the contract also show the amount charged by the dealer for documentary preparation.

(2) Under existing law, it is unlawful for any vehicle dealer licensed pursuant to the Vehicle Code to advertise the total cost of a vehicle without including all costs to the purchaser. Sales tax, vehicle registration fees, and finance charges are not required to be included in total price of the vehicle Also, it is unlawful for a dealer to refuse to sell a vehicle at the advertised price unless the advertisement was good only for a specified time, and the time has elapsed. The advertised total price need not include sales tax, vehicle registration fees, or finance charges

This bill would provide that, in addition, dealer documentary preparation charges need not be included in the advertised total price of a vehicle. The bill would specify $20 as the maximum amount of such charges. However, the advertisement would be required to specify that taxes, registration fees, and documentary preparation charges will be added to the advertised total price at the time of sale. It would be unlawful to represent the dealer documentary charge as a governmental fee.

(3) The bill would make additional changes in Section 11713.1 of the Vehicle Code, proposed by Senate Bill No. 156, to be operative only if this bill and Senate Bill No. 156 are both chaptered and effective January 1, 1979, and this bill is chaptered after Senate Bill No. 156

(4) 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 any appropriation be made by the bill for a specified reason

Ch. 633 (AB 3395) Bane. Unemployment compensation disability benefits: voluntary plans.

Existing unemployment compensation disability benefit law permits employers under prescribed circumstances, to establish voluntary plans for the payment of disability benefits to their employees.

Existing law requires employers who establish such plans to pay to the Employment Development Department 0.12% of the taxable wages paid to employees covered by the voluntary plan for deposit in the Disability Fund. Further, existing law requires the Director of Employment Development to prorate among the approved voluntary plans certain refunds and credits made to employees and the amount expended for added administrative work arising out of voluntary plans, and requires the director to assess the amounts so prorated against the employers for deposit in the Disability Fund.

This bill would repeal the requirement that the director prorate among the approved voluntary plans such refunds and credits and the amount expended for added administrative work arising out of voluntary plans and the requirement that the director assess employers for such prorated amounts, would increase from 0 12% to 0.14% the amount each voluntary plan is required to pay to the department for deposit in the fund, and would require the director to make recommendations to the Governor and Legislature regarding changes in such rate.

Ch. 634 (AB 3396) Mangers Water district organization

(1) Existing law creates the Costa Mesa County Water District and defines the boundaries of the district

This bill would change the name of the district to the Mesa Consolidated Water District

(2) Under existing law, California water districts are landowner voting districts, but

the Irvine Ranch Water District is specifically authorized to establish divisions from which directors are elected by resident voters

This bill would permit a person elected as a director from a resident voting division to serve out the remainder of the elected term after being elected, for the first time, to the office of director of a municipal water district which encompasses, in whole or in part, the California water district.

Ch. 635 (AB 3397) Berman Insurance.

Existing law makes no provision prohibiting an insurer from reducing benefits for services rendered by a nongovernmental charitable research hospital when such institution does not charge for its services in the absence of insurance.

This bill prohibits an insurer issuing, delivering, or amending either group or individual expense-incurred hospital, medical or surgical policies from reducing benefits for services rendered by a nongovernmental charitable research hospital, as defined, because such institution does not charge for its services in the absence of insurance.

Ch. 636 (AB 3409) Boatwright. Taxation: assessment appeals boards.

Existing law provides that the term of office of members of assessment appeals boards begins on the first Monday in June, except in counties of the first class where such terms begin on the first Monday in September.

This bill would provide that the terms begin on the first Monday in September in all counties, that members continue to serve until their successors take office, and that a member whose term has expired may continue to serve for up to 60 days with respect to matters on which the hearing had commenced prior to the expiration of the member's term.

Ch. 637 (AB 3439) Wornum. Local agencies: borrowing.

Existing law permits a city, city and county, county, school or community college district, or any other municipal or public corporation or district to borrow by means of the issuance of grant anticipation notes, payable from the proceeds of state and federal grants or from other sources which may lawfully be used for such purpose. Various limitations as to time for repayment, interest rates, and the amount of funds borrowed are prescribed.

This bill would permit the specified local agencies, in addition, to borrow by means of the issuance of loan anticipation notes, payable from the proceeds of state and federal loans

The bill would also expressly permit such local agencies to sell either grant or loan anticipation notes at public or private sale at a discount of up to 2% of the par value thereof.

Under the existing law grant anticipation notes may not be issued in an amount which, with interest, exceeds 80% of grant funds committed to the local agency by the granting authority. This bill would change such limitation to 95%; would remove the interest payable from such computation; and make the limitation applicable to loan anticipation notes as well as grant anticipation notes.

The bill would take effect immediately as an urgency statute.

Ch 638 (AB 3562) Chappie. Vehicle dealers: display of vehicles.

(1) Under existing law, whenever a franchisor seeks to establish an additional motor vehicle dealership within the relevant market area in which the same line-make is already represented, the franchisor is required to notify the New Motor Vehicle Board and each franchisee in the same line-make in the relevant market area If any protest is filed, the board must arrange for a hearing, as prescribed.

This bill would exempt branch offices established for the purpose of selling vehicles at a fair, exposition, or similar exhibit from the notice provision.

(2) Under existing law, vehicle dealers are required to have an established place of business, which, among other things, includes having to maintain an office.

This bill would permit a new, unregistered mobilehome which is displayed at a mobilehome fair or exposition, as defined, not exceeding 30 days, to be used as such required office and would exempt any mobilehome being so used from the registration provisions contained in the Vehicle Code The bill would also recast existing provisions

of law regarding display areas at branch locations of mobilehome dealers.

Ch. 639 (AB 1405) Cordova. Municipal courts: Orange County.

Existing law authorizes the judges of the Orange County Harbor Judicial District to appoint a court commissioner in lieu of appointing a traffic referee or traffic trial commissioner, but does not provide for the appointment of a court commissioner by the South Orange County Judicial District.

This bill would make the appointment of a court commissioner in the Orange County Harbor Judicial District in lieu of appointment of a traffic trial commissioner only, and authorize the South Orange County Judicial District to appoint one court commissioner in lieu of appointing a traffic trial commissioner.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of local government entities which desired authority to act pursuant to the act.

Ch. 640 (AB 1723) Priolo. Political Reform Act of 1974: gifts.

(1) Existing provisions of the Political Reform Act of 1974 relating to conflicts of interest of specified officers contain no express provision providing that no person shall make a gift totaling $25 or more in a calendar year to such an officer on behalf of another, or while acting as an intermediary or agent of another, without disclosing to the recipient of the gift both his own full name, address, and business activity and the name, address, and business activity of the actual donor.

This bill would enact such provisions and would expressly require the officer who is the recipient of the gift to include in his Statement of Economic Interests the name, address, and business activity of the intermediary or agent and the actual donor.

(2) Existing provisions of the Political Reform Act of 1974 relating to the adoption by agencies of conflict of interest codes contain no express provision providing that no person shall make a gift of $25 or more in a calendar month on behalf of another, or while acting as the intermediary or agent of another to a person whom he knows or has reason to know may be required to disclose the gift pursuant to a conflict of interest code, without disclosing to the recipient of the gift both his own name, address, and business activity, and the name, address, and business activity of the actual donor.

This bill would enact such provisions and would expressly require the recipient of such a gift to include in his Statement of Economic Interests the name, address, and business activity of the intermediary or agent and the actual donor.

(3) This bill would declare that the act is in furtherance of the purposes of the Political Reform Act of 1974.

Ch. 641 (AB 1778) Gage. Political Reform Act.

Existing provisions of the Political Reform Act of 1974 define the term "gift" for the purposes of its provisions.

This bill would revise such definition.

Existing law excludes salary, reimbursement for expenses and per diem from a state or local government from the definition of "income" found in the act.

This bill would exclude such payments when received from the federal government from the act's definition of income.

Existing law excludes from the act's definition of income gifts received from certain classes of relatives. This bill would extend such exclusion to gifts received from a niece or nephew. In addition, this bill would revise such definition to, among other things, exclude alimony or child support from the definition.

This bill contains a finding that its provisions further the purposes of the Political Reform Act of 1974.

Ch. 642 (AB 1909) Dixon. Peace officers

Existing law designates various correctional, parole, and probation officers as peace officers for specified purposes

This bill would provide that the Director of Corrections and any deputy director of the Department of Corrections is a peace officer as specified.

Ch. 643 (AB 2090) Wray Local agency formation commissions.

Existing law requires county boards of supervisors to prepare and make available to the public a list of positions on boards, commissions, and committees which are filled by appointment by the board.

This bill would, in addition, require each county board of supervisors to include in such listing all public members and alternate public members of a local agency formation commission which are appointed by the commission. The bill would also require the posting of a prescribed notice of any unscheduled vacancies on a local agency formation commission, and would prohibit any appointment to fill the vacancy from being made for at least 10 working days following the posting of such notice.

This bill would specify that there are no state-mandated local costs that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 644 (AB 2176) Gualco. Local planning: authorization for two planning commissions.

Under existing law, each county and city is required to establish a planning agency. In addition, the County of Sacramento is authorized until January 1, 1979, to establish two planning commissions with various functions. Also, a county is authorized to provide for one or more area planning commissions.

This bill would authorize any city, county, or city and county to establish two planning commissions, each of which would have specified functions.

Ch. 645 (AB 2978) Tucker. Pharmacy temporary permits.

Existing law makes no provision for issuance of a temporary pharmacy permit when ownership of a pharmacy is transferred from one person to another.

This bill would permit the California State Board of Pharmacy to issue a temporary permit in such circumstances, upon conditions and for such periods of time as the board determines to be in the public interest, and would require the board to fix a temporary permit fee at an amount not to exceed the annual fee for renewal of a permit to conduct a pharmacy.

Ch. 646 (AB 3296) Hallett. Public Employees' Retirement Law: retirement.

Existing Public Employees' Retirement Law requires that all sick leave or compensating time be used prior to a member's date of retirement for disability, unless the member applies for or consents to retirement for disability at an earlier date.

This bill would provide that a local ordinance or resolution or the rules or regulation of an employer could provide to the contrary with respect to the use of sick leave prior to such retirement.

Ch. 647 (AB 3113) Robinson. State Compensation Insurance Fund.

Existing law does not authorize the State Compensation Insurance Fund to insure California employers who have California employees temporarily working outside the State of California on a specific assignment

This bill would make such provision if the employer has California employees working within California and is insured by the fund.

Ch 648 (AB 3087) Gualco. Health care contracts.

Existing law does not require that health care service plan contracts, self-insured employee welfare benefit plan contracts, nonprofit hospital service plan contracts, disability insurance policies, or health care insurance contracts of a nonprofit hospital service plan corporation contain provisions defining what constitutes a day of confinement where the benefits under such contract accrue after a certain time of confinement

This bill would require such policies and contracts to specify what constitutes a day of confinement or the number of consecutive hours of confinement which are requisite to the commencement of benefits.

Ch 649 (AB 3074) Arnett. Dumbarton Bridge: study

Under existing law, the Department of Transportation is required to conduct a feasibility study of extending the western approach to the Dumbarton Bridge on a specified alignment and to submit a report thereon to the Legislature on or before December 31, 1978.

This bill would delay until December 31, 1979, the date when the department would

be required to submit the report to the Legislature.

The bill would take effect immediately as an urgency statute.

Ch. 650 (AB 3155) W. Thomas. Political Reform Act of 1974: campaign disclosure.

Existing law, contained in the Political Reform Act of 1974, requires the disclosure, on a campaign statement, of the total amount of contributions received during the period covered by the campaign statement from persons who have given $50 or more, and the disclosure of the total amount of expenditures to persons who have received $50 or more during such period.

Existing law also requires the disclosure on such a campaign statement of the names of persons from whom contributions of $50 or more have been received and to whom expenditures of $50 or more have been made.

This bill would raise the threshold reporting amount in the above cases from $50 to $100, and make certain other conforming changes.

Existing law provides, in the case of a campaign statement filed by a committee, that the statement contain the name and telephone number of the committee and the committee's street address.

This bill would in addition require, in the case of a campaign statement filed by a committee, that the statement contain the committee treasurer's name, street address and telephone number.

Existing law provides that no contribution or expenditure of $50 or more shall be made in cash, that any contribution of $50 or more other than an in-kind contribution shall be made by a written instrument containing the name of the donor and payee, that the value of all in-kind contributions of $50 or more must be reported in writing by the contributor to the recipient, and that no person shall make anonymous contributions totaling $50 or more in a calendar year and that such anonymous contributions shall not be kept but shall be paid to the Secretary of State for deposit in the General Fund.

This bill would raise the threshold amount involved in the above provisions from $50 to $100.

Ch. 651 (AB 3193) Robinson. Department of Real Estate.

Under existing law, there is in the Business and Transportation Agency a Department of Real Estate, the chief officer of which is the Real Estate Commissioner. The commissioner is required to comply with specified provisions as to the publication of notices prior to denying, suspending, or revoking any license, and is authorized to proceed with specified investigations and proceedings against a licensee notwithstanding the lapsing or suspension of a license or the voluntary surrender of a license by a licensee.

This bill would impose such requirements upon, and grant such authority to, the department, rather than the commissioner.

Ch. 652 (AB 3258) Vehicles: California Traffic Safety Program.

(1) Under existing law, the Secretary of the Business and Transportation Agency prepares the California Traffic Safety Program.

This bill would authorize the Governor to appoint a highway safety representative to prepare the program in consultation with the Governor and the secretary.

(2) Under existing law, the Governor is authorized, to the maximum extent permitted by federal laws and regulations and the law of this state, to delegate to the secretary any power or authority necessary to administer the program.

The bill would authorize the Governor to do likewise with the representative

Ch. 653 (AB 3263) M. Waters. Real estate loans.

Existing law provides that the provisions of the Real Estate Law regulating real property loans negotiated or solicited by real estate licensees do not apply to any bona fide loan secured directly or collaterally by a first trust deed, the principal of which is $16,000 or more, or to any bona fide loan secured directly or collaterally by any lien junior thereto, the principal of which is $10,000 or more.

This bill would provide that the provisions of the Real Estate Law do not apply to loans secured by a first trust deed the principal of which is $20,000 or more, or to a loan of $10,000 or more secured by a junior lien.

Ch. 654 (AB 2204) Lanterman Property taxation: technical errors· validation.

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

This bill would similarly validate such actions

Ch. 655 (AB 2248) Knox Navigation and ocean development.

(1) Under existing law the Department of Navigation and Ocean Development is authorized, subject to the appropriation of funds therefor by the Legislature, to make loans to cities, counties, or districts having power to acquire, construct, and operate small craft harbors, for the planning, acquisition, construction, improvement, maintenance, or operation of small craft harbors and facilities. Existing law requires the department to submit any project for which it recommends a loan be made to the Governor for inclusion in the Budget Bill

This bill would require that any loan contract establish a rate to be charged for the use of boating facilities. The bill would also require the department to make available to persons owning or operating small craft harbors information available to the Navigation and Ocean Development Commission concerning specified matters. The bill would also require the department to report to the Legislature not later than February 1, 1979, on various programs in which loans may be made to private individuals for small craft harbors and facilities and recommendations for further legislative action.

(2) Under existing law, the Navigation and Ocean Development Commission is composed of 7 members who are generally required to have experience and background consistent with the functions of the commission. The Governor is required, in making appointments, to give primary consideration to geographical location of the residence of members as related to major oceanographic activities, boating activities, and harbors.

This bill would require 1 member of the commission to be a private small craft harbor owner and operator, and would delete the reference to major oceanographic activities with respect to the residence of members

Ch. 656 (AB 2344) Lehman Alcoholic beverages.

Existing law authorizes the issuance of a caterer's permit to any licensee under an on-sale general license, a club license, or a veterans' club license The law requires such licensee to obtain consent for each event which such permit will be used and provides for an annual fee for such permit

This bill would provide that such consent shall be in the form of a catering authorization and specifies a fee of not more than $10 for each authorization, which is to be deposited in the General Fund.

Existing law prohibits any alcoholic beverage licensee from employing any person to manage, direct, or conduct the business who does not have the qualifications required of a holder of the license.

This bill would impose a fee of $100 for any on-sale licensee who requests the Department of Alcoholic Beverage Control to determine the qualifications of any manager

Existing law provides that if an application for an alcoholic beverage license is denied or withdrawn, ¼ of the license fee paid, or not more than $25, is to be deposited in the General Fund

This bill would increase such maximum amount to $50

Ch. 657 (AB 2393) McVittie Schools. administration facilities.

Current law requires that all "school buildings," as defined, including facilities leased for more than 3 years, be constructed or reconstructed in accordance with the structural standards of the so-called Field Act

This bill would exempt from such requirement buildings and facilities used by a school or community college district under a lease or lease-purchase agreement and into which neither pupils nor teachers are required to enter

The bill would take effect immediately as an urgency statute.

Ch 658 (AB 583) Calvo Drivers' licenses extensions

Under existing law, the Director of Motor Vehicles may extend the term of a driver's license for up to one year when the number of renewal applications in a year will exceed the number in the previous or next subsequent year by more than 10%.

In addition to such authority, this bill would authorize the Department of Motor Vehicles to establish a demonstration program to evaluate the effect of extending driv-

ers' licenses. At the discretion of the director, during the demonstration program, a license expiring on or after July 1, 1979, may be extended for a licensee whose records, for the 4 years immediately preceding the expiration date of his license or expiration date of his extended license, has had no convictions of violations of traffic laws, no involvement in a traffic accident, and no violations of a written promise or order to appear in court or an order to pay a fine. The bill would require that the extension be granted for one or two years and would further provide that there shall be no more than two consecutive extensions and the consecutive extensions shall not exceed two years. During the demonstration program, the number of licenses extended would be limited to 10% of the total number of licensees eligible for an extension. The department would be authorized to charge a fee for every license extended by the department. The department would also be authorized to continue the program until December 31, 1981. The department would also be required to prepare and submit an interim report on the effects of the program to the Legislature by July 1, 1981, and a final report by December 31, 1981.

The provisions of the bill would remain in effect until January 1, 1982, and as of such date would be repealed.

Ch. 659 (AB 2501) Torres. Barbers.

Existing law provides that a barber college may admit a registered apprentice or registered barber to a postgraduate course. It specifies the general content of such course and prescribes the time of day when it may be given.

This bill would delete such course description and time limitation and provide that a registered apprentice or registered barber admitted to the course may attend up to 40 hours per week.

Ch. 660 (AB 2552) Torres. Farm Products Trust Fund: livestock: slaughter.

Under the existing statutory provisions, designated licensed processors and commission merchants or dealers of farm products, except cash buyers, are required to pay an annual fee, which shall be deposited in the Farm Products Trust Fund, to be used for indemnification of producers when purchasers, subject to the payment of such fee, default in the payment for farm products.

This bill would exempt any licensee who purchases livestock for slaughter and is bonded under the federal Packers and Stockyards Act, 1921, from the above provisions.

This bill would incorporate additional changes in Section 56703 of the Food and Agricultural Code, proposed by AB 2379, to be operative only if AB 2379 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 661 (AB 2538) Young. Workers' compensation: judicial review.

Existing law requires an application to the courts for a writ of review of an order, decision, or award of the Workmen's Compensation Appeals Board to be made within 30 days after reconsideration is denied, or within 30 days after the filing of the order, decision, or award following reconsideration.

This bill would instead require such an application to be made within 45 days after reconsideration is denied, or within 45 days after the filing of the order, decision, or award following reconsideration.

Ch 662 (AB 2562) Keene. Salmon: import for commercial purposes.

Existing law makes it unlawful to import into the state for commercial purposes any king salmon or silver salmon which are less than a prescribed size. Existing law also prohibits the taking of king and silver salmon for commercial purposes which are less than a prescribed size. These two provisions differ in the sizes specified. Furthermore, under existing law, live, domesticated fish raised lawfully in any other state may be imported into this state and transported or sold under a license from the Department of Fish and Game.

This bill would delete references to specific minimum sizes with respect to the importation of salmon for commercial purposes and provide, instead, that it is unlawful to import any salmon of smaller size than can be legally taken under regulations of either the Pacific Fishery Management Council or the state of landing. The bill would also declare that such provisions shall not apply to domestically reared salmon. It would

provide that such domestically reared salmon may be imported under regulations established by the Fish and Game Commission.

Ch. 663 (AB 2427) Knox Securities.

The Corporate Securities Law of 1968 exempts from qualification thereunder interests in subdivisions and real estate developments, except interests which are investment contracts and except as to corporations which are mutual water companies.

This bill would exclude all mutual water companies, not just corporations, from the exemption for subdivisons and real estate developments.

Existing law exempts from licensing broker-dealers and investment advisers who are registered with the Securities and Exchange Commission, who have no office in this state and who deal only with specified institutional investors and with not more than 15 other customers who had preexisting accounts with the broker-dealer or investment adviser.

This bill would limit the extent to which out-of-state broker-dealers and investment advisers can deal with self-employed retirement plans under the above exemption.

Existing law sets forth the basis upon which the certificate of an agent may be denied, revoked or suspended.

This bill would amend existing law to include, as a basis for the denial or revocation of an agent's certificate, disciplinary actions against the agent by the securities agencies of other jurisdictions.

Existing law requires investment advisers who have custody of their client's funds or securities or who take powers of attorney to execute transactions for their clients, to maintain such minimum capital, minimum ratio of indebtedness to net capital and a surety bond of up to $10,000, when and as required by rule of the Commissioner of Corporations.

This bill would require licensed investment advisers to maintain a fidelity bond, when and as required by rule of the commissioner.

Existing law provides that accountants, engineers or other experts who consent to the use of their name in a prospectus as having prepared or certified any part of the document are civilly liable for false and misleading statements.

This bill would provide that the liability of an expert in a prospectus extends only to instances in which the expert consented to the use of the statement pursuant to a rule of the commissioner.

Existing law permits a person who has sold securities in violation of the qualification provisions of the securities law to eliminate such person's civil liability by making a repurchase offer to the investors.

This bill would require persons, other than California corporations, who file to make repurchase offers also file a consent to the service of process.

Existing law imposes a period of limitation for the commencement of prosecutions for violations of the Corporate Securities Law of 1968 of 3 years from the date of the offense.

This bill would provide that the statute of limitations for criminal proceedings under the Corporate Securities Law of 1968 is 3 years from the date of discovery.

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

Ch. 664 (AB 2398) Lockyer. Hazardous waste: transporting fees.

Existing law makes it unlawful for any person, after January 1, 1979, to carry on, or engage in, any business which transports hazardous waste, as defined, unless such person holds a valid registration issued by the State Department of Health Services. Existing law also requires a person who transports such waste as a substantial part of any business to pay vehicle fees, as specified. "Substantial part of any business," under existing law, is defined to mean 8% or more of the total cargo transported during a calendar year.

This bill would redefine "substantial part of any business" to mean the generation of more than $35,000 in annual gross revenue from the hauling of hazardous waste within California during a calendar year.

Ch. 665 (AB 2395) Mello. Commercial fishing: crab traps.

Existing law requires that north of Point Conception each crab trap have 2 circular openings of not less than 4 inches, or 4¼ inches, if the trap was constructed after January 1, 1975.

This bill would delete the provision that would allow, north of Point Conception, a

crab trap constructed prior to January 1, 1975, to have 2 circular openings of not less than 4 inches, rather than 4¼ inches. In addition, the bill would, operative October 1, 1979, allow traps for crabs to be used in Districts 118.5 and 19 to take sheepshead and crabs other than market crabs, provided that a trap permit, as specified, is obtained

Ch 666 (AB 2202) Lanterman. Validations.

This bill would enact the Second Validating Act of 1978, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities.

This bill would take effect immediately as an urgency statute.

Ch. 667 (AB 2203) Lanterman. Validations.

This bill would enact the Third Validating Act of 1978, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities

Ch. 668 (AB 2191) Hart Schools: pupil attendance.

(1) Existing law prescribes the reasons for which pupils can be excluded from attendance at schools.

This bill prescribes procedures to be followed in carrying out such exclusion.

(2) Existing law prescribes the reasons for which a pupil may be suspended or expelled from school and further prescribes procedures to be followed in order to carry out such suspension or expulsion.

This bill would redefine "suspension" and "expulsion" and would revise the causes for which a pupil may be suspended or expelled.

This bill would require school districts which assign pupils to continuation schools to adopt rules and regulations for the involuntary transfer of pupils to a continuation school and would prescribe certain procedures to be followed when making such transfers.

This bill would require the district attorney, rather than the sheriff or chief of police, to report to the school superintendent and parent or guardian when a pupil is accused of using, selling, or possessing certain controlled substances such as narcotics or hallucinogenic drugs

This bill would authorize a principal to designate a person to suspend pupils in his or her absence.

This bill would permit the governing board to suspend a pupil for a period longer than a suspension made by a principal or his or her designee, if certain procedures are followed.

(3) 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 the bill for a specified reason

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

Ch. 669 (AB 3297) Ingalls Transportation

(1) Existing law requires the California Transportation Commission to hold public hearings in the course of carrying out its functions.

This bill would authorize the commission to delegate public hearing functions to committees and staff members of the commission.

(2) Under existing law, the commission is authorized to prescribe guidelines for the preparation of regional transportation plans and regional transportation improvement programs.

The bill would delete the authorization to prescribe guidelines for the preparation of regional transportation improvement programs

(3) Chapter 1106 (AB 402) of the Statutes of 1977, among other things, added a Section 65080.1 to the Government Code

The bill would renumber that section to avoid a duplication in section number with a prior existing Section 65081 1 of the Government Code

(4) Chapter 1106 repealed Section 194.5 of the Streets and Highways Code.

The bill would delete the reference to that section in Section 2233 of the Streets and Highways Code

(5) Under existing law, all funds received by the Department of Motor Vehicles are

required to be deposited in the Motor Vehicle Account in the Transportation Tax Fund. After payments for refunds, administration, and enforcement and reserving amounts for transfer to the General Fund, the balance of the funds in the account are transferred to the Motor Vehicle Account in the State Transportation Fund. Appropriations for the support of the Department of Motor Vehicles, the Department of the California Highway Patrol, and other agencies are made from the account in the State Transportation Fund. Funds not needed to meet such appropriations are transferred to the State Highway Account in the State Transportation Fund.

The bill would merge the account in the Transportation Tax Fund into the account in the State Transportation Fund. The bill would delete the requirement that the funds in the account be available for transfer to the General Fund.

(6) Under existing law, the Riverside, San Bernardino, Los Angeles, and Orange County Transportation Commissions are responsible for short-range capital and service planning with respect to the determination or approval of the location and capacity of all transportation capital development projects, including highway projects, except for highway projects on routes determined by the California Transportation Commission to be of statewide significance.

This bill would delete the restriction on county transportation commission's planning authority as to highway projects determined to be of statewide significance by the California Transportation Commission.

(7) The bill would delete obsolete provisions in the Public Utilities Code and the Streets and Highways Code and correct cross references in the Government Code.

Ch. 670 (AB 3331) Hart. Public Employees' Retirement System: state safety members.

Existing Public Employees' Retirement Law enumerates state employees who come within the state safety membership category, and, among others, includes certain persons employed to perform full-time active firefighting duties under the title of campus firefighter.

This bill would include in the state safety membership category, persons employed under the title of campus firefighter who performed active firefighting duties for the state on April 1, 1973, and who, on January 1, 1979, performed such duties for a local agency providing fire protection under contract to the state.

The bill would permit a campus firefighter to elect, in writing filed with the board prior to December 31, 1979, to be restored to his previous status as a state miscellaneous member.

Ch. 671 (AB 3376) Duffy. Prescription drugs.

Existing law provides that a prescriber may authorize his employee to orally transmit a prescription to the furnisher, if the prescriber gives the furnisher within a reasonable time written evidence of the employee of the prescriber who transmits the order. The furnisher is then required to record the name of the employee of the prescriber who transmits the order.

This bill would also permit a registered pharmacist, nurse, psychiatric technician, or other health care licentiate, if authorized by administrative regulation, who is employed by or works in a licensed skilled nursing facility, intermediate care facility or other health care facility to orally transmit to the furnisher a prescription lawfully ordered by a person authorized to prescribe drugs or devices. The furnisher would be required to record the name of the person who transmits the order

This bill would not apply to orders for Schedule II controlled substances.

The bill would recognize and affirm the role of the Department of Health Services in regulating drug order processing requirements, as specified

Ch. 672 (AB 2918) Brown. Workers' compensation. elective coverage.

Existing law permits an employer and any person in his employment who is not entitled to workers' compensation coverage, by their joint election, to come under the workers' compensation law

This bill would, in addition, provide that where an employer makes such an election to provide compensation for an independent contractor engaged in vending, selling, offering for sale, or delivering directly to the public any newspaper, magazine, or

periodical, the status of such person as an independent contractor for all other purposes shall not be affected by such election.

Ch. 673 (AB 2855) Keene. Coastal resources: marine development: boating facilities.

The California Coastal Act of 1976, generally, provides for the planning of, and regulation of development, as defined, within designated areas of the state's coastline. With prescribed exceptions, the act requires any person wishing to perform or undertake any development within a coastal zone, as defined, to obtain a coastal development permit, which shall be based on various coastal resources planning and management policies.

Within such policies, it is required that any alteration of prescribed coastal wetlands, identified by the Department of Fish and Game, be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development of part of San Diego Bay, if otherwise in accordance with the act.

This bill would, for such purposes, define the phrase "commercial fishing facilities in Bodega Bay" to mean that no less than 80% of all boating facilities proposed to be developed or improved, where such improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

The existing law requires that facilities in harbors and connecting waterways established under designated provisions to be open to all on equal and reasonable terms.

This bill would permit the Department of Navigation and Ocean Development to authorize construction of separate facilities and reasonable allocations within the same harbor for separate use by commercial and recreational vessels, and provide that project funding may not be denied solely on the basis that such separate facilities and allocations for such separate use within the same harbor are required by a regulatory agency, so long as such requirement is determined by the Director of Navigation and Ocean Development, after consultation with the affected regulatory agencies, to be reasonable.

Ch. 674 (AB 2868) Keene. School classified employees.

Existing law provides for the establishment of a classified service for noncredentialed personnel employed by local educational agencies and provides various rights and benefits, including tenure, for members of the classified service.

Under existing law, persons who are employed under certain specially funded federal programs under which entry is restricted by federal law or regulation to low-income or other specifically designated classes of persons, are excluded from the regular classified service and are placed in a "restricted" category and are not accorded the full rights and benefits accorded classified employees generally.

There are also excluded from the classified service, persons employed by local educational agencies in positions limited to not more than one year in duration established pursuant to Title VI of the Comprehensive Employment and Training Act of 1973 (CETA).

This bill would permit the Lake County Office of Education and the Nevada County Office of Education, to the extent permitted by federal law, to exclude from the classified service persons employed by such offices pursuant to any CETA program and without restriction as to the duration of employment, but would not permit such an exemption if any other employee of the county office of education is employed to perform the same or similar work as that assigned to the CETA position, or if the jobsite for the CETA position is at a facility operated by the county office of education or by any school district or community college district in the county.

Ch. 675 (AB 2894) Bannai. High rise structures. fire protection.

Existing law requires all existing high rise structures, as defined, to conform to regulations providing, to the greatest feasible extent, for the safety of occupants and persons involved in fire suppression activities within 3 years of the adoption by the State Fire Marshal of such regulations.

This bill would authorize, on showing of good cause, an extension of such conformance period for 2 additional years after approval, if a specified plan of correction is submitted and approved by the enforcing agency having jurisdiction by April 26, 1979.

Ch. 676 (AB 2846) Bannai. Insurance: loss and expense reporting.

Existing law does not require insurers to record and report loss and expense experience.

This bill would authorize the Insurance Commissioner to promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems in use within the state, to be used by each insurer in the recording and reporting of its loss and countrywide expense experience.

Ch. 677 (AB 2831) Chacon. State employees: upward mobility

The existing law requires all departments and agencies of state government to establish an effective program of upward mobility for occupational groups, including, but not limited to, specified classes as defined by the State Personnel Board. All departments and agencies are required to provide, to the greatest extent possible, specified opportunities for employees, and the board is given various duties and responsibilities concerning the program.

This bill would make those provisions of the law pertaining to upward mobility for state employees applicable to the state university and colleges system. The Board of Trustees would administer the plan for its employees.

Ch. 678 (AB 2844) Keene. Indian education.

Under existing law, the governing board of any rural school district receiving equalization aid, having a school in which there is a concentration of 10% or more of Native American Indian students, and which maintains prekindergarten through grade 4 or kindergarten through grade 4, may apply to the Superintendent of Public Instruction for a project in Native American Indian education

This bill would specify that any rural school district receiving equalization aid at the initial time an application for a project is accepted shall continue to be eligible for the funding of such programs, notwithstanding the fact that such school district may no longer be receiving equalization aid.

Existing law authorizes the establishment of up to 10 California Indian education centers.

This bill would remove the limitation on the number of such centers to be established.

This bill would take effect immediately as an urgency statute.

Ch. 679 (AB 2781) Chacon. Fines and forfeitures: distribution.

Existing law requires specified percentages of fines and forfeitures from certain law enforcement activities of listed cities to be transferred to the county.

This bill would require 8% of the fines and forfeitures from such law enforcement activities of the City of Lemon Grove to be transferred to San Diego 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 bill.

Ch. 680 (SB 1780) Zenovich. Highways: state: information signs.

The Department of Transportation has adopted criteria for the placement of signs in advance of state highway exits to indicate that roadside businesses are available to serve highway users

This bill would require the department to adopt rules and regulations to allow the placement until January 1, 1981, near exits on those portions of State Highway Route 5 located in rural areas, of information signs advertising specific roadside businesses offering gas, food, lodging, or camping services and on standards for such signs.

The bill also would require the department to establish and charge a fee to place and maintain information signs in an amount not less than 25% above its estimated cost in placing and maintaining the information signs, with the funds in excess of such cost to be available for safety roadside rest purposes upon appropriation by the Legislature.

The bill would require the department, not later than July 1, 1980, to submit to the Legislature a report on the placement of such signs.

Ch. 681 (AB 2922) Robinson. Banks and trust companies.

Existing law requires that certain reports required by the Superintendent of Banks must be filed within 15 days after a specified date.

This bill would provide that such reports shall be filed at the time the superintendent specifies by order or regulation.

Existing law requires the written consent of the superintendent prior to the purchase

by a bank of property in which any director, officer, employee, or controlling stockholder has an interest.

This bill would revise this requirement to include personal property and interests in personal and real property.

Ch. 682 (AB 2465) N. Waters. Water quality: Lake Tahoe.

Existing law generally 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.

This bill would, notwithstanding such provisions, permit water containing waste which has been placed in a sanitary sewer system for treatment and transportation outside of the Lake Tahoe Basin to be reclaimed in a pilot reclamation project to demonstrate the technological and environmental feasibility of using such water for beneficial purposes within such basin in accordance with specified provisions of law. The bill would require the regional water quality control board for the Lahontan region, in accordance with prescribed procedures, to approve the project and make specified findings prior to the initiation of any such pilot reclamation project

Ch 683 (AB 2774) Imbrecht. Railroads.

Under existing law a city or county or city and county ordinance which establishes a limit on the speed of passenger trains is not valid unless it has been approved by the Public Utilities Commission.

This bill would provide that no such ordinance which establishes a limit on the speed of trains would be valid unless it has been approved by the Public Utilities Commission.

Ch. 684 (AB 2641) Mello. Exemption from execution: mobilehomes.

Under existing law, a dwelling house is exempt from execution to the same extent as if it had been selected as a homestead. Such exemption is applicable to the dwelling house and to outbuildings and the land on which it is located.

Under existing law a mobilehome is exempt from execution up to $30,000 for a head of a family or a person 65 years old or older, or for other persons, up to $15,000. While these monetary limits are similar to those for a dwelling house, this statutory exemption does not extend to outbuildings or land, nor are the statutory procedures for execution against a dwelling house applicable to a mobilehome.

This bill would provide that a mobilehome, in which the debtor or family of the debtor resides, along with related outbuildings and land, are exempt from execution to the same extent as a dwelling house. The procedures for execution against a dwelling house would be applicable to such a mobilehome.

Ch. 685 (AB 2634) McVittie. Prisoners

Under existing law state prisons are generally established only for confinement of males or females, but not both. Existing law authorizes transfer of a female prisoner from the California Institution for Women to any state prison to prevent her forcible removal from the institution, and authorizes temporary removal of inmates generally from prison for not longer than 3 days, or longer for medical treatment, but does not expressly authorize assignment of prisoners of one sex to prisons where prisoners of the opposite [sex]* are confined for academic or vocational purposes.

This bill would provide that the sex of a prison inmate shall not prevent the Director of Corrections from assigning any prison inmate to academic or vocational training programs situated in correctional institutions established for the incarceration of offenders of the opposite sex

Ch 686 (AB 3235) Nestande Notaries public.

Existing law requires a notary public to keep a sequential journal of all official acts performed as a notary public and shall, upon request, provide a person with a certified copy of any page from the journal at a cost of no more than $.30 per page

This bill would provide that a request to a notary for such a certified copy shall be in writing, identifying the parties, the type of document and the month and year in which notarized.

Ch 687 (AB 2566) Egeland. Dissolution of marriage.

Existing law specifies a procedure for joinder of an employee pension benefit plan as a party in an action for the dissolution of marriage

This bill would revise and clarify such procedure, would eliminate an employee pension benefit plan's consent to be governed by certain provisions of law, would expand the definition of "employee pension benefit plan", would specify that such expanded definition is declaratory of existing law, and would specify the scope of application of the various changes made by the bill.

Ch 688 (AB 2474) Boatwright CSUC: fees: instructionally related activities.

Under existing law, the chief fiscal officer of each campus of the California State University and Colleges is required to deposit into and maintain in local trust accounts or in other specified trust accounts moneys received in connection with specific sources or purposes.

This bill would require until July 1, 1981, that the fees for certain instructionally related activities be deposited into and maintained in such accounts, and would specify that the Trustees of the California State University and Colleges have all authority necessary to administer and use the revenues from such fees.

This bill would take effect immediately as an urgency statute.

Ch 689 (AB 3564) Hayden. Fingerprinting.

Under current law, the Department of Motor Vehicles has no specific authority to provide fingerprint service to the public and assess a fee for such service

This bill would authorize the Department of Motor Vehicles to provide fingerprint service for a fee of not less than $5 for each person fingerprinted.

The bill would take effect immediately as an urgency statute.

Ch. 690 (AB 3584) Fazio. Public utilities: water corporations in Yolo County

Existing law prohibits a water corporation operating in Yolo County from engaging in construction work, except as specified, from June 25, 1976, until July 1, 1978.

This bill would extend the duration of this prohibition until January 1, 1980.

This bill would take effect immediately as an urgency statute.

Ch. 691 (AB 3606) V. Thomas Marine Research Committee.

Under existing law the Marine Research Committee is established within the Department of Fish and Game for the purpose of conducting research in the development of commercial fisheries of the Pacific Ocean and of marine products susceptible to being made available to the people of California. The committee is funded by means of a privilege tax on the taking of specified fish species

This bill would abolish the privilege tax and the Marine Research Committee and would appropriate tax funds remaining after the committee has been abolished to the Department of Fish and Game to be used for conducting such research as was previously done by the committee

Ch. 692 (AB 3610) Ingalls. Vehicles: cargo tank fee

Existing law requires that cargo tanks be registered by the State Fire Marshal. A fee of $25 is charged for original and renewal registration A $2 fee is charged for transfer of ownership, duplicate registration, or certificate of compliance. The penalty fee for late registration is equal to the original fee.

This bill would increase the original and renewal fee to $30 and the other fees to $5 and would specify that a late penalty fee of $3 will be added to the registration fee when the fee is paid after November 1 of the year in which registration expires, but before January 1 If the fee is paid after January 1, a penalty fee of $10 would be charged

Ch. 693 (AB 3613) N Waters. Fire devices

No existing statutory law requires automatic fire devices activated by products of combustion other than heat in buildings or structures used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home or institution, school, or similar occupancy, or as a home or institution for the housing of persons referred to or placed therein for protective social care and supervision services by any governmental agency

This bill would require the State Fire Marshal to adopt regulations requiring such devices in all such facilities which provide 24-hour per day care, which house 6 or fewer

persons, and which do not have automatic sprinkler systems

Ch. 694 (SB 1440) Mills Transportation. rail passenger services.

(1) Under Section 4 of Chapter 1130 of the Statutes of 1975, the Secretary of the Business and Transportation Agency is required to allocate $3,000,000, during the 1976–77 to 1978–79 fiscal years, to the Department of Transportation to undertake a program of projects for the extension of intercity passenger rail services under the Rail Passenger Service Act of 1970 or for the upgrading of other commuter rail services.

This bill would grant general authority to the department to enter into contracts with railroad corporations, including the National Rail Passenger Corporation, to provide commuter and intercity rail passenger services and to acquire and improve rail terminals for passenger service.

(2) Under the Urban Mass Transportation Act of 1964, as amended by Public Law 95-187, the Secretary of Transportation is authorized to grant financial assistance to state and local public agencies for rail passenger services provided by railroad designated as class I, with specified exceptions.

The bill would make the department the only public agency eligible to receive funds so granted.

(3) Under existing law, the department is required to undertake 3-year demonstration projects to encourage improved ground public transit services along the Sacramento-Stockton-San Francisco and the Los Angeles-San Diego corridors.

The bill would authorize the department to enter into contracts with various entities to provide intercity bus transportation or feeder services to and from rail passenger terminals.

(4) The bill would require that the funds allocated for commuter rail purposes be consistent with the regional transportation plan and the regional transportation improvement program for the region where the funds will be expended, unless the California Transportation Commission makes a specified finding.

Ch 695 (SB 1017) Rains State lands: geological surveys.

Under existing law, the State Lands Commission must require, as a condition to the issuance of any permit for the conduct of geological or geophysical surveys on tide and submerged lands, that the permittee make available to the commission, upon request, all factual and physical exploration results, logs, and records resulting from the operations under the permit. Any such information made available is for the confidential use of the commission, and it is a misdemeanor for any member of the commission or any officer or employee of the commission or any person working for the commission to disclose any such information to any person who is not performing any function or work assigned to him by the commission or to use such information for other than commission purposes, except upon the written consent of the permittee.

This bill would permit the commission to make such information available to those governmental agencies which need such information to evaluate or regulate such tide and submerged lands and adjacent lands, but would require the commission to enter into a contractual agreement with such agencies specifying the purposes for which it may be used and requiring the information to be maintained in confidence. The bill would require such agreements to specify the person who will examine and be responsible for the confidentiality of such information. The bill would extend the misdemeanor penalties for disclosure to any such agencies and their employees

The bill would specify that there shall be no reimbursement for any state-mandated local program for a specified reason

Ch 696 (SB 1738) Mills State highways: exclusive lanes

Under existing law, the Department of Transportation is authorized to construct or designate exclusive or preferential lanes on state highways for buses and other high occupancy vehicles.

This bill would require such lanes constructed on new alignment or new structures under contracts advertised for bids after January 1, 1979, to be designed and constructed on such horizontal and vertical alignments so that the lanes may readily be reconstructed, using the department's rail transit design criteria, as exclusive public mass transit guideways, unless the California Transportation Commission finds that it would be

impractical.

The bill would also require the department to consider several factors, as specified before designing a highway in conformance with the above requirement.

Ch. 697 (SB 2061) Rains. Tidelands: City of Carpinteria.

(1) Under existing law, the City of Carpinteria is required to substantially improve granted tidelands and submerged lands within 10 years from the effective date of the 1968 act (November 13, 1968) confirming title to such lands in the city, subject to reversion of such lands to the state if the State Lands Commission determines that the city has failed to so improve the lands.

This bill would extend such time period to 15 years from the effective date of the 1968 act.

(2) Under existing law, the city is required to file annually with the commission a statement of receipts and expenditures by it of all rents, revenues, issues, and profits arising from the granted lands or improvements thereon and to submit annually a statement of financial condition and operation to the Auditor General.

This bill would revise the provisions requiring an annual financial report to the commission and delete the requirement for an annual statement of financial condition and operation to the Auditor General.

(3) Under existing law, the Auditor General is required to annually report to the Chief Clerk of the Assembly, the Secretary of the Senate, and the commission the full details of any transaction or condition reported to him which he deems in probable conflict with the requirements of such grant.

This bill would instead require the commission to make such report.

(4) The bill would require the city to seek the written approval of the commission prior to authorizing a capital outlay project, lease, or agreement for port facilities on the granted lands, but approval would not be required of piers for which a substantial portion is devoted to recreational and fishing uses. Prior to such approval, the commission would be required to consult with other governmental agencies and make a specified determination

(5) The bill would delete references to the Auditor General, delete references to a "bay" as part of the granted lands, and make various nonsubstantive and conforming changes.

Ch. 698 (SB 1972) Campbell. Fire hazards: campfires and railroad rights-of-way.

(1) Existing statutory law does not define the term "campfire" for purposes of provisions governing protection of forest, range, or forage lands, although Department of Forestry regulations define the term for purposes of regulating activities in state forests.

This bill would define the term "campfire" for purposes of such provisions to mean a fire, used for cooking, personal warmth, lighting, ceremonial, or aesthetic purposes, not within any building, mobilehome, or living accommodation mounted on a motor vehicle

(2) Existing law does not specifically permit the Director of Forestry or other agency having fire protection responsibility to order a railroad to clear its right-of-way of a fire hazard in forest, brush, or grasslands. Existing law does provide a procedure for the director to seek abatement of a fire hazard as a public nuisance, after notice and hearing.

This bill would authorize the director to adopt fire protection hazard reduction standards applicable to railroad rights-of-way within forest, brush, or grasslands, and would authorize the director or other agency having fire protection jurisdiction to order a railroad to destroy, remove, or modify vegetation or other flammable material found to be not in compliance

(3) Existing law prohibits a person from leaving a campfire, kindled or attended by him, burning or unextinguished unless it is within a permanent dwelling regularly and permanently inhabited by persons at the time

This bill would delete this exception from the general prohibition of leaving a burning or unextinguished campfire

Ch. 699 (AB 2806) M. Waters. Controlled substances: phencyclidine (PCP)

(1) Existing law classifies phencyclidine (PCP), for the purposes of the California Uniform Controlled Substances Act, as a Schedule III central nervous system depressant with a potential for abuse, and prescribes specified punishment for possession, possession

for sale, transportation, sale, manufacture, furnishing, and giving away of phencyclidine except as specified, the use of minors to violate such provisions, and the sale of materials falsely represented as phencyclidine. Existing law does not include substances that are central nervous system depressants, excepting opium and opiates, as specified, within Schedule II substances for the purposes of such act.

This bill would reclassify phencyclidine as a Schedule II material within a new Schedule II group of central nervous system depressants with a potential for abuse. The bill would also change the penalty for unlawful possession for sale, transportation, sale, manufacture, furnishing, and giving away of phencyclidine, and the use of minors to violate such provisions, to make conviction of such violations punishable in the state prison for 3, 4, or 5 years.

(2) Existing law also makes it a felony for any person who is not a licensed drug manufacturer or authorized by the State Board of Pharmacy to possess both methylamine and phenylacetone at the same time with intent to manufacture methamphetamine.

The bill would also make it a felony, punishable by 3, 4, or 5 years in the state prison, to possess piperidine or cyclohexanone at the same time, or a combination product thereof, with the intent to manufacture phencyclidine, except with respect to licensed drug manufacturers and persons authorized by the State Board of Pharmacy. The bill would also provide that possession of immediate precursors sufficient for the manufacture of methylamine, phenylacetone, piperidine, or cyclohexanone, or possession of any compound or mixture containing piperidine or cyclohexanone, shall be deemed to be possession of such a substance for purposes of the above-mentioned provisions of current and proposed law.

(3) Nothing in present law makes it a criminal offense to furnish phenyl-2-propanone, methylamine, D-lysergic acid, ergotamine tartrate, diethyl malonate, malonic acid, ethyl malonate, barbituric acid, or piperidine with knowledge that the recipient will use such substance in the unlawful manufacture of a controlled substance, provided the furnishing is authorized by law.

This bill would make it a felony to furnish such substances with knowledge that the recipient will use them to unlawfully manufacture a controlled substance. This bill would also require prescribed reports or records, made to the State Department of Justice regarding the transfer, theft, or loss of such substances, to be certified under penalty of perjury.

(4) The bill would make other technical changes to spelling and nomenclature in existing law.

(5) This bill would make no appropriation to reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 700 (AB 2405) Lehman. Medi-Cal. pilot programs.

This bill would authorize the State Director of Health, or his successor, the State Director of Health Services, to continue a Medi-Cal pilot program comparing patient treatment profiles and prior authorization as controls of overutilization in Fresno County and other areas determined by the director until January 1, 1981.

The bill would take effect immediately as an urgency statute.

Ch 701 (AB 2142) Young. Metropolitan State Hospital land. sale.

This bill would, subject to certain conditions, require the State Director of General Services, with the approval of the State Public Works Board, to sell a specified parcel of real property which is part of the Metropolitan State Hospital in the City of Norwalk.

Ch 702 (AB 2379) Fazio Processors of farm products· license fees penalties

Under existing law, a processor of farm products or a produce dealer found to be operating a business without the required license, is required to pay specified license fees to the Director of Food and Agriculture. Existing law also requires that each principal applicant for a license under specified sections of the Food and Agricultural Code pay an additional annual fee of $125 to the Director of Food and Agriculture, with such fee to be deposited in the Farm Products Trust Fund

This bill would require that a processor of farm products or a produce dealer found to be operating a business without the required license, pay double the amount of fees

now specified to the Director of Food and Agriculture The bill would also require that persons found to be operating a business without the required license, pay double the amount of the principal applicant annual fee.

The bill would increase the moneys otherwise paid into the Farm Products Trust Fund, a continously appropriated fund, and therefore constitutes an appropriation.

This bill would incorporate additional changes in Section 56703 of the Food and Agricultural Code, proposed by AB 2552, to be operative only if AB 2552 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch 703 (AB 3791) Lancaster. Peace officers.

Existing statutory law provides for the election of sheriffs in noncharter counties, but does not require a chartered county or city and county to have a county sheriff nor does it require that the county sheriff of a charter county or city and county be elected. The Constitution has been amended to require the Legislature to provide expressly that nonchartered counties shall have elected sheriffs and to require county or city and county charters to provide for an elected sheriff.

This bill would require all counties to have an elected sheriff, and would specify the manner of the election of the county sheriff in charter counties and cities and counties where the charter does not provide for the election of a sheriff.

Existing law provides that members of security patrols appointed by school districts are designated as peace officers while engaged in the performance of the duties of their employment, and provides increased punishment for an assault, battery, and assault with a deadly weapon on specified peace officers, including such security patrols.

This bill would correct various obsolete cross-references to clarify that such provisions are applicable to members of security departments of school districts.

Ch. 704 (AB 3680) Keene. Medi-Cal: prepaid health plans

Under existing law, prepaid health plans are health care service plans which meet specified state and federal requirements and agree with the State Department of Health Services to furnish directly or indirectly health services to Medi-Cal beneficiaries on a predetermined periodic rate basis. Contracts are awarded on a nonbid basis.

Under this bill, prepaid health plans would include organizations which are licensed and regulated under the Knox-Keene Health Care Service Plan Act of 1975 and contract with the department solely as a fiscal intermediary at risk, as defined. Contracts with such organizations would be awarded on either a bid or nonbid basis.

The bill would take effect immediately as an urgency statute

Ch. 705 (AB 3300) Rosenthal. Federal Food Stamp Program.

Federal law establishes a food stamp program to permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation.

This bill would revise existing state law implementing the federal program in this state in order to make the state law conform to changes in the program made by the federal Food Stamp Act of 1977.

Ch. 706 (AB 694) Wornum. Franchise.

No provision of existing law guarantees persons the right to be accompanied by an attorney or a personal representative during contract negotiations of a private nature.

This bill would provide that no petroleum distributor shall deny to any gasoline dealer or prospective gasoline dealer the right to be accompanied by counsel or a personal representative to any meeting held between the parties for the purpose of negotiating the terms of the franchise.

Ch. 707 (AB 842) Chimbole Franchises

Under existing law, a petroleum franchisor who terminates, cancels or refuses to renew a franchise with a gasoline dealer because the franchisor is withdrawing from the marketing area, is not required to pay the gasoline dealer the current wholesale market value for supplies and equipment purchased by the gasoline dealer from the franchisor or an affiliate of the franchisor

This bill would require a petroleum franchisor to so compensate a gasoline dealer where the franchisor withdraws from the marketing area The bill would provide that

such provision is to apply only to those gasoline dealer franchises which are entered into or renewed on or after January 1, 1979.

Existing law does not specifically provide for civil remedies for the termination of a franchise agreement between a gasoline dealer and a petroleum distributor or manufacturer.

This bill would specifically provide for a civil action for injunctive relief and recovery of damages and costs, including attorney fees, for the termination of a franchise for reasons not constituting good cause, as defined.

Ch. 708 (AB 1545) Egeland Nuclear medicine technology.

There is no existing law regulating nuclear medicine technologists.

This bill would require the State Department of Health Services to establish standards of competence for nuclear medicine technologists. The State Director of Health Services would be required to appoint an 11 member advisory committee to advise until January 1, 1985, on the establishment of such standards.

This bill would require certain persons, as specified, to meet the standards of competence for nuclear medicine technologists. It would also require that all in vitro procedures using radioactive materials be performed in a licensed clinical laboratory.

The bill would require the department to establish a schedule of fees, sufficient to cover costs incurred in the administration of the provisions of the bill, to be paid by applicants applying to establish their competence to perform nuclear medicine technology.

This bill would prescribe criteria for the denial, revocation, or suspension of the establishment of a person as competent to perform nuclear medicine technology, as specified.

The bill would make a violation of any of the provisions of the bill a misdemeanor. It would also require the department to enforce the provisions of the bill.

Ch. 709 (AB 3653) Craven. Subdivisions: dedication for parks or recreation.

The existing law authorizes a local agency, by ordinance, to require dedication of land, or payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision or parcel map provided certain general conditions exist.

This bill would modify one of such general conditions to require the city or county to specify how and when it will use the land or fees, or both, to develop park or recreational facilities, and to require fees so collected to be committed within 5 years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later, or be returned to owners of record, as specified.

Ch. 710 (AB 3662) Papan State agencies: regulations.

Existing law requires state agencies when adopting regulations pursuant to the Administrative Procedure Act to include in the notice of proposed action a reference to the authority under which the regulation is proposed and a reference to the particular code sections or other provisions of law which are being implemented, interpreted, or made specific but does not expressly require that such information be included in the California Administrative Code.

This bill would require such information to be included in the California Administrative Code.

Ch. 711 (AB 3131) Gage Taxation. generally

Under existing law, employers who fail to furnish withholding statements to employees are subject to a criminal penalty and a general penalty. Both penalties require a showing of specific intent to violate the law.

This bill would eliminate the requirement that willfulness be shown before the general penalty can be levied and will except from the general penalty those employers who show that reasonable cause exists for the failure.

Under existing law, the Franchise Tax Board is required to have withholding orders personally served or sent by certified mail.

This bill would permit such notices to be sent by first-class mail.

Under existing law, it's a misdemeanor for employees of the state or its political subdivision who in the course of their duties have access to income tax information to make unauthorized disclosure of such information.

This bill would subject former employees and other individuals to the same criminal penalty.

Under existing law, corporations which fail to pay their franchise or income tax liabilities must be suspended or have their rights forfeited.

This bill would provide for discretionary suspension or forfeiture of corporate powers in the event the corporation fails to pay its tax liability.

Existing law provides for suspension or forfeiture of corporate powers where an exempt organization or a foreign corporation fails to elect an annual accounting period.

This bill would eliminate failure to elect an annual accounting period as a basis for suspending an exempt organization and would repeal the provision providing for forfeiture of the powers of a foreign corporation deriving income from California sources.

Existing law requires exempt organizations with gross receipts exceeding $5,000 to file an annual return and precludes an exempt organization from filing a group return with its affiliated branch operations which have gross receipts exceeding $10,000.

This bill would require annual returns from exempt organizations where gross receipts exceed $10,000 and would delete the gross receipt limitation for affiliates to be included in group returns

Assembly Bill No. 1467, enacted as Chapter 481 of the Statutes of 1977, became operative on July 1, 1978, and provided for a uniform state lien law.

This bill would provide that the liens as established pursuant to Chapter 481 of the Statutes of 1977 would attach to existing unpaid liabilities as of July 1, 1978.

Under existing Bank and Corporation Tax Law if a transferor of property protests and appeals a tax assessment, the statute for assessing transferee liability continues to run against the transferee

This bill would toll the statute of limitations during the period administrative remedies are being resolved, and would permit transferee liability to be assessed after this occurs.

The bill would provide that for specified reasons that there shall be no funds appropriated to local agencies for their cost incurred because of the act.

Ch. 712 (AB 3794) Alatorre. Cosmetology.

Existing law requires that the Board of Cosmetology adopt regulations providing for an inactive license status commencing with the 1978 license renewal period and each subsequent renewal period.

This bill would extend such date to 1980.

Ch. 713 (AB 2957) Bane. Registered dispensing opticians· registration.

Existing law requires individuals or firms filling prescriptions of licensed physicians and surgeons for prescription lenses and kindred products and, as an incident to the filling of such prescriptions, doing specified acts involving facial measurements, and fitting and adjusting of lenses and frames, to be registered dispensing opticians Existing law also permits registered dispensing opticians to fill prescriptions of optometrists licensed by the State Board of Optometry, provided the optician does not do the specified acts of measuring, fitting, and adjusting as an incident to the filling of such prescriptions.

This bill would additionally permit registered dispensing opticians, when filling prescriptions of optometrists licensed by the State Board of Optometry, to do the same acts of measurement, fitting, and adjusting, incident to such filling as may be done when filling prescriptions of physicians and surgeons.

Ch. 714 (AB 2815) Alatorre. State Board of Control: discharge from accountability.

Under existing law, any state agency or employee that is charged with the collection of any state taxes, licenses, fees, or money owing to the state may apply with the State Board of Control for a discharge from accountability for the collection of the money The Board of Control shall make an order discharging the agency or employee from further accountability if the amount due is too small to justify the cost of collection or if it is to the advantage of the state to grant the relief requested

In addition, existing law permits a state agency, upon authorization of the board, to refrain from collecting taxes, licenses, fees, or money owing to the state for any other reason if the amount collected is $5 or less.

This bill would require the Controller to audit the applications and to make recommendations to the board regarding discharge. The board would discharge from accountability for the collection of those items that are either uncollectible or if the amount would not justify the cost of collection.

In addition, the board may authorize the state agency to refrain from collecting moneys for any other reason where the amount to be collected is $25 or less.

This bill would also permit the board to delegate to the Controller the authority to discharge from accountability items which do not exceed the monetary jurisdiction of the small claims court

Ch 715 (SB 740) Wilson. Pornography minors as subjects.

Existing law defines obscene matter and obscene live conduct for purposes of prohibiting various acts relating to such matter and conduct. One factor in determining obscenity with respect to such matter and conduct is the determination that it is matter or conduct which, taken as a whole, goes substantially beyond customary limits of candor in description or representation of such matters.

This bill would provide that where the defendant knew that the matter or conduct depicts persons under the age of 16 years engaged in sexual conduct or live conduct such fact can be considered in determining whether the matter or conduct goes substantially beyond customary limits of candor.

Ch. 716 (AB 3170) Rosenthal Health and welfare.

(1) Under existing law, the Director of Health Services may suspend any provider of health care services under the Medi-Cal program for any violation of the Medi-Cal Act or to protect the health of the recipients and program funds.

This bill would additionally authorize suspension for any violation of the Waxman-Duffy Prepaid Health Plan Act.

(2) Under existing law, books and records of any provider of health care services under Medi-Cal may be used only to investigate and pursue criminal or administrative sanctions for Medi-Cal fraud and abuse.

This bill would provide that existing law shall not be construed to prohibit the referral of investigative findings to the appropriate state licensing, certifying or regulatory authority

Ch. 717 (AB 3244) Arnett. Schools: Ryan Act.

The Ryan Act minimum requirements for a life credential include 2 years of teaching experience in a California public school.

This bill would, in addition, permit this requirement to be satisfied by teaching at a private school.

Ch. 718 (AB 3273) Gage. Trial jurors.

Under existing law, pharmacists and certain firemen are exempt from jury duty.

This bill would eliminate such exemptions.

Under existing law, the superior courts or judges are required to make an order designating the estimated number of trial jurors that would be needed, and the jury commissioner is required to furnish a list of persons qualified as trial jurors

This bill would permit the court, judges, and commissioner to exercise such functions, but would not require it

Under existing law, trial jurors serve for 1 year

This bill would provide that they serve for such time as is established by local rule

Existing law authorizes the superior court in each county to adopt rules, supplementary to rules adopted by the California Judicial Council, establishing procedures which may be followed by the jury commissioner of that county in granting excuses from jury service on the grounds of hardship

This bill would require the superior court in each county to adopt such rules to provide procedures which would be binding on the jury commissioner.

Existing law does not specify the number of court days that a trial juror may be

required to appear in court for jury service.

This bill would specify such time period.

Existing law prohibits an employer from discharging his employee for taking time off to serve on a trial jury, if the employee, prior to taking time off, gives reasonable notice to his employer that he is required to serve.

This bill would require the jury commissioner to notify each trial juror of this provision of law.

This bill would provide that it makes no appropriation to the State Controller for allocation and disbursement to local agencies or school districts for costs incurred by them pursuant to this act.

Ch. 719 (SB 1351) Behr. Attorneys' fees· arbitration.

Existing law provides for the voluntary submission of a fee dispute between an attorney and client to arbitration for resolution.

This bill would provide for a system of arbitration of such disputes that would be voluntary for a client, but mandatory for an attorney if commenced by a client. It would permit the adoption of rules requiring that a client be given notice prior to the commencement of a court action based upon such a dispute, but the failure to give such notice would not be grounds for dismissal of the action. The client could stay such an action, except a small claims court action, by serving and filing a request for arbitration. Either party would be entitled to a trial de novo, within 30 days after mailing of the notice of the arbitration award, unless the parties agree in writing to be bound by the award of the arbitrators.

The bill would apply only to disputes for attorneys' services rendered on and after the effective date of the bill

The bill also would require the Board of Governors of the State Bar of California by rule to establish, maintain, and administer the system and the procedure for such arbitration.

Ch. 720 (AB 3259) Ingalls. Safety roadside rests: vending machines.

Under existing law, the Department of Transportation is authorized to authorize the placement of vending machines in safety roadside rests on an experimental basis, unless prohibited by federal laws, rules, or regulations.

This bill would delete the limitation on the authority of the department to authorize such placement on an experimental basis.

This bill would take effect immediately as an urgency statute.

Ch. 721 (AB 3590) Cullen. State Board of Accountancy: membership.

Under existing law the State Board of Accountancy is required to make exceptions from specified continuing education requirements for licensees not engaged in public practice, or for reasons of health, military service, or other good cause.

This bill would make such requirement discretionary rather than mandatory.

Ch. 722 (AB 1068) Fazio. Administrative adjudication of traffic infractions.

Violations of the Vehicle Code and of any local ordinance adopted pursuant to the Vehicle Code that are declared to be infractions are crimes and are adjudicated in the courts of this state.

This bill would instead specify that an act or omission which constitutes an infraction as specified in the Vehicle Code or under any local ordinance shall also be a traffic safety violation for purposes of this bill and such violations would be adjudicated by hearing officers who would be authorized to conduct hearings by the Traffic Adjudication Board, which would be established by the bill If a cited person refuses to sign the notice to appear before a hearing officer, the bill would require the officer to follow the same procedure provided for a person arrested for a traffic infraction. Any person cited for a traffic safety violation would have the option, prior to the commencement of the hearing, of requesting that the matter be adjudicated as an infraction by a court. The bill would make a legislative declaration that, although traffic safety violations would be handled administratively, peace officer authority to apprehend drivers for violations (infractions) would not be diminished.

Generally, a finding that a traffic safety violation has occurred would be an administra-

tive violation and would not be deemed conviction of a crime. However, such a finding would have the same effect as a conviction for purposes of the drivers' licensing provisions of the Vehicle Code. The bill would not be construed to mean that an act which constitutes a traffic safety violation would not also be a crime.

The bill would specify the manner of appointment, compensation, and powers and duties of members of the board, including, among other matters, the establishment of a schedule of monetary and nonmonetary sanctions to be imposed for traffic safety violations and the adoption of rules and regulations relating to administrative adjudication. The board would be provided with immediate on-line computer access to the licensee's driving record. The board would hear appeals from decisions of hearing officers. Hearing officers would be required to conduct administrative adjudication hearings in an impartial and informal manner and would be authorized to call, and ask questions of, any witnesses. Decisions in administrative adjudication would be required to be based on proof by evidence beyond a reasonable doubt. Any person who willfully does not appear pursuant to a notice to appear issued for a traffic safety violation or who willfully does not comply with any order of the board or a hearing officer would be subject to the suspension or revocation of his driving privilege. This program would be implemented on a demonstration basis in the Counties of Placer, Sacramento, and Yolo during the period from January 1, 1979, through July 1, 1984, and other counties as specified. If, however, the Director of Motor Vehicles, on January 1, 1979, determines that anticipated federal funding is either unavailable or insufficient, the program would not be implemented until July 1, 1979. All monetary sanctions and penalty assessments collected would be required to be deposited in the Administrative Adjudication Fund, which would be created by the bill, and monetary sanctions deposited in that fund would be appropriated to the State Controller for disbursement to county auditors according to certain formulas.

The board would be required to submit a report on the progress of the demonstration program. The report would be required to include, among other things, an analysis of traffic safety impacts based on a sample group of drivers whose driver's license numbers end in "3" and whose violations would be processed through the municipal court system in order to achieve a statistically valid sample.

The report shall also include recommendations concerning the processing of parking violations by the board.

Under existing law, the Sacramento Municipal Court District is authorized 14 judges, a traffic referee, and other clerks and officials

This bill would require the judges of the court to appoint a commissioner as the business of the court requires.

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.

These provisions would remain in effect until July 1, 1984, and as of that date are repealed.

Ch. 723 (AB 2578) Torres. Small claims courts.

Under existing law the jurisdiction of a small claims court is limited to claims not in excess of $750.

This bill would provide for a monetary jurisdiction experiment in 6 specified small claims divisions. It would increase small claims court monetary jurisdiction to $1,500. It would authorize such small claim courts to charge a designated fee for specified services.

It would require the Judicial Council, in cooperation with the Department of Consumer Affairs, to study the effect of the jurisdictional change if federal or other funding is available, and would require the advisory committee and the Department of Consumer Affairs to make a preliminary report to the Legislature regarding the experiment, on or before January 1, 1980, and a final report on or before July 1, 1980, to include specified data. The jurisdictional experiment would continue until June 30, 1980. The bill makes related changes.

Under existing law, the Judicial Council is required by rule to provide for practice and procedure in the small claims court

This bill would also require the Judicial Council, in cooperation with the Department of Consumer Affairs, to prepare, if federal or other funding is available, a bench book

for judges sitting in small claims court describing state and federal consumer protection laws reasonably likely to be applicable in actions brought before them.

Under existing law, the judge is authorized to give such judgment in a small claims action as he deems to be just and equitable for disposition of the controversy.

This bill would provide that the court may, in appropriate cases, grant specified equitable relief, in lieu of or in addition to, money damages.

Existing law does not specifically authorize small claims courts to provide for legal assistance services for litigants.

This bill would authorize each small claims court, including those in the monetary jurisdiction experiment, to provide by local rule for small claims legal advisers, who may be volunteers, and who shall be attorneys, paralegals, or law students, who shall directly assist litigants, but may not appear in court to act as advocates for any party. The qualifications for such advisers is to be established by rule of court. The Judicial Council would be authorized to provide a specified filing fee increase to pay for such advisers

The bill would also make technical changes.

Further, it would specify that the bill contains no mandated local program requiring state reimbursement for costs.

Specified provisions of this bill would become operative on April 1, 1979.

The bill also would incorporate specified changes made by two other bills, contingent upon the enactment of one or both of such other bills.

Ch. 724 (SB 1631) Marks State Supplementary Program· loans

Under existing law, counties are required to loan recipients of benefits under the State Supplementary Program for the aged, blind, and disabled the amount of their last monthly payment up to $200 whenever the current month's payment fails to arrive from the federal government.

This bill would extend the loan program to federal social security payments and raise the maximum loan amount to $250. It would require the State Department of Social Services to adopt regulations that base eligibility for loans on repayment of previous loans.

The bill would provide that no appropriation is made nor obligation created for reimbursement of any local agency for costs incurred pursuant to the bill but if there are any costs incurred as a result of this bill, local governments may file claims for reimbursement.

Ch. 725 (SB 1694) Zenovich. Alcoholic beverages.

Existing law provides that the fee for a transfer of an alcoholic beverage license which results from the transfer of ownership in a corporation or limited partnership, as specified, is $100.

This bill would provide that such fee is 50% of the original fee but not less than $100 nor more than $800, except in specified circumstances. Such fees would be deposited in the General Fund.

Ch. 726 (SB 1560) Petris. Mental health professionals: appointments.

The Short-Doyle Act prohibits the adoption of any state regulations prohibiting a psychiatrist, psychologist, or clinical social worker from employment in a local mental health program in any professional, administrative, or technical position in mental health services.

This bill would make such prohibition also applicable to county, as well as state, regulations and to any procedures implemented by any local mental health program or contracting agency. This bill would require specified appointments to be made on the basis of competence, prohibit local programs and contracting agencies from restricting such appointments to one discipline, and require consideration of applications from, and making appointments equally open to, all professionals that are eligible pursuant to this statute; and require that the regulations also require that the appointment be open on the basis of competence to all eligible disciplines pursuant to the statute described.

Ch. 727 (SB 381) Gregorio. Family planning.

Existing law authorizes the Office of Family Planning within the State Department of Health or its successor to contract with individuals and specified entities to provide

material, equipment, and services, for family planning, but does not specifically authorize the Office of Family Planning to make advance payments to such individuals and entities

This bill would authorize the Office of Family Planning to advance, not more frequently than once each year, up to 25% of the yearly allocation to the individuals and entities with which it has contracted to provide material, equipment, and services, for family planning.

Ch 728 (SB 1650) Johnson. Taxation: property taxation.

(1) Under existing law, local governmental agencies which are created or have had boundary changes must file a map or plat of the new boundaries with the State Board of Equalization by January 1st in order to impose assessments or property taxes for the ensuing fiscal year.

This bill would permit a community service district to impose taxes or assessments for the 1978–1979 fiscal year if such map or plat is filed with the State Board of Equalization on or before January 20, 1978.

(2) Under existing law, state funds are continuously appropriated to compensate local governmental entities for property tax revenue lost by reason of the homeowners' property tax exemption and the partial exemption for business inventories.

This bill, by enabling community service districts to impose property taxes a year early, would have the effect of increasing these existing continuous appropriations for such year.

(3) This bill would disclaim liability for reimbursement of local agency costs under Section 2231 of the Revenue and Taxation Code for a specified reason.

(4) Existing provisions of the law relating to the implementation of Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978 ballot) provide that local agencies, as defined, formed after January 1, 1976, shall be considered school districts for the purpose of provisions relating to the allocation of tax revenues by the county auditor. In making such allocation to school districts, the amount of property tax revenue received by school districts and the county superintendent of schools in the 1977–78 fiscal year is considered whereas, with respect to allocations to local agencies other than a school district, a county superintendent of schools, or a community college district, the amount of property tax revenue received in the 3 fiscal years prior to the 1978–79 fiscal year is considered.

This bill would, with a specified exception, expressly provide that a city or special district formed after December 1, 1976, shall be treated as a local agency, rather than a school district, for the purposes of such allocation provisions and shall be assumed to have levied during the 3 fiscal years prior to the 1978–79 fiscal year tax rates equal to ⅔ of its maximum rate for the 1978–79 fiscal year which would have been permitted pursuant to specified provisions of the law prior to being amended by Chapter 292 of the Statutes of 1978.

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

Ch. 729 (AB 3768) Brown. Real estate licenses.

Existing law provides for the denial, suspension or revocation of real estate licenses by the Real Estate Commissioner under specified circumstances.

This bill would provide that the Real Estate Commissioner may take such action against any real estate licensee who claims, demands, or receives a commission, fee or other consideration, as compensation or inducement, for referral of customers to any escrow agent, structural pest control firm, title insurer, controlled escrow company, or underwritten title company.

This bill would also exclude specified goods, services, or expenses from the term "other consideration" as provided in this bill.

Ch. 730 (SB 1931) Beverly. Department of Justice.

Existing law forbids the purchase, possession, or use of tear gas or any tear gas weapon by any person unless such person, among other things, completes a specified course certified by the Department of Justice in the use of tear gas and tear gas weapons and provides that such course must be taken in a training institution certified by the Commission on Peace Officer Standards and Training

This bill would substitute the Department of Justice for the Commission on Peace Officer Standards and Training as the entity to approve such training institutions.

The bill also would require the Department of Justice to issue a certificate of completion to any person who successfully completes such training. A fee would be charged for the certificate and the department would be granted authority to provide by regulation for the manner of collection and payment of the fee.

Ch. 731 (SB 1413) Dills. Savings and loan associations.

Existing law provides that when there is an increase in the interest of a variable interest rate loan for the purchase or construction of real property containing 4 or fewer residential units, the term of such loan may be extended at the option of the borrower for such additional period as may be required to amortize the loan without increasing the existing monthly payment, not to exceed 40 years.

This bill would permit savings and loan associations to extend the term on any such loan secured by residential real property on the mutual agreement of the lender and borrower

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

Ch. 732 (SB 1752) Ayala. Property taxation.

Under existing law, if property subject to property taxation has not been assessed or has been undervalued for assessment purposes, such property is subject to an escape assessment, subjecting it to taxation.

This bill would require the review, equalization and adjustment of the assessment of all property on the business premises where property is subjected to an escape assessment, unless such property has been equalized, and would provide for the refund of any overpayment of taxes which have been determined in such review to have been incorrectly assessed.

This bill would provide that there shall be no appropriation in this bill to reimburse local agencies for costs incurred by them in the initial fiscal year pursuant to this act, for a specified reason.

Ch. 733 (SB 1902) Roberti. Health and sanitation requirements.

Under existing law, local health departments are the enforcing entities for certain health and sanitation requirements for retail food establishments, bakeries, and restaurants. Under existing law, local health departments may adopt stricter health and sanitation standards for restaurants.

This bill would require that, prior to enforcing health and sanitation requirements, or in the case of restaurants, prior to adopting stricter standards, with respect to requiring that the area where food is processed or dispensed be enclosed, that such local health departments make a specified finding that is ratified by the legislative body of such local entity and concurred in by the Director of Health Services.

This bill would specify that it would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs that may be incurred by it under the act.

Ch. 734 (SB 2133) Zenovich. Schools: San Leandro Unified School District

Under existing law, the Charter of the City of San Leandro provides for a 7-member board of education for the San Leandro Unified School District, a city school district

This bill would provide that if the Charter of the City of San Leandro is amended so that it no longer provides for a board of education, a new board of education composed of seven members is created immediately upon the effective date of such amendment It would provide that the San Leandro Unified School District be divided into 6 trustee areas as had previously been provided in the charter, and that the members thereof be elected in the same manner as provided in the charter before such amendment.

It would also specify that the members of the board in office on the effective date of the charter amendment would each continue in office until the first day of April, or until a successor qualifies therefor, in the year in which their respective term of office would otherwise have terminated.

This bill would take effect immediately as an urgency statute

Ch. 735 (AB 2742) Keysor. Population Research Unit.

Under existing law, there is the Population Research Unit within the Department of Finance whose functions are to develop and provide to government and the private sector demographic data in aid of state and local planning.

This bill would require the Population Research Unit to perform new duties, including acting as state government liaison with the Census Bureau, and the administration of a State Census Data Center.

Ch. 736 (AB 2155) Ellis. Personal income taxes: estimated taxes.

Existing Personal Income Tax Law requires individuals to file declarations of and to make payments of, estimated tax, with specified exceptions.

This bill would specify that declarations of estimated taxes are not required if 80% of the adjusted gross income of the taxpayer is subject to withholding.

Ch. 737 (SB 1706) Sieroty. Taxation: low- and moderate-income housing.

Existing provisions of law provide that, unless otherwise provided in the Constitution, all property is taxable and shall be assessed at the same percentage of fair market value, and further requires that all property so assessed shall be taxed in proportion to its full value.

This bill would prohibit the assessor from considering as income certain subsidy payments made by the federal government to a lender on such property when valuing property for persons of low and moderate income which is financed under Section 236 of the federal National Housing Act.

This bill would specify that there shall be no reimbursement of local governments for tax revenue losses resulting from this act, or for costs incurred pursuant to this act, for a specified reason.

Ch. 738 (SB 1444) Campbell Schools county superintendents of schools.

Under existing law, the county superintendent of schools, with the approval of the county board of education, is authorized to conduct specified studies, install and maintain exhibits in county fairs, inform citizens regarding local educational programs and subscribe to organizations the primary purpose of which is the advancement of education.

This bill would authorize the county superintendent of schools, subject to the approval of the county board of education, also to provide specified services for any school or community college district governing board association in the territory under the jurisdiction of the county superintendent of schools

Ch. 739 (SB 803) Behr. Department of Corrections: appropriations: remodel sewage plant.

Under previous provisions of law, funds had been appropriated (and subsequently reappropriated) to the Department of Corrections for remodeling of the sewage plant at the California Correctional Center. However, on June 30, 1978, the unencumbered balance of such appropriation reverted.

This bill would appropriate $174,250 to the department to complete such remodeling.

The bill would take effect immediately as an urgency statute.

Ch. 740 (SB 1822) Behr. Property taxation: tax refunds.

Under existing Property Tax Law, interest at the rate of 6% per year is paid on property taxes which are refunded to the taxpayer under specified conditions.

This bill would provide that interest at the rate of 6% per year is required to be paid on property taxes refunded as a consequence of an asssessor's clerical error.

This bill would provide that notwithstanding Sections 2231 and 2234 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason nor shall there be any claims made by local agencies to the State Board of Control for costs incurred pursuant to this bill.

Ch. 741 (SB 1884) Rains. Coastal resources: port master plans

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

The existing law provides for reimbursement to the local governments, as defined, for the costs incurred in the submission and implementation of the local coastal programs and the performance of other duties required of local governments under the act

This bill would, in addition, authorize the governing body of Port Hueneme to claim reimbursement of costs it incurs in the preparation and certification of a port master plan pursuant to the act, and provide for the submission of such a claim of reimbursement to the executive director of the California Coastal Commission for review and approval. It would require the Controller to process and pay any such approved claim as provided in Section 2231 of the Revenue and Taxation Code.

Ch. 742 (AB 2759) M. Waters. Schools: transportation.

Existing law authorizes school district governing boards to provide for the transportation of pupils to and from school and school activities, of persons for the purpose of community recreation, and of pupils to and from specified places of employment. Existing law also authorizes school district governing boards to provide for the transportation of matriculated or enrolled adults for specified purposes

This bill would authorize school district governing boards to provide for the transportation of district employees and parents of pupils of the district to and from educational activities authorized by the district.

Ch. 743 (SB 1362) Smith. Arbitration.

Existing law provides for voluntary agreements between parties to arbitrate disputes and the judicial enforcement of such agreements and of any awards made pursuant to such agreements, but makes no provision for the mandatory submission of civil actions to arbitration.

This bill would provide for the mandatory submission of certain civil actions to arbitration. This bill would, among other things, do each of the following:

(1) Require each superior court with 10 or more judges to submit to arbitration certain at-issue civil actions where the amount in controversy in the opinion of the court will not exceed $15,000 for each plaintiff.

(2) Permit each superior court with less than 10 judges to provide by local rule for the mandatory submission of certain at-issue civil actions where the amount in controversy in the opinion of the court will not exceed $15,000 for each plaintiff and permit each municipal court district to provide by rule for the mandatory submission of certain at-issue civil actions pending in such district.

(3) Require such superior courts referenced in (1) and (2) above, upon stipulation of the parties, to submit to arbitration certain at-issue civil actions regardless of the amount in controversy. In all other superior, municipal, and justice courts, the Judicial Council would be required to provide by rule for a uniform system of arbitration for specified causes.

(4) Except as otherwise specified, make the bill applicable only to civil actions at law and inapplicable to civil actions which include prayers for equitable relief which are neither frivolous nor insubstantial.

(5) Require the Judicial Council to provide by rule for practice and procedure for all actions submitted to arbitration under the bill and for exceptions, for cause, to arbitration of civil actions and to provide for the compensation of arbitrators, and require the board of governors of the State Bar, as specified, to provide by rule for the method of selection of arbitrators; and require the Auditor General, in consultation with the Department of Finance the Judicial Council and local agencies, to estimate the potential costs or savings for the arbitration program if it is continued beyond the operative period of the bill.

(6) Provide that submission to arbitration does not toll the running of time periods governing the dismissal of actions for want of prosecution, except that submission to arbitration pursuant to a court order within 6 months of the expiration of the statutory period would toll the running of such period until the filing of an arbitration award.

(7) Require arbitrators to be retired judges or attorneys. Compensation of arbitrators would be $150 per day, unless waived, except county boards of supervisors would be authorized to set a higher rate A judge may also serve as an arbitrator without compensation. A person not an attorney also may serve as an arbitrator upon the stipulation of all parties.

(8) Permit a party to arbitration to elect to have a de novo trial, by a court or a jury, as to both law and facts and would require such trial to be calendared insofar as possible so that the trial shall be given the same place on the active list it had prior to arbitration

or shall receive civil priority on the next setting calendar. The bill would require a court to require the party making such election to pay to the county the compensation of the arbitrator; and to the other party, all costs, as specified, and reasonable expert witness fees, as specified, in the event that the judgment upon the trial de novo is not more favorable to the party electing the trial de novo than the arbitration award, except as otherwise specified.

(9) Prohibit discovery after an arbitration award except by leave of court upon a showing of good cause or except by stipulation.

(10) Provide that an award shall have the same force and effect as a judgment, if neither a request for a de novo trial is made nor the award is vacated, except that it is not subject to appeal and may not be attached or set aside except as provided by Judicial Council rule.

(11) Require the Judicial Council to report to the Governor and the Legislature on or before January 1, 1984, as to the effectiveness of the bill, including recommendations for future action.

(12) Require counties to pay all administrative costs of arbitration, including compensation of arbitrators.

(13) Make related changes.

(14) Provide that the provisions of the bill shall become operative July 1, 1979, except that the Judicial Council would be required to adopt rules by March 31, 1979, and remain in effect only until January 1, 1985, and, as of such date would be repealed, unless a later enacted statute chaptered prior to January 1, 1985, deletes or extends such date.

(15) Require the Auditor General to conduct studies of the bill's effect on superior court workloads and to report to the Legislature annually, commencing on October 31, 1980.

The bill also would appropriate $173,950 from the General Fund as follows: (a) $142,950 to the Controller for reimbursement to counties for costs incurred in fiscal year 1978–79; and (b) $31,000 to reimburse the Judicial Council for costs incurred in fiscal year 1978–79 in implementing the bill.

The bill also would declare the Legislature's intent that additional costs incurred by counties in the 1979–80 fiscal year and subsequent years be reimbursed and would provide that funding for such costs can be provided through the regular budget process.

Ch. 744 (AB 1091) Berman. Higher education employer-employee relations.

Existing law contains provisions relating to employer-employee relations between the State of California and its employees, which provide that state employees 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 a right to represent its members in all matters relating to employer-employee relations, including grievances, with the state. Representatives of the state are required to meet and confer with representatives of employee organizations upon request to fully consider presentations made on behalf of their members.

This bill would specifically exempt the University of California, Hastings College of the Law, and the California State University and Colleges from such provisions, and would enact provisions to govern employer-employee relations of the University of California, Hastings College of the Law, and the California State University and Colleges through meeting and conferring, as defined, on matters within the scope of representation.

This bill would enact provisions which would:

(1) Define various terms.

(2) Provide that the bill be administered by the Public Employment Relations Board, and specify the rights, powers, duties, and responsibilities 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, adopting rules and regulations, investigating and determining charges of unfair practices, holding hearings, and issuing and enforcing subpoenas in superior court.

(3) Grant employees the right to form, join, and participate in employee organizations for the purpose of representation and meeting and conferring, 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.

(4) Provide that no portion of a written memorandum of understanding which requires budgetary or curative action by the Legislature or other funding agencies shall be effective until such action has been taken, unless the parties agree that provisions of the memoranda not requiring such action shall take effect whether or not such action is taken.

(5) Provide for recognition by employers or certification by the board, of exclusive representatives, as defined, for appropriate units and require their meeting and conferring 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) Prescribe criteria for appropriateness of units.

(7) Require fair representation. Require presentation of prescribed initial proposals at a public meeting of the employer and related time schedules and related publicity, public record, and public meeting requirements.

(8) Prescribe requirements and procedures for recognition and certification of exclusive representatives, including secret elections, and provide for declaration and resolution of impasses by mediators and, if that fails, for factfinding and advisory recommendations, by factfinding panels.

(9) Authorize entry into a written memorandum of understanding covering matters within the scope of representation, including organizational security. Authorize such agreements to provide for final and binding grievance arbitration of disputes involving interpretation, application, or violation of such agreements. 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 engage in meeting and conferring 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 engage in meeting and conferring with the higher education employer or to fairly represent employees of which it is the exclusive representative.

(12) Establish judicial review of unit determinations and unfair practice decisions, under certain conditions.

(13) Provide that records of the University of California, Hastings College of the Law and the California State University and Colleges prepared for or during meeting and conferring sessions, are not subject to the California Public Records Act.

(14) Specify that supervisory employees have the right to form, join, and participate in employee organizations for the purpose of representation on supervisory employer-employee relations, and the right to refuse to join or participate in employee organizations. Prescribe the rights, powers, and duties of supervisory employees and their employee organizations.

(15) Grant specified rights to a student representative, including the right to be notified of the issues under discussion, and to be present and comment at reasonable times during meeting and conferring.

(16) Specify that no memorandum of understanding shall contravene any law prohibiting discrimination in employment.

(17) Provide for numerous related matters.

This bill would become operative on July 1, 1979

This bill would incorporate additional changes in Sections 1156, 3526, and 6254 of the Government Code proposed by Assembly Bill No. 3053, Senate Bill No. 1943, and Senate Bill No. 2005, to be operative on the operative date of this bill only if such bills and this bill are chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

This 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 its provisions for a specified reason.

Ch. 745 (AB 3262) Keysor. Elections

Existing law provides that at any municipal election or special election held for that purpose, the legislative body may submit to the electors an ordinance providing for the election of members of the legislative body.

This bill would provide that such an ordinance may qualify for the ballot by means of an initiative measure.

Existing law permits a local election to be called on the subject of the adoption of a resolution issued by the conducting authority of a municipal reorganization, ordering the incorporation of territory and election of officers of the proposed city

This bill would provide that such election shall also include the question of whether members of the city council in future elections are to be elected by district or at large, and it would provide for the election of the legislative body.

This bill makes other technical changes.

Ch. 746 (SB 1810) Ayala. Water: dredged or fill material.

Existing law requires the State Water Resources Control Board and the California regional water quality control boards to issue waste discharge requirements, in accordance with specified procedures, for persons discharging or proposing to discharge pollutants into the navigable waters of the United States, as required or authorized by the Federal Water Pollution Control Act, which ensure compliance with any applicable federal standards. Also under existing law, the discharge of dredged or fill material into such waters is regulated by the federal government.

This bill would provide, subject to the approval of a state permit program for the discharge of dredged and fill material in accordance with the provisions of the Federal Water Pollution Control Act, for the issuance by such boards, in accordance with specified procedures, of dredged or fill material permits to persons discharging or proposing to discharge dredged or fill material into the navigable waters of the United States which apply and insure compliance with all applicable federal requirements. The bill would subject the discharge of dredged or fill material except as permitted by permit and the violation of such permits to specified civil penalties, and would subject the willful or negligent discharge of dredged or fill materials except as allowed by permit to specified criminal penalties. The bill would require the state board to request federal funding under the Federal Water Pollution Control Act for the purpose of carrying out its responsibilities under such program.

This bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 747 (SB 851) Marks. State lands: mineral resources

(1) Under existing law the State Lands Commission has jurisdiction over the development of the mineral resources of state lands. Existing law prohibits the issuance of permits for the taking of cores or other samples by means of drilling operations on or under tide and submerged lands in specified areas for the purpose of exploring for, or exploiting, oil and gas resources, but expressly exempts other specified activities from such prohibition.

This bill would specify the circumstances under which the commission may issue permits for the taking of cores or other samples by means of drilling operations or other methods on or under lands under the jurisdiction of the commission for purposes not involving commercial exploration or exploitation.

(2) Under existing law, leases of state lands containing commercially valuable deposits of minerals other than oil and gas must provide for payment of either a royalty of not less than 10% of the gross revenue received from the sale of mineral products, less certain charges, or a percentage, to be determined by the commission, of the net profits derived from mineral extraction operations under the lease.

This bill would require such royalty payment to be not less than 10% of the gross value of all mineral production from the leased lands, less certain charges, payable in money or in kind at the option of the commission, and would clarify the preferential renewal rights contained in such leases.

Ch. 748 (AB 3360) Bannai. Credit unions.

Existing law provides that the directors of any credit union shall have various special duties, including the procurement of adequate surety bond coverage for the treasurer and any assistant treasurer, unless the bylaws reserve any or all of such duties to the shareholders

This bill would revise the surety bond requirements for any credit union treasurer or assistant treasurer

Existing law provides that no credit union shall charge more than 15% per annum simple interest on the unpaid balance for any loan, including all charges incident to the making of the loan.

This bill would provide that a charge for special services applied to a share account is not a charge incident to the making of a loan when an overdraft from the share account results in a loan advance, provided that the same charge is applied to the share account whether or not an overdraft occurs.

Ch. 749 (AB 3718) McVittie. Structural pest control operators.

Existing law provides that the willful or negligent handling or use of any poisonous exterminating agent is a ground for disciplinary action against a structural pest control operator if such handling or use is without due respect to public safety.

This bill would delete the requirement that such handling or use be without due respect to public safety.

Ch. 750 (AB 3687) Gage. Electronic repair dealers.

Existing law permits the Director of Consumer Affairs to invalidate or refuse to validate the registration of an electronic and appliance repair dealer for conduct constituting gross negligence or any willful departure from, or disregard of, accepted trade standards for good and workmanlike repair in any material respect which is prejudicial to another without consent of the owner or his duly authorized representative.

This bill would modify the aforementioned grounds to permit invalidation or refusal to validate registration for conduct constituing incompetence or negligence or any willful departure from, or disregard of, accepted trade standards for good and workmanlike repair without regard to the materiality and prejudicial nature of such departure or disregard.

Ch. 751 (AB 3620) M. Waters. Bar examinations.

Existing law [, contained in the Rules Regulating Admission to Practice Law in California,]* grants an unsuccessful applicant for ~~admission to practice law a right, as specified~~ [the first-year law students' examination the right]* to inspect his examination papers and the grading thereof.

This bill would grant such right to ~~successful applicants as well~~ [all persons who take the first-year law students' examination.]*

This bill would remain in effect only until January 1, 1982

Ch. 752 (AB 1802) Brown. Conflict of interest: State Bar Governors.

The Political Reform Act of 1974 requires every state agency to adopt and promulgate a conflict of interest code pursuant to specified provisions of the act.

This bill would require an appointed or elected member of the Board of Governors of the State Bar to disqualify himself or herself from making, participating in the making of, or attempting to influence any decisions of the board if it is reasonably forseeable that the decision will have a material financial effect on certain specified interests. Any member who intentionally violates this provision would be guilty of a misdemeanor.

This bill would also require any member of the board of governors to disqualify himself or herself where there exists a personal nonfinancial interest which would prevent the member from applying disinterested skill and undivided loyalty to the State Bar. A member who intentionally violates this provision would be liable for a civil penalty.

This bill would take effect immediately as an urgency statute.

Ch. 753 (AB 2699) Gage. Weights and measures.

(1) Existing law requires applicants for a license as a public weighmaster, private weighmaster, or public weighmaster at large to post a surety bond.

This bill would eliminate such requirement as to private weighmasters and public weighmasters at large, but not as to public weighmasters, and would make related changes.

(2) Existing law regulates the sale of motor vehicle fuel and oil.

This bill would define "oil" and "motor oil" for such purposes, revise various provisions relating to motor fuel licenses, the sale of motor oil, motor vehicle fuel, and mixtures thereof, and make related changes.

Ch. 754 (AB 2386) Mangers. Speech pathology and audiology

Existing law defines the practice of speech pathology and audiology for purposes of the Speech Pathologists and Audiologists Licensure Act.

This bill would revise such definitions by including the planning, directing, and conducting of specified programs for disorders of speech, voice, or language in the definition of the practice of speech pathology and by making minor changes in the definition of the practice of audiology.

Existing law exempts from the provisions of the act, among others, any person registered as a qualified school audiometrist, any person who is credentialed as a speech and hearing specialist or teacher of the deaf, as specified, any person employed as a speech pathologist or audiologist by accredited colleges or universities provided such person performs such activities as a part of the duties for which he is employed, performs such activities within the confines or under the jurisdiction of the organization in which he is employed and does not offer speech pathology or audiology services to the public for compensation and any graduate student in speech pathology or audiology pursuing a course for a graduate degree in speech pathology or audiology

This bill would revise such exemptions by providing that such exemption shall apply only if the practice of speech pathology or audiology is conducted within the confines of and under the jurisdiction of a public elementary or secondary school, as specified, and would delete the requirement that a person be a graduate student pursuing a course for a graduate degree thereby exempting any student studying for any degree in speech pathology or audiology. The bill would also revise the exemption provided for a person obtaining the required professional experience, as specified, and would require the committee to determine the number of speech pathologists or audiologists which may be supervised by a licensee, as specified and would exempt specified activities of a faculty member of an approved college or university for 60 days.

Existing law authorizes a speech pathologist or audiologist who holds a license from another state to perform services without a valid license for 90 days from date of application for a license.

This bill would authorize the granting of a license to such a person upon the completion of the requirements specified for other applicants, except the submitting evidence of experience requirement.

Existing law requires an applicant for a license as a speech pathologist or audiologist to have, among other things, 275 hours of supervised clinical experience, as specified.

This bill would require the Speech Pathology and Audiology Examining Committee to specify the number of required clock hours, not to exceed 300, for such clinical experience.

Existing law prescribes the fees for speech pathologists and audiologists which fees are deposited in the Speech Pathology and Audiology Examining Committee Fund, which fund is continuously appropriated.

This bill would increase the reexamination fee for such licenses and would add a fee for registration of an aide and a fee for a duplicate license.

The bill would make other technical changes and deletions in the act

The bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code, no appropriation is made by the act and the state shall not reimburse any local agency for any costs incurred by it under the act.

Ch. 755 (AB 2303) Bane. Savings and loan associations.

No provision of law permits savings and loan associations to lend on the security of a second mortgage or deed of trust.

This bill would permit them to do so under specified conditions.

Ch. 756 (AB 2302) Levine. Weights and measures.

Existing law specifies that certain specified weights and measures now in charge of the Department of Food and Agriculture are the common standards throughout the

state.

This bill would delete that provision.

Under existing state law, the standards are to be maintained in good order and submitted at least once in 10 years to the National Bureau of Standards for certification.

This bill instead requires that such standards are to be maintained in such calibration as prescribed by the National Bureau of Standards.

Under existing law, certain persons who install weighing and measuring devices are exempted from provisions relating to device repairmen if the installed device is required to be tested, inspected, adjusted, or repaired by a sealer or device repairman.

This bill provides such exemption if the device is required to be tested, inspected, adjusted, or repaired by a device repairman, and deletes the reference to a sealer.

Ch. 757 (SB 1798) Garcia. Landscape architects.

Existing law provides for the licensing and regulation of landscape architects.

This bill would repeal such provisions as of June 30, 1981, unless a later-enacted statute deletes or extends such date

Existing law prescribes the fees for landscape architects.

This bill would increase the fees for a temporary certificate and a duplicate certificate to practice landscape architecture and would increase the penalty fee for failure to notify of a change in address and, would increase the delinquency fee and would add a fee for a branch office. The bill would specify that the penalty for failure to notify of a change in address shall apply to any such failure within 30 days from an actual change in address

Existing law provides that moneys in the Board of Landscape Architects Fund are continuously appropriated to the board.

The fees provided in this bill would result in an increase in such fund which would be available for expenditure.

Ch. 758 (SB 2151) Petris. Lake Temescal Restoration Project: appropriation.

This bill would appropriate $359,150 from the State Highway Account in the State Transportation Fund to the Department of Transportation for the purpose of making a grant of such sum to the East Bay Regional Park District for purposes of the Lake Temescal Restoration Project, limited to dredging and related costs. The bill would require the department to make such grant and would state legislative findings.

The bill would deem the appropriation to be a state highway construction expenditure in the northern county group for purposes of the 40-60 north-south split.

The bill would take effect immediately as an urgency statute.

Ch. 759 (AB 2441) Chel. Labor: occupational safety and health.

Existing law imposes specified civil penalties on employers, except those that are governmental entities, for various violations of the occupational safety and health provisions.

This bill would prohibit the assessment of a civil penalty against an employer for first-instance violations of such provisions (other than serious, willful, or repeated violations) resulting from the inspection of such employer's establishment or workplace, unless such establishment or workplace is cited, on the basis of such inspection, for 10 or more violations.

This bill would incorporate additional changes in Section 6434, Labor Code, proposed by Assembly Bill No 3054, to be effective only if Assembly Bill No. 3054 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch. 760 (SB 2003) Holmdahl Power facilities and site certification.

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

Such act exempts from its provisions actions undertaken by a public agency for any

powerplant site or facility, if the powerplant site and related facility will be the subject of an environmental impact report or negative declaration prepared by the State Energy Resources Conservation and Development Commission, the Public Utilities Commission, or the city or county in which the powerplant and related facility would be located.

This bill would exempt from the California Environmental Quality Act actions undertaken by a public agency for any thermal powerplant site or facility if the powerplant site and related facility will be the subject of a negative declaration or document prepared pursuant to a regulatory program certified pursuant to Section 21080.5 of the Public Resources Code provided that the environmental impact of an action, if any, is included in such impact report, negative declaration, or other document. It would require documents on a site or related facility, prepared by the commission under such a regulatory program in place of an environmental impact report or negative declaration, to be used by any other public agency in the same manner as it would use an environmental impact report or negative declaration prepared by a lead agency.

The bill would change the regulatory program exemption under such act to include programs involving the issuance to a public agency of a lease, permit, license, certificate, or other entitlement for use. The bill would also exempt any project involving the construction of housing or neighborhood commercial facilities in an urbanized area if the lead agency meets the conditions specified.

(2) Under the Warren-Alquist State Energy Resources Conservation and Development Act, the State Energy Resources Conservation and Development Commission is vested with responsibility for thermal powerplant and electrical transmission line site and related electrical facilities certification.

Such act requires the commission to comply with the environmental impact reporting procedures established pursuant to the California Environmental Quality Act with respect to such certification and to complete the environmental impact report within 1 year after receipt of an application for certification.

This bill would delete these provisions and provide instead that the commission shall be the lead agency for all projects requiring certification and projects exempted from certification pursuant to Section 25541 of the Public Resources Code and require the commission to prepare an environmental impact report within one year after receipt of the application if the Secretary of the Resources Agency does not certify the commission regulation program under (1) above.

This bill would require the commission to adopt regulations not later than January 31, 1979, with respect to power facility and site certification, and to submit a regulatory program to the Secretary of the Resources Agency for certification which could be amended from time to time if necessary for program certification.

(3) The bill would make additional changes in Sections 21080 and 25519 of the Public Resources Code, proposed by Senate Bills 2072 and 1836, respectively, to be operative only if this bill and Senate Bill 2072 or 1836 are both chaptered and effective January 1, 1979, and this bill is chaptered after Senate Bill 2072 or 1836.

Ch. 761 (SB 2016) Behr. Jurors: Mendocino County.

Under existing law, jurors in Mendocino County receive mileage for travel from their residences to the place of service, but such mileage is allowed but once during any one session of the court or grand jury

This bill would revise such limitation to allow such mileage but once per day.

This bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 762 (AB 1674) Vasconcellos. Schools: Superintendent of Public Instruction.

Existing law does not require the Superintendent of Public Instruction to prepare any report identifying and analyzing good programs in any areas of instruction.

This bill would require the Superintendent of Public Instruction to prepare such a report identifying and describing prescribed good programs in specified areas of instruction, to submit this report to the Legislature, and to disseminate a copy of the report to each school and school district in the state.

Ch. 763 (AB 919) Greene School districts: performance testing; reading, mathematics, language.

The California School Testing Act of 1969 requires, among other things, annual statewide systematic performance testing by school districts of all pupils in grades 6 and 12.

This bill would change the official name of such act to the California School Testing Act.

This bill would also require the Department of Education to develop a plan to provide a specified analysis of the state testing program and to submit annually to the Legislature a related budget.

Existing statutes require annual statewide uniform reading testing by school districts of all pupils in grades 2 and 3 and require reading specialist teachers to administer such tests.

This bill would expand such testing to include mathematics and language but require such testing only in grade 3 and would repeal the duty of such specialists to administer such tests.

An existing provision requires any governing board to cooperate fully with the State Board of Education in making its school available for studies and requires the State Board of Education to provide to the district all necessary materials and consultant services free of charge.

This bill would repeal such provision.

This bill would also provide that no appropriation or reimbursement is made by this act to local agencies or school districts because of specified reasons.

Ch. 764 (SB 1647) Robbins. Insurance: certificates of convenience.

Existing law provides for the issuance by the Insurance Commissioner of certificates of convenience to persons to act as specified insurance production agencies. Insurers and, in certain situations, agents and brokers, are permitted to appoint applicants for licenses who are employed by them to hold certificates of convenience.

Additionally, beginning January 1, 1981, Chapter 1111 of the Statutes of 1977 removes the authority of the commissioner to issue such certificates except estate certificates of convenience, military service certificates of convenience and certificates of convenience for industrial debit collection certificate holders and insurance agents and insurance solicitors.

This bill would change existing references to industrial debit collection agents to industrial debit collection certificate holders. It would also, beginning January 1, 1981, remove the authority of the commissioner to issue certificates of convenience to insurance agents selling fire and casualty insurance.

Existing law provides that insurers shall file annually with the commissioner on or before August 15 a written report containing specified information relating to such certificate of convenience holders.

This bill would additionally require agents or brokers who are authorized to appoint solicitors to file annually such reports.

Under existing law the commissioner's power of termination of the certificate of convenience privilege in specified circumstances is to be exercised when less than 50 percent of the certificate of convenience holders so certified by the insurer fail to qualify for permanent licenses during the calendar year beginning January 1, 1979; and such power of termination is to be exercised when less than 75 percent of the certificate of convenience holders so certified by the insurer fail to qualify for permanent licenses during the calendar year beginning January 1, 1980.

This bill would instead provide that the commissioner's power of termination of the certificate of convenience privilege is to be exercised when 50 percent or more of the holders of certificates of convenience issued during the calendar year beginning January 1, 1978, fail to qualify for permanent licenses. Such power of termination would also be required to be exercised when 25 percent or more of the holders of certificates of convenience issued during the calendar year beginning January 1, 1979, fail to qualify for permanent licenses

This bill would additionally make various technical and conforming changes in existing law.

Ch. 765 (AB 2160) Young. Insurance.

Existing law requires all fire insurance policies to be on a standard form except that any policy which in addition to fire coverage includes substantial coverage against other perils on an unspecified basis may be omitted if it includes provisions which are the substantial equivalent of the provisions of such standard form fire insurance policy

This bill would instead permit such coverage to be omitted if the coverage of such policy with respect to the peril of fire, when viewed in its entirety, is substantially equivalent to or more favorable to the insured than that contained in the standard form fire insurance policy.

Existing law permits clauses imposing specified duties and obligations upon the insured and limiting the liability of the insurer to be attached to the standard form as riders if they are in type larger than pica or in capital letters measuring not less than $\frac{1}{100}$ths of an inch in height.

This bill would exempt such clauses from such requirement if the policy coverage is substantially equivalent or more favorable to the insured than that contained in the standard form fire insurance policy.

Existing law requires all insurance policies providing comprehensive personal liability insurance to provide workers' compensation coverage, as specified.

This bill would prohibit the premiums charged for such coverage from being stated separately from that charged for other coverage under the policy.

Ch. 766 (SB 1620) Greene. Community Colleges: employees affirmative action.

Existing state and federal law prohibits discrimination in employment. Also, the State Board of Education and the Board of Governors of the California Community Colleges have adopted regulations requiring each public education agency to develop and implement an affirmative action employment program.

This bill would require the governing board of each community college district to establish an affirmative action employment program.

The bill would require the Board of Governors of the California Community Colleges to adopt rules and regulations pertaining to affirmative action employment programs.

This bill would provide that, notwithstanding Sections 2231 and 2234 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to those sections nor shall there be any appropriation made by this bill for a specified reason.

Ch. 767 (SB 1997) Presley License fees

Existing law provides that the California State Board of Pharmacy may fix the fees for licenses and permits issued by the board not to exceed specified maximums.

This bill would revise such fees by (1) increasing the maximum amount which the board may fix such fees, (2) deleting the fee for a general dealer in a rural district, (3) deleting the fee for a hypnotic license and (4) adding fees for specified testing laboratories, providers of continuing education, evaluation of continuing education courses, and evaluation of graduates of foreign colleges of pharmacy or colleges of pharmacy not recognized by the board.

Ch 768 (SB 1381) Alquist. Vehicles· fleet registration

Existing law generally requires every motor vehicle and certain other specified vehicles which are operated, transported or left standing upon a highway to be registered. Each vehicle registered is issued a registration card and unique license plates. Registration is required to be renewed annually and at the time of renewal a new registration card is issued along with a tab or sticker which indicates the year of registration and the month the registration will expire.

This bill would enact a pilot program to allow the registered owner or lessee of a fleet of vehicles consisting of commercial motor vehicles, or commercial trailers or passenger automobiles to obtain permanent registration cards and distinctive license plates or decals on specified terms and conditions Requirements, procedures, and fees for registration of fleet vehicles would be prescribed by the Department of Motor Vehicles Permanent fleet registration for 9 fleets, as specified, would be implemented on October 1, 1979 and would terminate December 31, 1982 The director would have discretion to expand the number of fleets in the pilot program after October 1, 1980. In addition, the bill would require the department to conduct an audit during the third year of the program and report its findings to the Legislature.

Ch. 769 (SB 1340) Rodda. Insurance: benefit and relief association.

Existing law permits benefit and relief associations, with certain exceptions, to provide payment of a death benefit not to exceed $1,000.

This bill would increase the death benefit limit for such associations to $1,500.

Existing law permits an employer who maintains a plan for furnishing nonindustrial and nonoccupational disability insurance for its employees, and has a certificate of exemption, to provide supplemental benefits to related dependents of employees, and permits the payment of benefits for a single disability of not more than $1,000.

This bill would delete that limit.

Ch. 770 (SB 1449) Deukmejian. Elections: county offices.

Existing law provides that the county officers to be elected by the people are the treasurer, county clerk, auditor, sheriff, tax collector, district attorney, recorder, assessor, public administrator, and coroner. There are certain specified exceptions permitting the appointment or consolidation of county offices.

This bill would provide that any county office which is required to be elective may become appointive in a prescribed manner.

This bill would, in this respect, require any proposal to change an existing elective office to an appointive office or to change an appointive office to an elective office for any county to be presented to the voters of the county and approved by a majority of the votes cast on the proposition. It would provide that the proposal may be submitted to the voters by the board of supervisors or upon the qualification of an initiative petition The bill also states that any county office changed from elective to appointive in accordance with the provisions of the bill may be changed back from appointive to elective in the same manner.

Ch. 771 (SB 1459) Cusanovich. Contractors.

Existing law provides that any person who causes his name or business namestyle to be included in a classified advertisement or directory under a classification which includes the word "contractor," other than his license classification, is subject to the Contractors License Law.

This bill would revise that provision to make such a person subject to the Contractors License Law if he causes his name or business namestyle to be included under a classification for construction or work of improvement subject to that law.

This bill would also make conforming changes.

Existing law exempts from the Contractors License Law any work or operation on one undertaking or project where the aggregate contract price is less than $200, provided, such person does not advertise or otherwise indicate to the public that he is a contractor or qualified to engage in the business of a contractor.

This bill would authorize a person who is not licensed pursuant to such law to advertise for construction work or work of improvement provided that such person shall state in the advertisement that he or she is not licensed

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill.

Ch. 772 (SB 1420) D Carpenter Consumer affairs.

Existing law prescribes the fees to be fixed, charged, and collected pursuant to the Collection Agency Act

This bill would increase such fees until July 1, 1980 and on such date would provide that the fees shall revert back to the existing amounts.

Under existing law all moneys received under the Collection Agency Act are deposited in the Collection Agency Fund which fund is continuously appropriated.

The increased fees provided in this bill would result in an increase in the amount of funds available for expenditure.

Under existing law, the Collection Agency Act provides for the regulation of collection agencies, and the Private Investigator and Adjuster Act provides for the regulation of private investigators and adjusters.

This bill would repeal those acts, such repeal to become operative on July 1, 1983.

This bill would also require the Legislature to review the functions and performance of the agencies being abolished pursuant to this act, and would require each such agency to submit a report of specified information to the Legislature.

The bill would provide that the act is to go into effect immediately as an urgency statute.

Ch. 773 (SB 1452) Stiern. College admissions.

Existing law requires the Trustees of the California State University and Colleges and the Regents of the University of California to submit a report to the Legislature on January 5 of each year on progress in implementing college admissions goals, policies, and procedures specified by law.

This bill would eliminate this reporting requirement.

Ch. 774 (SB 2026) Sieroty. Administrative regulations.

Existing law requires the Director of Corrections, with respect to prisons, and the Community Release Board, the Youth Authority Board, and the Department of the Youth Authority, with respect to their respective functions, to adopt rules and regulations in compliance with the Administrative Procedure Act, with specified exceptions, and provides that the Director of Corrections, with respect to the government of the California Rehabilitation Center, shall make rules. Existing law requires the Narcotic Addict Evaluation Authority to adopt rules and regulations relating to its functions.

The bill would change the exceptions to the Administrative Procedure Act in the above statutes relating to the Director of Corrections, with respect to prisons, and the Community Release Board, the Youth Authority Board, and the Department of the Youth Authority, with respect to their respective functions, by (1) eliminating the exception to the prescribed minimum period for prior notice and (2) revising the exception to the prescribed effective date.

The bill would provide that the rules and regulations adopted by the Director of Corrections, with respect to the California Rehabilitation Center, and by the Narcotic Addict Evaluation Authority must be filed and made available to the public and be stated in language easily understood by the general public.

The bill also provides that the Director of Corrections and the Narcotic Addict Evaluation Authority are required, when promulgating rules and regulations, to comply with the Administrative Procedure Act, with specified exceptions, and requires the Director of Corrections and the Narcotic Addict Evaluation Authority to maintain and publish a compendium of specified regulations.

Ch. 775 (AB 2916) Kapiloff. Public safety officers: confidential information.

Existing law provides that a public safety officer, which includes specified peace officers, under investigation has specified rights relating to the investigation and interrogation, including the right to a representative of his choice. Existing law makes no specific provision for the confidentiality of information received by such a representative from a public safety officer under investigation for noncriminal matters.

The bill would provide that such a representative shall not be required to disclose, nor be subject to punitive action for refusing to disclose, any information received from the officer under investigation [for noncriminal matters]*.

Ch. 776 (AB 3053) Berman. State employment relations

Existing provisions of the State Employer-Employee Relations Act (SEERA) provide that in any case where specified provisions of the law relating to state civil service are in conflict with the provisions of a memorandum of understanding entered into pursuant to the act, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

This bill would delete from those provisions specified to be superseded by the memorandum of understanding provisions relating to state officers and employees authorizing deductions from their salaries and wages for the payment of specified items, and provisions of the State Civil Service Act relating to limited-term employees, layoffs and demotions, the authority of appointing powers to require an employee to submit to a medical examination, the temporary assignment or loan of employees, the appointment of a person to a position requiring work on an intermittent, irregular time basis, and the appointment of emergency employees The bill would also provide that in cases where

specified provisions relating to layoffs and demotions are in conflict with the memorandum of understanding, the memorandum is controlling unless the State Personnel Board finds those terms to be inconsistent with merit employment principles, in which case the statutory provisions would prevail until the memorandum is renegotiated to resolve the inconsistency.

Existing law provides that nonclerical employees of the State Personnel Board, except managerial and confidential employees, and conciliators employed by the State Conciliation Service are covered by the SEERA for purposes of employer-employee relations with the state

This bill would remove nonclerical employees of the State Personnel Board engaged in technical or analytical personnel functions and such conciliators from coverage under the SEERA, and would instead provide that such employees are covered by other specified provisions governing employer-employee relations between the state and any person employed by the state, except those elected, appointed by the Governor, or subject to SEERA.

Existing law specifically excludes employees regularly working outside of the state and employees of the California Maritime Academy from being state employees for purposes of the SEERA.

This bill would delete the specific exclusion for such employees from the SEERA.

Existing law provides for a Public Employment Relations Board (PERB) of three members with specified duties, powers, and functions.

This bill would require the Governor to appoint one legal adviser for each board member, upon the recommendation of the board member, who would serve at the pleasure of the recommending board member

Existing law requires the state to grant exclusive recognition to employee organizations formally recognized pursuant to rules established by the PERB.

This bill would instead require the state to grant exclusive recognition to employee organizations designated or selected pursuant to rules established by the PERB.

Existing law requires that any reports or information relating to establishing and adjusting salary ranges for the state civil service issued by the State Personnel Board be given in confidence to the parties meeting and conferring.

This bill would instead require the board to submit an annual report to the parties meeting and conferring and to the Legislature containing the board's findings relative to the salaries of employees in comparable occupations in private industry and other governmental agencies.

Existing law requires the state, its agencies, departments, commissions, or boards to give reasonable written notice to each recognized employee organization affected by any proposed law, rule, resolution, or regulation directly relating to matters within the scope of representation, and to give such organizations the opportunity to meet and confer concerning such proposal.

This bill would instead require such notice to be given by the state employer, and would define the term "state employer", for purposes of bargaining or meeting and conferring in good faith, to mean the Governor or his designated representatives.

This bill would also make technical changes in related provisions.

This bill would incorporate additional changes in Sections 3526, 18120, 18128, 18135, 18142, 21404, 22754, and 22825.1 of the Government Code proposed by Assembly Bills Nos. 1091, 3136, 2595, 2468, and 1605, and Senate Bill No. 1943, to be effective only if such bill and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch. 777 (AB 3165) Mello. Animals. use for research purposes

Existing law provides that any abandoned animal, as defined, may not be used for scientific or any other type of experimentation. Existing law also provides that any abandoned animal may not be turned over to a pound or animal regulation department of a public agency.

This bill would require that whenever any person delivers or turns over any animal, other than an abandoned animal, to any pound or animal regulation department of a public or private agency which provides animals to research facilities a sign stating that the animals turned into such shelter may be used for research purposes shall be posted in such a place that it will be clearly visible to a majority of persons when turning animals

over to the shelter.

This bill would also provide that no appropriation is made to local agencies for costs incurred by them pursuant to its provisions because such costs are incurred as a part of their normal operating procedures

Ch. 778 (AB 3187) Knox. Commissioner of Corporations.

Under existing law, the Commissioner of Corporations has certain powers with respect to certain financial and health care organizations. However, his powers do not extend to exempt organizations.

This bill would specify that the burden of proving an exemption is upon the person claiming it.

Existing law permits the commissioner to take disciplinary action against a credit union.

This bill would permit disciplinary action against an officer, director, or employee of a credit union.

Existing law permits the commissioner to take possession of a credit union if it is unsound, after a hearing.

This bill would permit such action after a hearing, unless waived in writing.

Under existing law, certain deductions for health care service plans may be made from state officer and employee salaries if the plan has been registered with the Attorney General.

This bill would instead permit such deductions if the plan has been licensed, as specified.

Ch. 779 (AB 1549) Robinson. Campaign disclosure.

Existing law contained in the Political Reform Act of 1974 does not require the Fair Political Practices Commission to adopt auditing guidelines and standards to govern mandatory audits and field investigations conducted under the act.

This bill would require the Fair Political Practices Commission to adopt such guidelines to accomplish specified purposes. This bill would require the commission to complete its initial implementation of the above provisions by January 31, 1979.

This bill would appropriate ($1,808,960) to the Fair Political Practices Commission, and the Franchise Tax Board according to a specified schedule for a specified purpose. This bill would take effect immediately as an urgency statute.

Ch. 780 (SB 1463) Zenovich Taxation: qualified trusts and refund interest.

Existing Personal Income Tax Law prescribes the criteria for determining whether a trust forming part of a stock bonus, pension, or profit-sharing plan of an employer for employees or beneficiaries shall constitute a qualified trust.

This bill would revise such criteria with respect to certain described employee stock ownership plans.

Under existing Personal Income Tax Law and Bank and Corporation Tax Law, interest is paid to taxpayers on any overpayment of any tax imposed by such law, with certain exceptions.

This bill would provide that no interest shall be allowed with respect to a claim for a credit or refund based on an overpayment which is the result of federal law, including treaties, which reduces taxes for taxable or income years prior to the enactment of such federal law or the approval date of the treaty.

The bill would take effect immediately as a tax levy and would apply in the computation of taxes for taxable and income years as specified

Ch 781 (AB 3136) Papan. State employees. disability benefits.

Existing law prescribes industrial disability leave and nonindustrial disability insurance benefits for state officers and employees who are members of the civil service and the Public Employees' Retirement System and the State Teachers' Retirement System and who are temporarily disabled by illness or injury.

This bill would, commencing January 1, 1979, include state officers and employees, whether or not members of such systems, who are employees of the Legislature and are not members of the civil service within such benefits

Ch. 782 (SB 1641) Cusanovich. Malibu Beach and pier.

(1) Chapter 756 of the Statutes of 1977 provided for an appropriation of $2,500,000 from the State, Urban, and Coastal Park Fund to the Department of Parks and Recreation for acquisition of Malibu Beach and adjoining pier for the state park system and for a structural safety report; however, such appropriation was item vetoed by the Governor.

This bill would appropriate such amount to the department for such acquisition from the Collier Park Preservation Fund; provided, that no funds may be encumbered by the State Public Works Board until the State Lands Commission certifies that the seller of any interest in Malibu Beach and Malibu Pier has fulfilled all obligations due the state for the utilization of the tide and submerged lands adjacent to Malibu Beach. The bill would require the seller to have prepared, at his own expense, a structural safety report on the Malibu Pier which is satisfactory to the commission and provides that the seller shall be liable for the improvements necessary to bring the Malibu Pier into a condition of good sound repair. The bill would thereafter empower the Wildlife Conservation Board to make pier improvements or perform pier rehabilitation or replacement work it deems necessary in cooperation with the County of Los Angeles.

The bill would provide that none of such funds shall be available for encumbrance until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims, and unless and until the department enters into an agreement with the County of Los Angeles for the care, maintenance, and control of all of the lands to be acquired with such funds The bill would also make legislative findings and declarations regarding Malibu Beach and Malibu Pier.

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

Ch 783 (SB 295) D. Carpenter. County educational agencies.

(1) Proposition 13 on the ballot for the Primary Election held on June 6, 1978, added Article XIII A to the Constitution to place various limitations on the taxing power of state and local governments. Chapter 292 and Chapter 332 of the Statutes of 1978 were enacted as urgency legislation to implement such proposition and, among other things, this legislation revised the method of financing the public school system.

This bill would make various changes in the provisions of these chapters relating to the distribution of state funds to the county offices of education and to the apportionment of specified property tax revenues during fiscal year 1978–79 as between the county and the county superintendent of schools where the latter became fiscally independent on or after June 30, 1977.

(2) Under existing law, the county superintendent of schools, subject to the approval of the county board of education, is authorized to subscribe for membership in any society, association, or organization which has for its primary purpose the promotion and advancement of education.

This bill would authorize such subscription in an entity which has such a purpose, whether it is a primary purpose or not.

This bill would also authorize the county superintendent of schools, subject to the approval of the county board of education, to provide specified services for any school or community college district governing board association in the territory under the jurisdiction of the county superintendent of schools.

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

Ch. 784 (SB 1130) Presley. Liquid or hazardous waste disposal

Existing law provides for approval by a regional water quality control board of sites for the disposal of different kinds of liquid wastes.

This bill would require the owner or operator of a liquid waste disposal site, or hazardous waste disposal site, as defined, within 180 days after receiving notice from the appropriate regional board, to submit a report to the board addressing specified matters The bill would authorize the regional board, if the owner or operator fails to submit an acceptable report, to order the owner or operator to comply with a specified requirement. The bill would authorize the regional board to issue waste discharge requirements or other orders, as specified, which incorporate requirements set forth in specified provisions of the bill

The bill would also require the State Water Resources Control Board to formulate, adopt, and revise general procedures for use by the regional boards in making determinations and would authorize the state board to review any action or inaction of a regional

board, as specified.

The bill would create the Site Closure and Maintenance Revolving Account in the State Water Quality Control Fund and would provide for the payment into such account of annual charges levied, as prescribed, on owners and operators of liquid waste disposal sites and hazardous waste disposal sites. The bill would specify the procedure for collecting such charges, and would provide that all moneys in the account are appropriated for expenditure by the state board for specified purposes.

The bill would make legislative findings and would appropriate $370,000 to the Site Closure and Maintenance Revolving Account for the purpose of abating threatened conditions of nuisance and pollution caused by the Stringfellow Quarry Class I Hazardous Waste Disposal Site. The bill would repeal Chapter 785 of the Statutes of 1977, which appropriated $296,000 for similar purposes, subject to specified conditions.

The bill would take effect immediately as an urgency statute.

Ch. 785 (SB 1237) Behr. Public Employees' Retirement System: membership.

Existing Public Employees' Retirement Law requires employees of the state and contracting agencies to be members of the system with specified exceptions.

This bill would exclude any person employed pursuant to the Comprehensive Employment and Training Act of 1973, as amended, from the Public Employees' Retirement System. The bill would not apply to persons who are eligible to become state or local safety members or to the career staff employees of an employer The bill would become operative October 1, 1978, or the first day of a pay period of such a person following October 1, 1978, or the first day of the month or pay period following the date when federal funds cannot actually be used for payment of employer contributions.

The bill would authorize an individual to receive public service credit in the system for employment under the Comprehensive Employment and Training Act of 1973 on specified terms and conditions, if the person becomes eligible for membership in the system.

The bill would take effect immediately as an urgency statute.

Ch. 786 (SB 2107) Behr. Retirement: state safety members.

The Public Employees' Retirement Law presently includes specified categories of officers and employees of the Adult Authority, the Department of Corrections, and the Department of the Youth Authority in the state safety category of membership thereby making such persons eligible for greater benefits than state miscellaneous and industrial members of the retirement system.

This bill would add several new categories of employees within state safety membership. The bill would also make certain revisions and consolidation in these provisions

The bill would take effect immediately as an urgency statute.

Ch 787 (SB 1587) Marks Mortgage instruments.

Existing law authorizes the Superintendent of Banks to adopt regulations permitting banks to make loans upon the security of residential property which are not otherwise authorized under existing law. Among other things the type of alternative instruments which may be provided for are limited to forms of graduated payment mortgages, reverse annuity mortgages, flexible payment and flexible rate mortgages and combinations of such mortgages.

This bill would extend the effective period of the regulations to five years. It would delete the limitation on the types of alternative instruments which may be approved.

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

Ch 788 (SB 1663) Ayala. Department of Food and Agriculture: brucellosis-reacting cattle· amount of indemnity payments

The Budget Act of 1977 (Chapter 219, Statutes of 1977) contains a proviso to an item of appropriation for the support of the Department of Food and Agriculture which states that no indemnity payment for brucellosis-reacting cattle from funds appropriated in such item may exceed $50 per animal

This bill would provide that, notwithstanding such proviso, every indemnity payment which was made at any time during the 1977–78 fiscal year shall be recalculated and shall be paid in accordance with specified provisions contained in the Food and Agricultural

Code, which prescribe the manner and amount of indemnity payments for brucellosis-reacting cattle.

The bill would appropriate to the department, from the General Fund, an amount equal to the unencumbered balance of the funds appropriated by Item 58 of the Budget Act of 1977, but not to exceed $110,000, to carry out the provisions of the bill.

The act would take effect immediately as an urgency statute.

Ch. 789 (SB 1342) Presley Department of Corrections.

This bill would appropriate $7,600,000 to the Department of Corrections for preliminary planning for the razing of the state prison at San Quentin and possibly the state prison at Folsom, planning for an additional maximum security facility or facilities, and for other specified purposes, subject to legislative review before adoption or implementation.

The bill would also declare that greater use be made of community correctional facilities.

This bill would take effect immediately as an urgency statute.

Ch. 790 (SB 1127) Presley. Driving under the influence; intoxicating liquor: drugs.

Under existing law, it is unlawful to drive a vehicle on or off the highway while under the influence of intoxicating liquor or any drug or under the combined influence of intoxicating liquor and any drug. Any person convicted of such offense is subject to prescribed punishment which includes a fine of not less than $250 or imprisonment, or both, and suspension of the driving privilege.

The bill would provide, generally, that any person convicted of driving a vehicle while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug would be subject to a fine of not less than $275 and would specify that $25 for each conviction be placed in a special account which would be used exclusively to reimburse the Department of Justice and other agencies for performing the blood, breath, or urine analysis for alcohol content. Provision is also made for retention of funds for administrative costs. Unexpended funds in the account at the close of the fiscal year would be transferred to county general funds. In addition, the bill would authorize the Department of Justice to charge a fee for the laboratory services it performs.

The provisions of the bill will be repealed as of July 1, 1980.

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 the bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 791 (SB 1894) Mills. Transportation.

(1) Under the California Environmental Quality Act, with specified exemptions, environmental impact reports or negative declarations are required to be prepared for projects which may have a significant effect on the environment.

This bill would exempt from the act any project to institute or increase passenger or commuter service on rail lines already in use, including the modernization of existing stations and parking facilities, and any project for the development of a regional transportation improvement program or the state transportation improvement program.

(2) Under existing law, the Public Utilities Commission may revise any practice of a public utility that the commission finds to be unsafe.

The bill would require the commission to make specified findings before authorizing any restriction on the speed of rail services

(3) Under Section 12 of Chapter 1349 of the Statutes of 1976, $1,650,000 was appropriated to the Secretary of the Business and Transportation Agency to enter into an agreement with the National Railroad Passenger Corporation to improve the railroad track and passenger facilities in the San Diego-Los Angeles corridor.

This bill would reappropriate any of the above unencumbered funds, as of July 1, 1978, to the Department of Transportation to enter into an agreement with the National Railroad Passenger Corporation for (a) the improvement of the railroad tracks and passenger facilities, the installation of fencing and crossing protection devices, and the

retiming of grade protection facilities on the line of railroad between Los Angeles and San Diego, and (b) the purchase of rights-of-way and realignment of that portion of the line between San Juan Capistrano and San Clemente, so that trains may operate safely on the line at a speed of 110 miles per hour

(3) The bill would authorize any facility or equipment purchased or improved by an entity with funds made available to it pursuant to Chapter 1349 of the Statutes of 1976, or reappropriated by this bill, to be the property of that entity as so specified in the agreement making the funds available to the entity.

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

Ch. 792 (SB 2124) Gregorio. State lands: sale.

The state currently holds two parcels of real property in San Mateo County.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell all or any part of such parcels of real property, and any water company stock held in connection therewith, to the County of San Mateo or the Midpeninsula Regional Open Space District or to the County of San Mateo and the Midpeninsula Regional Open Space District, for current market value, as determined by an appraisal approved by the Director of General Services, and in accordance with specified conditions. The bill would provide for the deposit of any money received from the sale, less the costs of sale, in the Capital Outlay Fund for Public Higher Education for capital outlay by the Trustees of the California State University and Colleges.

This bill would require the Midpeninsula Regional Open Space District or the County of San Mateo to indicate to the Department of General Services the sources of funding for the purchase of such parcels.

This bill would also authorize the Director of General Services to sell such property if, within one year of the completion of the appraisal, the director fails to enter into an agreement to sell such parcels with the Midpeninsula Regional Open Space District or the County of San Mateo, or both.

In addition, this bill would take effect immediately as an urgency statute.

Ch. 793 (SB 1043) Garamendi. State park system: Town of Locke.

Existing law makes no appropriation to the Department of Parks and Recreation for the development of plans for the acquisition, development, and restoration of the Town of Locke.

This bill would supplement the Budget Act of 1978 to appropriate $40,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the Department of Parks and Recreation for plans for the acquisition, development, and restoration of the Town of Locke, subject to specified provisions, and would revert $40,000 from the Delta Meadows State Park Project to the unappropriated balance of the State Beach, Park, Recreational, and Historical Facilities Fund of 1974.

The bill would take effect immediately as an urgency statute.

Ch. 794 (SB 1490) Gregorio. Taxation.

Existing law specifies various procedures relating to claims that may be made to the State Controller for reimbursement to a local entity for costs mandated by the state.

This bill would revise such procedures and would take effect immediately as an urgency statute.

Ch. 795 (AB 2775) Young. Insurance.

Existing law provides that whenever the Insurance Commissioner finds that an insurer has failed to comply with the laws relating to financial statements of insurers, the commissioner may suspend the certificate of authority of such insurer for a period not exceeding one year or, in the alternative, may permit a monetary penalty.

This bill would repeal those provisions.

Existing law authorizes the Insurance Commissioner in the instance of an application by an insurer for a permit to issue securities or to deliver other consideration in exchange for outstanding securities, claims or property interests, or cash, to approve the terms and conditions of such issuance and exchange or such delivery and exchange and the fairness of such terms and conditions.

This bill would enact separate provisions for approving the fairness of terms and

conditions with respect to exchanges of property, and would require insurers to pay a fee of $250 for such a determination.

Existing law permits specified organizations and persons to receive transfers of property, conditioned upon agreement to pay an annuity to the transferor or his nominee, and the issuance of a certificate of authority.

This bill would require the funds and other property to be maintained in a trust account separate from other assets of the certificate holder It would limit the type of securities that required reserves could be invested in by the certificate holder, and require the annual filing of a financial statement with the Insurance Commissioner.

This bill would also authorize the commissioner to order disposal of investments not conforming to such provisions. The commissioner would be authorized to promulgate reasonable rules and regulations relative to such provision.

Ch. 796 (AB 2506) Hart. School improvement programs: evaluation: education studies.

(1) Existing law requires the Superintendent of Public Instruction to make various reports.

This bill would require a specified proposal, to be made in each fiscal year, regarding the initiation or continuance in the succeeding fiscal year of special education studies. This bill would prescribe possible subject matter for such studies.

(2) Existing law prescribes school improvement programs.

This bill would make detailed provision for the evaluation of such programs, stating the intent of the Legislature in connection therewith. This bill would require the Superintendent of Public Instruction to coordinate the various evaluations of school improvement programs in order to minimize data collection and reporting requirements.

(3) Under existing law, the Superintendent of Public Instruction is required to make an annual evaluation of special education programs.

This bill would recast provisions dealing with the procedure for conducting such evaluations and would require the superintendent to coordinate the design of all related evaluations to prevent duplication and to minimize data collection and reporting requirements.

(4) This bill would also make related technical and corrective changes.

Ch. 797 (AB 2768) Ellis. Vehicles: occupational licenses: sales.

(1) Under existing law, the Department of Motor Vehicles regulates and issues occupational licenses to manufacturers and manufacturer's branches. A "manufacturer's branch" is defined as, among other things, an office maintained for the sale of new motor vehicles.

This bill would delete the word "motor" from the present definition, making the term applicable to manufacturers of motor vehicles and nonmotorized vehicles.

(2) Existing law requires any person selling or transferring his interest in a vehicle, as specified, to notify the department of the actual mileage of the vehicle as indicated by the vehicle's odometer at the time of sale or transfer.

This bill would further require a person selling or transferring his or her interest in a vehicle with knowledge that the odometer reading is incorrect, to indicate the true mileage, if known Providing false or inaccurate information would be a violation of this provision only when it is done with the intent to defraud.

(3) Existing law permits the Department of Motor Vehicles to take administrative action against the occupational license held by a motor vehicle dealer for failure to make the return and pay sales taxes, as required, on the sale of a motor vehicle.

The bill would give the department authority to take administrative action against a dealer who sells nonmotorized vehicles.

(4) This bill would provide that there shall be no reimbursement pursuant to Section 2231 nor shall there be any appropriation made by this bill for a specified reason.

Ch. 798 (AB 2269) Chappie. Department of the California Highway Patrol.

(1) Under existing law, the Director of Health or such person's successor, the State Director of Health Services, is authorized to develop, or prescribe standards for and approve, an emergency medical technical training and testing program for the Department of the California Highway Patrol, the Department of Forestry, and other public

safety agency personnel, upon request and as deemed appropriate by the director.

This bill would require the Department of the California Highway Patrol, subject to the availability of funds, to provide for the initial training of its uniformed personnel in the rendering of emergency medical technician services to the public in specified areas of the state as designated by the Commissioner of the California Highway Patrol.

(2) Existing law does not expressly exempt from civil liability members of the California Highway Patrol who render emergency medical services at the scene of an emergency.

This bill would provide such an exemption except for acts or omissions performed in a grossly negligent manner or not performed in good faith.

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

Ch. 799 (AB 2595) Bannai Public Employees' Retirement System.

(1) Existing law provides generally that a state agency, with approval of the State Board of Control, may refrain from collecting amounts due the agency of $5 or less, and specifies various possible dispositions of overpayments of amounts of $5 or less where no claim for overpayment is made Existing provisions of the Public Employees' Retirement Law permit, in the case of other than the correct amount of a retirement contribution by a member, the state, or a contracting agency, proper adjustment to be made either by direct cash payments or by adjustment in subsequent payments between the member, the state, or the contracting agency, and there is provision for automatic writeoff of amounts within limits set by the State Board of Control.

This bill would specifically provide that the Public Employees' Retirement System may dispense with any recalculation of, or other adjustment to, retirement benefit payments and shall not effect a collection or return of accumulated contributions when retirement or death benefits have been paid or accumulated contributions returned, and when either (a) the balance of a member's account would be changed by $10 or less, or (b) where the change in the balance of a member's account would exceed $10 if the difference to the member's monthly allowance unmodified by optional settlement would be less than $0.25.

(2) Existing law permits a member of the Public Employees' Retirement System to redeposit in the Retirement Fund, in installment payments in accordance with regulations of the Board of Administration of the Public Employees' Retirement System, the amount of accumulated contributions withdrawn at a termination of service together with an amount equal to the interest that would have been credited to the member's account with respect to such withdrawn contributions to the first day of the month following the date the system receives the member's election to make such redeposit.

This bill would revise the method for calculation of the amount equal to the interest on such withdrawn contributions to require instead an amount equal to such interest to the date of completion of the installment payments.

(3) Existing law provides for reimbursement of travel costs at $0.14 per mile for a member of the Public Employees' Retirement System who has applied for disability retirement when the board has requested that the member appear for a medical examination only upon the member's initial application.

This bill would delete the limitation respecting the initial application of the member with the result that such reimbursement would be available in addition to a member who is requested to appear for a subsequent examination. It would also delete the specific provision for reimbursement at $0.14 per mile, and would provide instead that such reimbursement shall be at the rate specified by the State Board of Control for reimbursement of travel expenses by state employees, with provision authorizing reimbursement for lodging at a higher amount where supported by receipt and determined necessary by the Board of Administration of the Public Employees' Retirement System.

(4) Present law provides that if the Board of Administration of the Public Employees' Retirement System determines that an applicant for disability retirement is eligible therefor, it shall forthwith retire him for disability unless he is also eligible to retire for service and applies for service retirement not later than 30 days after the effective date of his retirement for disability.

This bill would revise this 30 days provision to specify that the member has until 30 days after notification of his eligibility for disability retirement to elect to instead retire for service

(5) The existing Public Employees' Retirement Law provides for a continuation of a portion of member allowances to survivors of deceased state miscellaneous members who were not coordinated with federal social security and who retired before July 1, 1974, or of such members who were coordinated with federal social security and who retired before July 1, 1975, provided application is made to the Board of Administration of the Public Employees' Retirement System prior to October 1, 1978.

This bill would delete the requirement of application prior to October 1, 1978, and would provide instead that in the case of applications received after that date and before the effective date of this bill benefits will be paid both prospectively and retroactively to the first day of the month following receipt of such application.

(6) Existing provisions of the Public Employees' Retirement Law provide, under certain circumstances, for the payment of a death benefit upon the member's death after the effective date of, but before approval of, his retirement and under other circumstances for only a limited death benefit

This bill would revise the circumstances under which these benefits become payable to be on or after the effective date of the member's retirement but before the mailing of a retirement allowance warrant. It would specifically provide that if a member who dies under these circumstances had elected optional settlement 2 or 3, or 4 involving payment for the life of the beneficiary or if a post retirement survivor's allowance is payable, the death shall be considered to have occurred after retirement for purposes of survivor's benefits, and that if the beneficiary under these provisions is a surviving spouse or unmarried minor child, such beneficiary may elect between benefits payable on death either prior to or after retirement.

(7) The bill would also make other related and conforming changes and revise certain obsolete cross-references

(8) This 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 a specified reason.

(9) This bill would incorporate additional changes in Section 21404 of the Government Code proposed by Assembly Bill No. 3053, to be effective only if Assembly Bill No. 3053 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch. 800 (AB 2656) McCarthy. Services for older persons.

(1) Existing law requires the Health and Welfare Agency to approve and fund model projects for the provision of multipurpose senior services for older persons based on prescribed criteria. Multipurpose senior services are defined as a coordinated, integrated system of delivery of specified social and health services designed for older persons.

This bill would expressly include preventive health services and mental health services among the specified social and health services provided by the projects.

(2) Existing law provides that members of the advisory committee to the Nutrition and Volunteer Services Program for Senior Citizens, a 3-year pilot program administered by the Department of Aging, shall serve without compensation or reimbursement for expenses.

This bill would authorize such members to receive reimbursement for actual and necessary expenses and designate such expenses as program costs.

(3) The bill also would make technical, clarifying changes.

The bill would take effect immediately as an urgency statute.

Ch. 801 (AB 2685) Keene Forest resources

The Forest Resources Assessment and Policy Act of 1977 requires the Director of Forestry, under policy guidance from the State Board of Forestry, to prepare and submit a forest resource assessment and analysis to the board not later than July 1, 1979, and an updated assessment by January 1, 1987, and by January 1 of each fifth year thereafter.

This bill would specify that the forest resource assessment is to be provided in order to develop and implement forest resources policies for the state. The bill would provide that the initial assessment and analysis is "preliminary" and require the updated assessments to be "full" assessments. The bill would also require the director to include evaluations of probable direct and indirect economic and environmental benefits and costs, including opportunity costs, when assessing various resource potentials which

could be obtained from forest lands.

Ch. 802 (AB 2746) Chappie. Vehicles: license plates: constables.

Under existing law, the Department of Motor Vehicles is required to issue special license plates for various types of vehicles.

This bill would require the department to issue, upon request, special license plates for vehicles owned by a constable or deputy constable and used in law enforcement work An additional $25 fee for issuance of such plates, and a special $25 fee for the transfer of such plates to another vehicle, would be required to be imposed.

Ch. 803 (AB 3292) Keysor. Community Colleges: leases of college property for 1984 Olympic Games.

Existing law authorizes the governing board of any community college [district]* to lease for a term ~~and*~~ not to exceed 99 years, any real property not needed for classrooms. The board is not authorized to enter into such an agreement unless 2 conditions are met. The board adopts a resolution by a ⅔ vote of its members declaring its intent to lease and prescribing the terms of the lease, and the board posts notice of the resolution and publishes the resolution in a local newspaper for a specified period.

This bill would add a specific authorization for community college [district]* governing boards to lease unneeded district real property and personal property located on it for a reasonable term to the International Olympic Committee, to any local organizing committee, or to any other person or agency for the purposes of the 1984 Olympic Games. For the purposes of such a lease, the resolution declaring the board's intent to enter into the lease and describing the terms of the lease need not be adopted by a ⅔ vote, and a modified notice requirement is imposed.

The provisions of this bill would remain in effect only until January 1, 1985, and as of that date would be repealed.

Ch. 804 (AB 2480) V. Thomas. Milk and dairy products: distributors.

The present law defines "handler," including distributors, for purposes of market milk stabilization and marketing provisions, provides for the licensing of handlers, and prohibits a handler from dealing in market milk unless such handler first obtains a license from the Director of Food and Agriculture, as prescribed. The existing law includes, for the purposes of the above provisions, any person defined as a "distributor" under designated provisions regulating the marketing of milk and other dairy products.

This bill would redefine "distributor" by including persons operating, owning, or servicing automatic vending machines dispensing market milk or market cream, a person that sells market milk or market cream from a mobile vehicle, and a person who sells market milk or market cream to documented or foreign registry vessels, as prescribed. It would require each applicant for such a license and for renewal of such a license to pay a prescribed fee, to be deposited in the Department of Agriculture Fund, which is continuously appropriated. Also, this bill would include a distributor that buys packaged milk, cream, or any dairy product, as prescribed, for sale to consumers or wholesale customers, within a definition of a "wholesale customer" for the purposes of the provisions regulating marketing of milk and other dairy products and the market milk stabilization and marketing provisions.

Also, 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

This bill would take effect immediately as an urgency statute.

Ch 805 (AB 2426) Knox Bar membership fees

Under existing law, the Board of Governors of the State Bar is authorized to fix annual membership fees for active members of the State Bar within legislatively prescribed limits. The limits contained in present statutes are (1) $90 for an active member admitted to the practice of law in this state for 5 or more years, (2) $70 for an active member admitted to the practice of law in this state for less than 5 but more than 2 years, and (3) $50 for an active member admitted to the practice of law in this state for less than 2 years, except that for the calendar year 1978, the limits are (1) $130 for active members admitted to the practice of law in this state for 10 or more years, (2) $115 for active

members admitted to the practice of law in this state for less than 10 but more than 5 years, (3) $85 for active members admitted to the practice of law in this state for less than 5 but more than 2 years, and (4) $55 for active members admitted to the practice of law in this state for less than 2 years

This bill, in addition, would increase the membership fees to the following respective amounts: (1) $135 for active members admitted to the practice of law in this state for 10 or more years, (2) $120 for active members admitted to the practice of law in this state for less than 10 but more than 5 years, (3) $90 for active members admitted to the practice of law in this state for less than 5 but more than 2 years, and (4) $60 for active members admitted to the practice of law in this state for less than 2 years. Such amounts would remain in effect until January 1, 1980.

Ch. 806 (AB 2404) Imbrecht Institutional funds.

Under existing law, the Uniform Management of Institutional Funds Act (Chapter 3 (commencing with Section 2290.1) of Title 8 of Part 4 of Division 3 of the Civil Code), relating to the use of funds by educational institutions and the modification of restrictions on the use of such funds, will remain in effect only until January 1, 1979, and on that date the act will be repealed.

This bill would eliminate the repeal and thus continue the act in effect after that date.

Under existing law, the body responsible for the management of institutional funds subject to the Uniform Management of Institutional Funds Act may appropriate for expenditure so much of the realized and unrealized net appreciation of an endowment fund as is prudent

This bill would only allow the body responsible for management to appropriate realized net appreciation

Under existing law, an institution which elects to avail itself of the provisions of the Uniform Management of Institutional Funds Act is required to make periodic reports as required by the Attorney General.

This bill would repeal that provision effective January 1, 1983.

Ch. 807 (AB 2351) Wornum. State Coastal Conservancy.

(1) Under existing law, the State Coastal Conservancy is authorized to acquire fee title, development rights, easements, and other interests in designated land located in the coastal zone, subject to certification by the California Coastal Commission

Under existing law, each state agency is required to make an annual review of all proprietary state lands, except certain specifically excluded lands, over which it has jurisdiction to determine if there are any lands in excess of its foreseeable needs This bill would include in the list of lands specifically excluded from such provisions lands under the jurisdiction of the conservancy.

(2) Under existing law, the annual apportionment of federal funds for outdoor recreational purposes received by the Director of Parks and Recreation pursuant to the federal Land and Water Conservation Fund Act of 1965 is allocated between local governmental agency projects and state agency projects after deductions of specified amounts, including 6% for deposit in a contingency fund. Existing law also requires the director to maintain a comprehensive plan for the development of the outdoor recreation resources of the state. This bill would make the conservancy eligible to compete for grants of funds for projects of an outdoor recreational nature from the contingency fund. The bill would also require that standards adopted by the Department of Parks and Recreation regarding the acquisition and development of public access to coastal resources be an element of the outdoor recreation resources plan.

(3) The California Coastal Act of 1976 specifies policies and objectives regarding the planning and development of coastal lands and provides for a local coastal plan or program certified by the California Coastal Commission This bill would require the conservancy to serve as a repository for lands whose reservation is required to meet such policies and objectives and such certified plan or program. The bill would revise the definition of "certified local coastal plan or program" to include a land use plan of a local program adopted by the commission The bill would also authorize the conservancy to take action prior to local coastal plan or program certification, as prescribed

(4) Under existing law, the 2 public members of the State Coastal Conservancy are required to serve a term of 4 years and are compensated for attendance at regular

meetings of the conservancy at the rate of $100 a day and are reimbursed for actual and necessary expenses.

This bill would make such provisions also applicable to the Chairman of the California Coastal Commission in his capacity as a member of the conservancy.

(5) Under existing law, the Director of General Services may lease, rent, sell, or exchange any land acquired pursuant to the state coastal conservancy provisions when so requested by the conservancy, provided that such action shall guarantee the use of the land for agricultural or certain other purposes. This bill would delete such proviso and instead impose the condition that the action is determined by the conservancy to be necessary to meet the provisions of such law, including the implementation of any plan approved by the conservancy. The bill would require the Department of General Services and the conservancy to jointly develop and implement procedures with respect to such property transactions.

(6) Under existing law, the conservancy is required to annually prepare a schedule of coastal restoration and resource enhancement projects proposed for grants. This bill would delete the requirement that preparation of such schedules be done on an annual basis.

(7) Under existing law, the Department of Parks and Recreation is authorized to reserve significant coastal resource areas and the conservancy is authorized to make interest-free loans to the department for such purpose. This bill would instead vest the conservancy with the authority to reserve such lands, and would delete provisions authorizing the conservancy to provide funds to the department and make other conforming changes. The bill would require any funds received by the state upon disposition of such reserved lands to be deposited with the conservancy.

(8) Under existing law, the conservancy may award grants to the Department of Parks and Recreation for the acquisition of interests in and initial development of lands acquired for public accessways to the coast, and may award grants to local agencies for such initial development when it is determined that the accessways are required to serve more than local need.

This bill would authorize the conservancy to award grants to local agencies for the acquisition of interests for such purposes subject to such determination.

(9) Under existing law, the conservancy may provide funds to the Department of Parks and Recreation for the purpose of planning and maintaining a system of public accessways to and along the coastline.

This bill would instead authorize the conservancy to provide funds to the department for the purposes of preparing and maintaining a plan for such system. The bill would authorize the conservancy to undertake improvements to and development of lands acquired by it in order to prevent loss of agricultural land when such improvements or development is required to prevent such loss.

The bill would also authorize the conservancy to enter into an option to purchase lands for the preservation of agricultural land, coastal restoration projects, or coastal enhancement projects if the total cost of such option does not exceed $100,000 and when the Legislature appropriates funds for such purposes

(10) The bill would incorporate additional changes in Section 11011 of the Government Code proposed by SB 1723, to be operative only if this bill and SB 1723 are chaptered and this bill is chaptered last.

This bill would take effect immediately as an urgency statute

Ch. 808 (AB 1336) Vasconcellos. Property taxation. delinquent penalties.

Under existing law a 6% penalty is imposed on property taxes which are not paid in full prior to becoming delinquent. The tax collector or auditor is authorized to cancel a delinquent penalty on the property, with the approval of the board of supervisors on a finding that the delinquency was due to reasonable cause and circumstances beyond the assessee's control, and occurred notwithstanding the exercise of ordinary care and in the absence of willful neglect, provided the payment is made within 90 days of the first delinquency date or within 30 days after the second delinquency date.

This bill would also authorize such cancellation of the penalty where there was an inadvertent error in the amount of the payment made by the assessee, provided that the principal payment for the proper amount of tax due is made within 10 days after the notice of shortage is mailed by the tax collector.

The bill would authorize the tax collector, with the approval of the board of supervisors, to accept partial payments of property taxes and compute the delinquent penalty on the unpaid balance of the tax.

Ch. 809 (AB 2905) Rosenthal. Vital statistics: state and local registrar fees.

Existing law prescribes various vital statistics fees to reimburse the State Registrar of Vital Statistics and local registrars of births and deaths for the costs of providing services, as specified.

This bill would prescribe fees of $11 for various vital statistics services, as specified.

This bill would also repeal an obsolete section in existing law with respect to certain fees charged for establishment of a new certificate of birth.

Ch. 810 (AB 3646) Alatorre. Public employees: retirement: civil service.

(1) Under existing state civil service law, the State Personnel Board is authorized to prescribe conditions under which eligibility for employment may be transferred from one subdivisional or departmental promotional list to another when the lists are for the same class and established as a result of the same examination.

This bill would delete the requirement which limits eligibility transfer under such promotional lists only to other subdivisional or departmental lists.

(2) Under existing Public Employees' Retirement Law which became effective September 16, 1977, every state or local member who has attained the mandatory retirement age of 67, other than a patrol or state or local safety member, has the right to continue in employment upon certification of competence. Under the "Age Discrimination in Employment Act Amendments of 1978" (P.L. 95-256), effective January 1, 1979, the federal Age Discrimination in Employment Act of 1967 will prohibit discrimination because of age with respect to individuals who are at least 40 years of age but less than 70 years of age.

This bill would change the mandatory retirement age under state law for state miscellaneous members, school members, and local miscellaneous members to age 70 and would give state members, other than a patrol or state safety member, and local miscellaneous members employed by a school district or superintendent of schools the right to continue in employment upon certification of eligibility after age 70. The bill would give the appointing power the authority to determine eligibility for continuance of employment and require an appeal to the entity or its designated representative when eligibility, as defined, is denied. The bill would repeal provisions of the Public Employees' Retirement Law which authorize a contracting agency to employ a person between 67 and 70 for essential court reporter services.

(3) Under existing law, the Board of Administration of the Public Employees' Retirement System may generally reinstate a member from retirement if the board finds, among other things, that the age of the person on the date of application for reinstatement is 6 months less than the age of compulsory retirement for service applicable to members of the class or category in which the person seeks employment

This bill would prohibit any state miscellaneous, school, or local miscellaneous member who is reinstated from July 11, 1978, to January 1, 1979, from being retired solely because they have attained age 67.

(4) Under Chapter 385 of the Statutes of 1978 (SB 130), any public pension plan would be prohibited on and after January 1, 1979, from requiring any member to retire prior to age 70 except for persons engaged in active law enforcement and for persons who are firemen.

This bill would, in addition, make an exception from such a prohibition for persons whose earlier mandatory retirement is permitted under the federal provisions.

(5) Existing law provides that a member of the Public Employees' Retirement System on deferred retirement, who is eligible to retire for service at age 50 from a system established under the County Employees Retirement Law of 1937 and retires prior to age 55, is authorized to have his retirement deemed a concurrent retirement for the purposes of computing final compensation under the Public Employees' Retirement System.

This bill would add an identical provision in a different code section.

(6) This bill would provide that there would be no appropriation to local agencies for reimbursement of costs mandated by the bill because of a specified reason.

(7) This bill would take effect immediately as an urgency statute. All provisions of the bill, except the provisions with respect to state civil service promotion, reinstatement, and mandated costs, would become operative January 1, 1979

Ch. 811 (AB 3547) Hart. State Contract Act.

Existing provisions of the State Contract Act provide that the department, as defined for purposes of the act to mean the Department of General Services as to any project under the jurisdiction of that department, may authorize the carrying out of a project by the state agency concerned therewith if the estimated cost does not exceed $100,000 except that projects of a district agricultural association are exempt from such monetary limitation.

This bill would include projects of the State Lands Commission among those not subject to the $100,000 limitation.

Ch. 812 (AB 3410) Knox. Health care service plans.

Under existing law, health care service plans, as defined, are required to be licensed and approved by the Commissioner of Corporations. Under existing law, each application for approval of such plan submitted to the commissioner is required to include an authorization for disclosure to the commissioner of certain financial records. Under existing law, a solicitor's license for the solicitation of such plans can only be issued to an individual and no individual may act as a solicitor except as an employee of a plan or solicitor firm, as defined.

This bill would revise the requirement for submittal of an authorization for disclosure with the application for approval of such a plan, to require such submittal only upon the request of the commissioner. This bill would also revise the requirement with respect to a solicitor's license to allow an individual to act as a solicitor who is not an employee of a plan or solicitor firm, as the commissioner may permit by rule, as specified.

Ch. 813 (AB 3309) Hayden. Longshoremen's and harbor workers' insurance.

Existing law provides that any classification of risks and premium rates or system of rating for insurance covering employers against their liability for compensation or damages under the United States Longshoremen's and Harbor Workers' Compensation Act is subject to specified rating provisions.

This bill would exempt workers' compensation rating organizations which do not make rates, rating plans or rating systems for insurance covering the liability of employers for compensation or damages under the United States Longshoremen's and Harbor Workers' Compensation Act and which are licensed under either the general licensing provisions for rating organizations or the licensing provisions for workers' compensation rating organizations from being licensed under both licensing provisions It would also authorize specific activities and functions for such rating organizations.

Ch. 814 (AB 3059) Lehman. Grand juries: Fresno County.

Under existing law, grand jurors and trial jurors in Fresno County receive $5 per day and mileage at 15 cents per mile one way only.

This bill would increase the compensation for grand jurors attending regularly called grand jury meetings to $15 per day and the mileage allowance for grand jurors to 18½ cents per mile to and from meetings.

This 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

Ch 815 (AB 3042) Agnos. Unclaimed property.

Existing law requires the State Controller, when paying claims on unclaimed property in his possession, to add 5% interest, or a lesser rate actually earned by the property, if the property was interest-bearing to the owner while in the possession of the holder

This bill, instead, would require the State Controller to add interest at the rate of 5% or the current interest rate received upon deposits held in the Pooled Money Investment Account, whichever is lower, when paying any claim on unclaimed property for the period the property was on deposit in the Unclaimed Property Fund, a continuously appropriated fund, thereby authorizing the expenditure of money in such fund as to such claims

Existing law requires any holder who pays to the owner, property which has escheated

to the state and which, if claimed from the State Controller, would be subject to the requirement that interest be added to add interest as specified.

This bill would delete the requirement that interest be paid under such circumstances.

Existing law provides that no agreement entered into within 9 months of the filing of a report of escheated property is valid if, pursuant thereto, any person undertakes to locate property subject of the report for a fee in excess of 10% of the recoverable property's value unless it is in writing, signed by the property owner, and contains certain disclosures.

This bill, instead, would provide that no such agreement entered into after the filing of a report of escheated property but prior to 6 months after the date of payment or delivery of the property to the State Controller, as specified, is valid and would provide that such agreement made more than 6 months after payment or delivery is valid if the fee is not in excess of 10% of the recoverable property and the agreement is in writing and signed by the owner after certain disclosures are made in the agreement

Ch. 816 (AB 3030) N. Waters Marketing law: collection of producer assessments from handlers.

Existing law provides that fees be paid to the Department of Food and Agriculture by producers of agricultural commodities subject to the law. The existing law does not provide that producer fees may be collected from the handlers of a producer's product, who may then deduct the amount paid on behalf of the producer from the amount that the handler owes to the producer.

This bill would allow the Director of Food and Agriculture to collect fees owed by producers from a handler of the commodity being regulated, and would then allow the handler to deduct the fee from any money owed by the handler to the producer.

Ch. 817 (AB 2996) Thurman. Department of Agriculture Fund: fuel revenues.

Under existing law, during the second quarter of every fiscal year, there is transferred, from the Motor Vehicle Fuel Account in the Transportation Tax Fund to the Department of Agriculture Fund, the amount of motor vehicle fuel tax revenues derived from agricultural off-highway use of motor vehicle fuel not refunded to users of motor vehicle fuel for agricultural off-highway use

The amount to be transferred is based on a report prepared each odd-numbered year by the Secretary of the Business and Transportation Agency and the Secretary of the Agriculture and Services Agency.

This bill would require the Director of Food and Agriculture, rather than the Secretary of the Agriculture and Services Agency, to prepare the report with the Secretary of the Business and Professions Agency.

The bill also would delete obsolete provisions

Ch. 818 (AB 2989) Lancaster. Vehicles: sale· liens; fees and penalties

(1) Under present law, the Department of Motor Vehicles is required to publish the complete text of the California Vehicle Code at least once every 2 years and to sell and distribute the code to persons, not specified as exempt from the payment of a fee, for a fee of $1.

This bill would permit the department to sell the California Vehicle Code at a charge sufficient to pay the actual cost to the department for publishing and distribution of the code, but not to exceed $3.

(2) Existing law requires the department to seize and sell any vehicle for which a lien has arisen because of the nonpayment of registration fees. Upon conducting the sale the department may collect all fees due plus $50 for costs incurred in conducting the sale

This bill would increase the amount of costs that the department may collect to equal at the least the cost of conducting the seizure and sale proceedings, but not to exceed $200.

(3) In 1977, provisions of the Revenue and Taxation Code and Vehicle Code were amended to make the penalty for late applications for original or renewal of registration of certain vehicles equal to 20% of the license fee and 20% of the registration and weight fees (rather than 50% of such fees). However, such amendments did not specifically include the penalty for late applications for trailer coaches.

This bill would revise additional provisions of the Revenue and Taxation Code to make

the penalty for late applications for license fees for trailer coaches the same as for other vehicles, and would make a related, conforming change

(4) Under current law, two or more units of a mobilehome that are manufactured or fabricated for later assembly as a single unit and which are actually sold to be assembled into a single unit are registered as a single unit, upon application for original registration, original certificate of ownership, or transfer of ownership

With respect to the transfer of ownership of such units, this bill would provide that the units will be treated as a single unit for purposes of registration, unless the owner or transferee of such units which are currently registered as separate units requests the continuation of such separate registration. The bill would also permit the owner of such units which are currently registered separately to request the department to register the units as a single unit

(5) Existing law requires every applicant for a mobilehome dealer's or salesman's license and every vehicle salesman working for a mobilehome dealer to take and pass a written exam administered by the department.

This bill would allow the department to administer an oral examination under specified conditions.

Ch. 819 (AB 2930) Antonovich. Medical assistance: developmentally disabled persons.

Under the existing Medi-Cal program, a developmentally disabled recipient is authorized to be temporarily absent from a skilled nursing facility or intermediate care facility for not exceeding 30 days per year and continue to receive Medi-Cal reimbursements during such temporary absence.

This bill would eliminate the 30-day limit and provide that the State Department of Health Services, with consultation from the State Department of Developmental Services, shall determine by regulation the time periods and conditions for temporary absences, subject to specified conditions. During such an absence, the facility would be reimbursed for maintaining the vacancy at a rate determined by the State Department of Health Services which is less than the regular rate. It would also provide that the temporary leaves of absence shall not be less than 30 days per year.

Ch. 820 (AB 2898) Lanterman. Mental health: forensic training.

Existing law provides that the State Department of Mental Health shall plan with universities and the California Postsecondary Education Commission for the development of programs for the training of psychiatrists and psychologists with forensic skills

This bill would, in addition, require the department to submit a report to the Legislature on February 1 of each year concerning implementation of forensic training programs and proposals for such training programs in the succeeding fiscal year.

Ch. 821 (AB 2891) Vicencia. Identification cards.

(1) Under present law, an identification card expires on the 6th birthday of the applicant following the date of original issue. A senior citizen identification card expires on the 10th birthday of the applicant following the date of original issue.

This bill would specify that the identification cards shall expire on the 6th or 10th birthday of the applicant following the date of application for the identification card.

(2) Existing law provides that an original identification card can be obtained for a fee of $3.25 ($3.00 for senior citizens). A duplicate identification card can be obtained for a fee of $2.25 when the original card is lost, stolen, mutilated, or the holder acquires another name.

This bill would delete the provisions for duplicate identification cards. In the event the original card is lost, stolen, mutilated, or the holder acquires a new name, an original card would be issued, valid for a 6- or 10-year period for a fee of $3.25 ($3.00 for senior citizens).

~~The additional fees which would be imposed under this bill could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated, and, therefore, this bill would make an appropriation.~~[a]

Ch. 822 (AB 2888) Chappie Public accountants.

Existing law governing the licensing and regulation of public accountants precludes

the State Board of Accountancy from returning any portion of the fee of an applicant for the certificate of certified public accountant unless the application is rejected.

This bill would delete such provision.

Existing law contains a schedule of fees which the board shall fix for applications for the certificate of certified public accountant, the reexamination fee, the registration fee, the renewal fee, the delinquency fee, and the initial permit fee.

This bill would revise the schedule by increasing certain existing fee maximums and by the addition of new fee categories

Under existing law, moneys received from fees are remitted to the State Treasury to the credit of the Accountancy Fund, which is continuously appropriated.

The increased fees provided for in the bill would result in an increase in the amount of moneys collected and deposited in such continuously appropriated fund and would therefore make an appropriation

Ch. 823 (AB 2886) Chappie. Accountants

Under existing law, permits to practice public accountancy expire at 12 p m. on December 31 of each even-numbered year if not renewed.

This bill would provide that such permits expire at 12 midnight of the last day of the month of the legal birthday of the licensee during the second year of a two-year term, would require the State Board of Accountancy to establish procedures by regulation to implement such a system, and would make related technical changes.

Ch 824 (AB 2874) N. Waters Milk: analysis.

The existing law sets forth the procedure for conducting the Babcock test for analyzing milk fat content of milk.

This bill would repeal such provision and, instead, provide that the official final action for the determination of components of milk, bulk milk, products of milk, or products resembling milk products, when such components are required as a basis for payment or to meet a designated compositional requirement to be by prescribed method, and require the procedural regulations required for official final action to be adopted not later than April 1, 1979. It would authorize the Director of Food and Agriculture, by regulation, to adopt other acceptable methods of comparable accuracy

The existing law, in addition, authorizes the director to adopt methods and procedures for the testing, weighing, and measuring of nonfat milk solids, and for the recording and reporting of such testing and sets standards for the equipment used in the testing of milk.

This bill would repeal the above provisions and, instead, authorize the director to adopt methods and procedures for the testing, weighing, and measuring of milk components and for the recording and reporting of such testing. The bill would also make related conforming changes.

Ch. 825 (AB 2861) Kapiloff. Health insurance guide

This bill directs the Department of Insurance to develop a consumer guide to assist senior citizens in choosing a health insurance policy supplementing medicare

Ch. 826 (AB 2853) Mello. Taxation.

Existing law requires the State Board of Equalization to keep secret certain information and records provided to such board in its assessment of certain property, but authorizes such board to disclose such information to specified local agencies and agencies of this state.

This bill would authorize the State Board of Equalization to disclose such information, records and appraisal data to certain tax officials of other states having duties corresponding to those of the State Board of Equalization in the assessment of property, pursuant to a written agreement, as specified.

Ch 827 (AB 2814) Gage. Taxation.

Under existing law the State Board of Equalization is charged with the duty of administering such state taxes as the sales and use tax, the gas tax, the diesel tax, and the Alcoholic Beverage Tax Law and such board also has duties under the Insurance Tax Law and the responsibility of administering local sales and use taxes

This bill would make minor changes in the administration of the state's sales and use tax, make technical changes in the insurance tax, and would make substantive changes

in the taxation of fuel under the local sales and use tax laws and under the gas tax and the diesel tax.

In addition, existing law provides for a tax on distilled spirits measured by liquid volume.

This bill would impose a tax also of 2 cents per ounce on certain nonliquid distilled spirits.

Existing law provides for a comprehensive litter control, recycling and resource recovery plan, under which an annual assessment is imposed on persons holding a sellers' permit under the Sales and Use Tax Law.

This bill would revise the amount of the state litter control, recycling and resource recovery assessments under specified circumstances.

Under existing law, gas and diesel tax revenues are continuously appropriated for various purposes. By altering these taxes, the bill would have the effect of changing these existing appropriations.

Under existing law, a notice to withhold certain credits or personal property of a delinquent taxpayer in the hands of a third person for the purpose of collecting certain delinquent taxes may be served on such third person personally or by registered mail.

This bill would authorize service of such notice personally or by first-class mail.

Ch. 828 (SB 1540) Smith. School programs: evaluations.

(1) Existing law requires the Department of Education to prepare or have prepared various types of annual reports on specified education programs and to submit these reports to the Legislature.

This bill would specify whether the report submitted shall be a descriptive report, an individual program evaluation, or a multiple-funded program evaluation. This bill would also delete the reporting requirement with respect to the summary of program evaluations reports and the existing regional occupational center report, and would change the nature of other specified reports, and would delete a specified testing requirement in year-round elementary schools.

(2) Existing law requires generally that evaluations be coordinated with one another and make maximum use of statewide testing and scientific sampling procedures.

This bill would, instead, generally require that evaluations of state-funded programs use scientific sampling procedures.

Ch. 829 (SB 1301) Foran. Insurance: alcoholism.

Existing law does not require health care service plans, group disability insurance policies, or nonprofit hospital service plans to provide coverage for alcoholism.

This bill would require such plans and policies which are issued or entered into on a group basis to offer such coverage on and after January 1, 1979, to covered individuals, on the terms and conditions as may be agreed upon between the parties, as specified.

Ch. 830 (AB 3205) Torres. Physicians and surgeons.

Existing law requires the Board of Medical Quality Assurance to transmit to the Governor a full and true report of all proceedings of each division of the board on or before the 1st day of January of each year.

This bill would require the Division of Medical Quality of the board to report annually to the Legislature on or before April 1st information relative to the number of restraining orders sought by the division and the number and types of actions taken by the division, as specified.

Existing law authorizes the Board of Medical Quality Assurance, among others, to obtain an injunction or other order restraining any licensee who is engaged or is about to engage in any act which is in violation of any law.

This bill would require the Division of Medical Quality of the board to seek an injunction if the division has reasonable cause to believe that allowing any such person within its jurisdiction to engage in practice would endanger the public health, safety, and welfare.

Ch. 831 (AB 3228) Hart. Schools: teaching credentials.

Under existing law one of the minimum requirements for a teaching credential, except a designated subjects credential, is a baccalaureate or higher degree except in

professional education.

This bill would allow the Commission for Teacher Preparation and Licensing to issue a teaching credential to a person holding a degree in professional education from another state if certain other conditions are met by the applicant.

Ch. 832 (AB 2273) Chimbole. Public utilities· lifeline rates

Present law requires the Public Utilities Commission to designate the amount of gas or electricity necessary to supply the minimum energy needs of a residential user for specified end uses, including space heating.

This bill would include space cooling within the types of end uses that the commission must consider in designating lifeline amounts of gas or electricity.

This bill would incorporate the changes in Section 739 of the Public Utilities Code made by Assembly Bill No. 2503 and Assembly Bill No. 2615, to become operative only if this bill and AB 2503, or this bill and AB 2615, or all three bills, are chaptered, and this bill is chaptered last

Ch. 833 (AB 2599) Dixon. Job development.

Existing law requires the Department of Rehabilitation to take all feasible steps to encourage and establish vending facilities by blind persons on property owned or controlled privately or by a city or county or other political subdivision.

This bill would, in addition to the existing provisions on business enterprises for the blind, permit officials of counties, cities, or other political subdivisions of the state to enter into agreements with the department for the installation and operation of business facilities on property owned or occupied by the various political subdivisions for the purpose of providing self-employment opportunities for severely handicapped clients of the department.

This bill would take immediate effect as an urgency statute.

Ch. 834 (AB 2754) Wray. Vehicles: campers' identification plates.

A camper is defined, generally, as a structure providing facilities for human habitation, designed to be mounted upon a motor vehicle. A camper is not required to be registered or identified.

This bill would require the Department of Housing and Community Development to develop, after consulting with industry representatives, an identification numbering system to insure a unique number for each truck camper. Prior to May 1, 1979, manufacturers of truck campers, as specified, would be required to apply to the department for assignment of truck camper identification numbers.

This bill would make it unlawful to manufacture a camper after July 1, 1979, unless the manufacturer's serial or identification number, as specified, is legibly stamped onto, or permanently affixed to, the interior and exterior of the camper.

In addition, the sale by a retailer of a new camper without a manufacturer's serial or identification number would be prohibited on or after January 1, 1980

There would be no violation pursuant to such provisions until the Director of ~~Motor Vehicles~~ [Housing and Community Development]* approves a numbering system, as specified, which would ensure that each camper receives a unique number.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section for a specified reason.

Ch. 835 (SB 1686) Alquist. Hospitals: seismic safety.

(1) Under existing law, plans for hospital construction or alteration, submitted to the Office of Statewide Health Planning and Development, which affect structural elements of such hospital, are required to contain an assessment of the nature of the site and the potential for earthquake damage, based on certain designated investigations. Existing law exempts one-story Type V construction of 4,000 square feet or less from such requirements

This bill would permit the office to waive this requirement when it determines such requirements for the proposed hospital project are unnecessary and would not be beneficial to the safety of the public. It would require the office to adopt regulations defining the criteria for such a waiver. It would also limit the one-story Type V construction

exemption to one-story Type V woodframe construction and prescribe that such exemption not be in effect if the project is within a special study zone, as specified.

(2) Under existing law, fixed hospital equipment anchorages are not required to meet seismic safety standards.

This bill would require the Office of Statewide Health Planning and Development to adopt by regulation seismic safety standards for fixed hospital equipment anchorages, as specified. It would require that such anchorages purchased or acquired on or after a specified time period, for use in hospital buildings, as defined, be approved by the office prior to use or installation. It would permit the manufacturer, designer, or supplier of such anchorages to submit data sufficient for the office to evaluate the anchorages' seismic safety prior to selection of such equipment anchorages for any specific hospital building. It would permit the office to charge a fee for such approval, as specified.

(3) Under existing law, there is established a Building Safety Board in the Office of Statewide Health Planning and Development which advises and acts as a board of appeals with regard to seismic structural safety of hospitals. Under existing law, such board has a chairman with certain designated duties.

This bill would extend the board's jurisdiction generally to seismic safety in hospitals. It would change the title of chairman of the board to chairperson and prescribe that such person be an appointive member elected by a majority of the appointive members of the board. It would also make other technical amendments due to the reorganization of the Health and Welfare Agency, effective July 1, 1978.

Ch. 836 (SB 1363) Garamendi. Elections.

(1) Existing law permits an election to be held entirely by absentee ballots if there are 30 or less persons registered to vote in a precinct.

This bill would permit the conduct of such election by absentee ballots if there are 100 or less persons registered to vote in a precinct.

(2) Existing law specifies, in connection with statewide primary or general elections, that, in certain cases, precincts may be formed or consolidated to contain no more than 600 voters.

This bill would increase the permissible voters in a precinct to no more than 1,000 voters.

Ch. 837 (SB 1498) Nimmo. Prisoners.

Existing law provides for removal of county jail prisoners to state prisons for safekeeping or medical treatment.

This bill would authorize such removal for additional specified purposes and provide for a hearing with respect to such removal.

This bill would incorporate additional changes in Section 4007 of the Penal Code proposed by Senate Bill No. 1729 to be operative only if Senate Bill No. 1729 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last

This bill would take effect immediately as an urgency statute.

Ch. 838 (AB 3094) Egeland. County superintendents of schools: loss of personal property.

Under current law, the governing board of a school district is authorized to pay costs of replacing property stolen from a school employee by robbery or theft while on duty or damaged in the line of duty without fault of the employee

This bill would authorize a county superintendent of schools to pay such costs for an employee

Existing law authorizes the governing body of a school district to reimburse, under specified conditions, any person or persons for the loss, destruction, or damage by arson, burglary, or vandalism of personal property used in the schools of the district.

This bill would authorize a county superintendent of schools to make reimbursements, under specified conditions, to any person or persons for the theft, destruction, or damage by arson, burglary, or vandalism of personal property used in the facilities of the county superintendent of schools.

Ch. 839 (AB 3169) Rosenthal Hearing aid dispensers.

Existing law provides that on or after January 1, 1979, all holders of licenses to sell and fit hearing aids shall continue their education after receiving such license.

This bill would extend the date for continuing such education to January 1, 1980.

Existing law establishes various licensing fees for hearing aid dispensers.

This bill would add an additional fee of not more than $15 for reporting the completion of a continuing education course required for the renewal of such a license.

Ch. 840 (AB 3083) Young. Real estate license preparation.

Existing law provides no specific regulation by the Department of Real Estate of persons or entities offering classes, courses, or programs of instruction or study in preparation of applicants for real estate licensee examinations, except as to certain course requirements imposed on applicants for a real estate broker's license.

This bill would require the Real Estate Commissioner, in cooperation with the Superintendent of Public Instruction, to adopt by regulation minimum criteria to apply to the approval of each course, or program of instruction, training, or study purporting, in an organized setting, to prepare an applicant for any real estate license examination and which is offered by any person subject to the Private Postsecondary Education Act of 1977.

The minimum criteria would relate to the quality and content of the curriculum, as specified, and would be implemented, administered, and enforced by the Superintendent of Public Instruction, as specified, 6 months following the adoption of such minimum criteria, but not sooner than January 1, 1980.

This bill would require the commissioner, within 60 days following initial adoption of the aforementioned regulations, to file a report with the Secretary of the Senate and the Chief Clerk of the Assembly indicating the scope of the criteria adopted, the extent of cooperation achieved with the Superintendent of Public Instruction, the degree of public input in the development of the criteria, and other pertinent data.

Ch 841 (AB 3084) Young. Vehicles: renewal penalties: waiver.

Under existing law, when a legal owner repossesses a vehicle on which renewal fees are due, the Department of Motor Vehicles is required to waive any renewal penalties if the fees are paid within 30 days of taking possession.

This bill would change the above period of time during which renewal penalties are required to be waived from 30 to 60 days.

Ch 842 (SB 1485) Petris. School bus drivers· local park employees: TB tests.

(1) Existing law requires classified and certificated employees of school and community college districts and, at the discretion of the governing board, persons employed in construction and repair to submit to an examination for tuberculosis. There is no such requirement for drivers under contract involved in transporting pupils.

This bill would require an examination for tuberculosis for drivers involved in transporting pupils under contract with private schools, school districts, community college districts, and county superintendents of schools with the exception of private contracted drivers who transport pupils on an infrequent basis, not to exceed once a month. The bill would require that such examinations be made available without charge by the local health officer

It would also authorize the governing board of a school district or community college district or the governing authority of a private school to require as a contract condition the examination of persons employed under contract, who otherwise would not under existing law be required to do so.

(2) Existing law also requires specified city and county park and recreation employees in positions requiring contact with children and food and other concessionaires in such specified areas to have been certified, as specified, within 2 years to be free of communicable tuberculosis

This bill would require such certificate on initial employment and require all such employees to be examined every 4 years or more often, as specified.

(3) 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 the bill for a specified reason.

Ch 843 (AB 3095) Egeland Schools.

Existing law requires school districts to spend a certain percentage of current expenses of education on classroom teacher salaries, and vests enforcement powers in the Superintendent of Public Instruction.

This bill would transfer the power to enforce this requirement to the county superintendents of schools.

Existing law requires that the Superintendent of Public Instruction approve high school summer school programs and approve interdistrict contracts to educate pupils.

This bill would delete these approval requirements.

Existing law requires county superintendents of schools to submit supporting data with certain budget requests.

This bill would delete the requirements for supporting data.

This bill would also delete requirements that the Superintendent of Public Instruction provide forms for certain reports from school districts and would eliminate requirements that school districts and school principals submit reports in several areas to the Superintendent of Public Instruction or Department of Education. This bill would also eliminate requirements that the Superintendent of Public Instruction make studies and report to the Legislature in several areas, and would eliminate some of the recordkeeping duties of the Department of Education.

Ch. 844 (AB 1605) Gualco. State Employees' Medical Act: state contributions; state employees: disability benefits.

Existing law provides nonindustrial disability insurance for permanent or probationary full-time state officers and employees who are temporarily disabled by illness or injury not arising out of, and in the course of, state employment.

This bill would, with respect to disabilities on or after January 1, 1979, include part-time or intermittent state officers and employees, employees of the Trustees of the California State University and Colleges, and full time employees of the Legislature meeting specified requirements within such insurance coverage, would prescribe the computation of insurance benefits of such officers and employees, and would prescribe specified benefits for a normal pregnancy, as described.

The State Employees' Medical and Hospital Care Act provides basic and related major medical plans for state officers and employees and requires the state to contribute $32 for employees enrolled for self alone, $53 for employees enrolled for self and 1 family member and $66 for employees enrolled for self and 2 or more family members and requires the State Personnel Board to recommend annual adjustments so that the state contribution for employees alone shall be 85% of the premiums and those for family members shall be 60% of the premiums. The state's contributions are statutorily appropriated monthly from the General Fund and other funds in the State Treasury. Existing law also provides that the state shall contribute additional amounts for the administration of this act and for the establishment and continuation of the State Employees' Contingency Reserve Fund.

This bill would raise the contributions of the state to $38 for employees enrolled for self alone, $72 for employees enrolled for self and 1 family member and $92 for employees enrolled for self and 2 or more family members.

It would also raise the state's contribution to the State Employees' Contingency Reserve Fund to 4% and provide that there shall be no reimbursement to local governments for costs incurred by them pursuant to this act.

This bill would incorporate additional changes in Section 22825.1 of the Government Code proposed by Assembly Bill No. 3053, to be effective only if Assembly Bill No. 3053 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

This bill would appropriate $37,260,000 to the Department of Finance for the cost of benefits provided by this bill

The bill would take effect immediately as an urgency statute.

This bill would become operative on July 1, 1978.

Ch. 845 (SB 1140) Robbins. Employment: Filipino employees.

Existing law does not require a city, county, or city and county which has at least 5,000 residents or in which 5% of the population is of Filipino ancestry or ethnic origin, according to the last federal census, which conducts any survey as to the ancestry or ethnic origin of its employees, or which maintains any statistical tabulation of minority

group employees, to categorize employees whose ancestry or ethnic origin is Filipino as Filipinos in such survey or tabulation.

This bill would so require.

This bill would provide that there are no state-mandated local costs for 1978–79 that require reimbursement, but that there are state-mandated local costs in this bill for 1979–80 and subsequent years that require reimbursement pursuant to Section 2231 of the Revenue and Taxation Code, which can be handled in the regular state budget process.

Ch. 846 (SB 411) D Carpenter Title insurance.

Existing law specifies the value which may be assigned to the materials and plant of a title insurer for purposes of determining the condition of such insurer.

This bill would prohibit the asset value of a title plant from exceeding a specified value where such plant is not being currently maintained, as specified

Existing law specifies the "net worth" value which an underwritten title company may assign its title plant.

This bill would prohibit the asset value of a title plant of an underwritten title company from exceeding a specified value where the plant is not being currently maintained, as specified.

Existing law authorizes the Insurance Commissioner to accept from an underwritten title company a cash deposit in lieu of a fidelity bond.

This bill would, under certain conditions, permit such deposit to be returned to the depositor or its lawful successor in interest. It would also make provision for a letter of indemnity, as specified, to the commissioner until June 30, 1979.

This bill would take effect immediately as an urgency statute.

Ch. 847 (AB 3313) Keysor. Elections· recount provisions.

Existing law prescribes in Chapter 13 (commencing with Section 17140) of Division 12 of the Elections Code procedures governing the recount of ballots in elections. However, current law provides separate procedures for recounting of ballots in school district, community college district, general district, and municipal elections.

This bill would require the application of the procedures set forth in Chapter 13 of the Elections Code, as revised by this bill, for the recounting of ballots in all elections and it would revise the procedure governing the recount wherein voting systems are used.

Existing law specifies that the Secretary of State is the chief elections officer and that if he or she concludes that state election laws are not being enforced, the Secretary of State must call the violation to the attention of the district attorney of the county or to the Attorney General. In these instances, the Secretary of State may assist the county elections officer in discharging his duties.

This bill would specify that in order to make such determination the Secretary of State may examine prescribed election materials and data.

This bill also specifies that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement to local agencies because duties, obligations or responsibilities imposed on local governmental entities by this act are such that related costs are incurred as a part of their normal operating procedure.

Ch. 848 (AB 3470) Chacon. School districts: census of limited-English-speaking students

Existing law requires school districts to take a yearly census of limited-English-speaking students in the district for purposes of the Chacon-Moscone Bilingual-Bicultural Education Act of 1976. The census is to be conducted according to methods prescribed by the Superintendent of Public Instruction, including an assessment of all pupils whose primary language is other than English, to be conducted by persons who speak and understand the primary language of the limited-English-speaking pupils

This bill would add provisions requiring: that all limited-English-speaking pupils, including migrant and special education pupils, be counted in the census; that the census consist of a determination of the primary language of each pupil enrolled in the district and an assessment of the language skills of all pupils whose primary language is other than English; and that the full census shall include new enrollees and eliminate pupils

no longer in the district. This bill would also set forth specified census-taking methods to be prescribed by the Superintendent of Public Instruction, and would require school districts to retest pupils when there is a reasonable doubt that they are classified correctly in the census.

This bill would also provide for specified notice and retention of assessment results and make various related technical changes.

The bill would provide that no appropriation is made for disbursement to school districts for costs incurred by them pursuant to its provisions for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 849 (AB 3535) Rosenthal. Licensed vocational nurses.

Existing law authorizes licensed vocational nurses to take an examination in lieu of meeting specified continuing education requirements.

This bill would delete such option. The bill would also authorize the Board of Vocational Nurse and Psychiatric Technician Examiners to provide for temporary exemption from such continuing education requirements for specified reasons

Existing law requires an applicant for a psychiatric technician's license to meet certain qualifications, including having successfully completed 1 of 3 specified courses of study and training, one of which requires at least 12 months' study and training in a school accredited by the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California and which combines the nursing knowledge and skills necessary for the care of (1) any ill person and of (2) the mentally disabled or the developmentally disabled.

This bill would require that such course of training combined the nursing knowledge and skills necessary for the care of (1) any ill person, (2) the mentally disabled, and (3) the developmentally disabled.

Ch. 850 (AB 3793) Imbrecht (L.Gov.). Cities, counties: publication of ordinances.

The existing law requires that within 15 days after the passage of a county or city ordinance, such ordinance be published in a newspaper or, in some instances, posted in public places.

This bill would specify alternative means of satisfying the publication requirement.

The bill would take effect immediately as an urgency statute.

Ch. 851 (AB 3351) Torres. Metric conversion: consumer price increases.

Existing law has created the California Metric Conversion Council and assigned to it various consultative and informational functions relating to conversion within California to the metric system of measurement.

This bill would additionally require the council to investigate the extent to which conversion to metric weight and volume in packaging of consumer products may permit absolute price increases to consumers. The bill requires the council to hold hearings on such subject, to publicize results of such hearings, and to report on such investigation annually to the Legislature and the Governor.

Ch 852 (AB 3422) Egeland. Mental health: advisory boards and councils.

Existing statutes provide for the establishment of: an advisory board of 17 members for each community mental health service; and a Citizens Advisory Council of 15 voting members to advise and assist the Director of Mental Health.

This bill revise certain prerequisites for membership on advisory boards for community health services

This bill would: revise certain prerequisites for membership on the Citizens Advisory Council; prescribe relationships between the council and the State Department of Mental Health; revise the terms of members, as specified; and require appointment by the council of a professional advisory committee for technical assistance.

This bill would make various changes in the powers and duties of such advisory boards.

This bill would establish an Organization of Mental Health Advisory Boards consisting of the chairpersons or designees of the advisory boards and specify its duties

This bill would make other related and technical changes.

This bill would also state that it contains no state-mandated local costs that require

reimbursement under Section 2231 of the Revenue and Taxation Code, for a specified reason

Ch 853 (AB 3608) Rosenthal. Vocational nurses

Existing law requires the Board of Vocational Nurse and Psychiatric Technician Examiners to publish notice of the date of the examination for a license as a vocational nurse in 2 or more newspapers and 1 nursing journal.

This bill would delete the nursing journal publishing requirement.

The bill would also delete an obsolete provision relating to the board establishing instruction requirements within a specified date of the board's original appointment.

Existing law authorizes a vocational nurse to renew his or her license within 5 years without meeting any specified requirement other than paying fees. After 5 years such person must, among other things, pass an examination.

This bill would reduce such time for renewal without the requirement of examination to 4 years.

Ch. 854 (AB 3246) Chacon. Redevelopment: housing.

(1) Under present law, a redevelopment plan submitted to the legislative body of a community for adoption must contain a neighborhood impact report, as specified, if the redevelopment project area contains low- or moderate-income housing.

This bill would expand the information required to be included in such neighborhood impact reports.

(2) The Community Redevelopment Law presently requires that prior to the execution of any agreement, as specified, which would lead to the destruction or removal of dwelling units from the low- and moderate-income housing market, a redevelopment agency must adopt a replacement housing plan.

This bill would require agency adoption of the replacement housing plan at least 30 days prior to execution of such an agreement, and would require the agency to make the draft of a proposed replacement housing plan available for review and comment by the project area committee, public agencies, and the general public for a reasonable time preceding adoption of the plan.

Ch 855 (AB 3416) Gualco. Department of Fish and Game: funding: license fees.

Existing law authorizes the Department of Fish and Game to issue hunting licenses and sport fishing licenses to various categories of persons for specified amounts. Existing law requires that 50% of all revenue generated by specified license fee increases shall be available for expenditure only when specifically appropriated by the Legislature.

This bill would repeal the restriction on revenues generated by increased license fees and would make legislative findings regarding inadequate funding of the department. The bill would declare legislative intent that there be an annual appropriation from the General Fund and sources other than the Fish and Game Preservation Fund to the department to cover the cost of nongame fish and wildlife programs and the costs of free hunting and fishing license programs The bill would require that the costs of commercial fishing programs be provided solely out of revenues from commercial fishing taxes, license fees, other revenues, and reimbursements and federal funds received for such purposes, and that the costs of hunting and sport fishing programs be provided solely out of hunting and sport fishing revenues, and reimbursements and federal funds received for such purposes. In addition, annual increases in fees and taxes would be required, dependent on the department's needs as affected by changing costs, and the Department of Finance would be required to yearly determine a factor, as specified, based on such change.

The bill would, as of January 1, 1980, repeal existing provisions regarding sport fishing license fees and would repeal existing provisions as of July 1, 1980, for hunting license fees, and would thereafter establish a system of fees dependent on the cost change factor determined by the Department of Finance

The bill would increase moneys paid into the Fish and Game Preservation Fund, a continuously appropriated fund, and would thereby make an appropriation.

The bill would also specify that the amendment to Section 222 of the Fish and Game Code shall not be operative if Senate Bill No. 1768 is chaptered.

The bill would make additional technical changes in existing law and would make additional changes to Section 7149 of the Fish and Game Code proposed by SB 1316 to be operative only if both SB 1316 and this bill are chaptered and this bill is chaptered after SB 1316.

Ch 856 (SB 1453) Sieroty. Parole: life prisoners

Existing law provides counsel for life prisoners at any hearing for the purpose of setting, advancing, postponing, or rescinding a parole date.

This bill would delete from such provision hearings for advancing a parole date.

Under existing law, persons under the supervision of the Community Release Board, the Youth Authority, and the Narcotic Addict Evaluation Authority may be released on parole or outpatient status subject to revocation and reconfinement.

This bill would provide that with respect to revocation proceedings, such a person or his attorney shall receive a copy of any police, arrest, and crime reports pertaining to such proceedings, but confidential information in such reports need not be disclosed, as specified.

Existing statutory law does not specify the number of persons on a panel in parole revocation proceedings by the Community Release Board, but regulations of the board specify that the revocation hearing shall be conducted by a panel of 3 representatives.

The bill would specify that parole revocation proceedings of a person under the supervision of the Community Release Board may be conducted by a panel of not less than 2 persons.

The bill would take effect immediately as an urgency statute.

Ch. 857 (AB 3589) Kapiloff. Health services: physically handicapped children.

Currently, the State Department of Health Services is required to administer a program of services for physically defective or handicapped persons under 21 years of age which is commonly known as the crippled children's program.

This bill would change such name to the California Children's Services Program and remove all references to the word "crippled" in the provisions that provide for the program.

Ch. 858 (AB 2388) Boatwright. Claims against the state

This bill would appropriate $632,099.86 to the State Board of Control to pay claims awarded to local agencies and school districts by the board pursuant to specified provisions of law during the 1978 calendar year.

This bill would take effect immediately as an urgency statute.

Ch. 859 (AB 3293) Lockyer. Employment agencies.

Existing law exempts any person from the provisions of the Employment Agency Act who is engaged in the business of management consulting and who recommends a person for a management position provided, among other things, the starting salary for such position is not less than $20,000 per year and the person does not advertise positions for which the starting salary is less than $20,000 per year.

This bill would increase such salaries to not less than $25,000 in order to qualify for such exemption.

Existing law requires the registration of employment agency counselors with the Bureau of Employment Agencies

This bill would repeal existing law This bill would also require employment agencies to provide an in-service training program, approved by the bureau, to any employee whose duties include interviewing or referring applicants to prospective employers or soliciting job orders from employees.

Ch. 860 (AB 3261) Papan. State Fire Marshal: jurisdiction over state-occupied buildings.

Existing law vests regulatory power and investigatory power in cases of suspected arson over state institutions or state-owned buildings in the State Fire Marshal.

This bill would extend the State Fire Marshal's investigatory and regulatory power to state-occupied buildings, and would require the State Fire Marshal to adopt such regulations as are reasonably necessary to define what buildings shall be considered state occupied.

Existing law vests the State Fire Marshal or his or her salaried assistants with regulatory and enforcement power regarding the design or construction of privately owned buildings occupied by the state, but does not authorize the chief of any city, county, or fire protection district to regulate or affect the design and construction of any state-owned or occupied building.

This bill would delete such provision of existing law.

Ch. 861 (AB 3367) N. Waters. Agricultural products: processors· produce dealers.

The existing law provides for the licensing of processors and brokers, commission merchants, consignors, agents, and produce dealers and regulates various activities performed by them, in connection with the marketing of agricultural products

This bill would make it a violation of the provisions regulating processors and the provisions regulating produce dealers for any licensee under such provisions to fail, neglect, or refuse, to collect or remit to the Director of Food and Agriculture any assessments which have been levied in accordance with the designated provisions of the California Marketing Act of 1937, the Agricultural Producers Marketing Law, and the California Beef Council Law.

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. 862 (AB 3384) Lockyer. Pest abatement: cooperative agreements.

Under existing law, the State Department of Health or its successor, the State Department of Health Services, is authorized to enter into a cooperative agreement with any local district or other public agency engaged in the control of mosquitoes or gnats, or both, under such terms, conditions, and specifications as the State Department of Health Services may prescribe.

This bill would, instead, authorize the department to enter into such an agreement with any local district or other public agency engaged in controlling mosquitoes, gnats, flies, other insects, rodents, or other vectors and pests of public health importance, under such terms, conditions, and specifications as the State Director of Health Services may prescribe

Ch. 863 (AB 3406) Torres. Schools· food sales: nutrition.

Current law permits the governing board of a school district to establish cafeterias and provide food services in the schools under its jurisdiction whenever in its judgment it is advisable to do so.

This bill would require that nutritious foods, as specified, be made available for sale in any elementary, intermediate, junior high, and high school through a vending machine, by any means of direct sale, or at any cafeteria or snackbar operated either by a school district, student organization, parent organization, teachers organization, or parent-teachers organization during the regular school hours and would also require that such nutritious foods comprise a minimum of 50% of all food items offered for sale.

This bill would also require the Department of Education to undertake specified duties relating to the application and enforcement of these provisions.

Ch. 864 (AB 3681) Papan. Fabric care: license fees.

Under existing law, all license fees collected by the State Board of Fabric Care are credited to the Fabric Care Fund, in the State Treasury, which is continuously appropriated for support of the board and specified educational, informational, and research programs

This bill changes the fees, generally increasing them, which are charged for issuance of licenses for cleaning and dyeing establishments, shops, and certificates of registration, by the State Board of Fabric Care

Ch. 865 (SB 1445) Rodda. Claims against the state.

This bill would appropriate $570,972.44 to the State Board of Control to pay claims awarded to local agencies and school districts by the board pursuant to specified provisions of law.

This bill would require the board to conduct hearings to review all claims approved prior to April 1, 1978, which allege state-mandated costs for specified items of workers'

compensation.

This bill would take effect immediately as an urgency statute

Ch 866 (AB 3690) Lanterman Property taxation: church exemption.

Existing constitutional and statutory law exempt from property taxation buildings, land on which they are situated and equipment used exclusively for worship. An exemption has also been applied to certain real property necessarily and reasonably required for the parking of automobiles while attending religious services or engaged in religious services or worship or engaged in any religious activity.

This bill would provide that a church's possessory interest in real property owned by a governmental entity which is used for parking automobiles while attending such religious activities shall be exempted from taxation.

The bill would also require the Controller to report the amount of claims of local agencies for state reimbursement of property tax revenues lost as a result of this enactment.

This bill would take effect immediately as an urgency statute.

Ch. 867 (AB 3480) Antonovich. Juvenile court law.

Existing juvenile court law provides that if the court finds that a minor is not a person coming within the criteria established for a declaration of wardship on the basis of criminal conduct the court is required to order that the petition for wardship be dismissed and the minor discharged from any detention or restriction.

If an adult pleads not guilty of a crime by reason of insanity and joins it with another plea he is tried as if he had only entered such other plea and if found guilty is then afforded a trial on the insanity issue and if an adult is found to be not guilty of a crime by virtue of the fact that he was insane at the time the act was committed, unless it appears to the court that he has fully recovered his sanity, existing law requires his detention or treatment until his sanity has been finally determined as provided by law.

This bill would establish analogous procedures with regard to minors with respect to pleas and treatment. It would also restrict a minor's commitment to periods no longer than the jurisdictional limits of juvenile court. It would however specify that such provisions are not to be construed to authorize the determination of sanity in juvenile proceedings to be made by a jury.

Ch. 868 (AB 3245) Deddeh Flammable liquids.

(1) Under the State Fireworks Law, "class 1 flammable liquid" is defined as any liquid with a flashpoint of 100° Fahrenheit or less, when tested pursuant to Standard D56-69 of the American Society for Testing and Materials.

This bill would define, for purposes of that law, "flammable liquid" as any liquid with such a flashpoint when tested pursuant to Standard D56-70 of the society.

(2) Under existing law, for purposes of rules and regulations adopted by the State Fire Marshal for specified pumps used in the transfer of flammable liquids, "flammable liquids" is defined as any liquid with a flashpoint below 200° Fahrenheit and a vapor pressure not exceeding 26 pounds per square inch gauged at a temperature of 100° Fahrenheit.

The bill would redefine "flammable liquids" for such purposes, as any liquid, with the same specified exception, with a flashpoint below 100° Fahrenheit and a vapor pressure not exceeding 40 pounds per square inch (absolute) at a temperature of 100° Fahrenheit. The bill would also define "combustible liquid" for such purposes.

(3) Under existing law, all solvents having a flashpoint below 120° Fahrenheit (closed cup test) offered for sale at retail are required to have a label indicating that the solvent is flammable.

The bill would require all solvents offered for sale at retail to be labeled in accordance with regulations adopted pursuant to the Federal Hazardous Substances Act.

(4) Existing law defines flammable and combustible liquids for the purpose of regulating the transport of such liquids in cargo tanks on state highways.

This bill would exclude from such definition "wine," as defined, and certain aqueous solutions, as specified

(5) This bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason.

Ch. 869 (AB 3243) Chimbole. Horseracing: stewards.

Existing law requires the California Horseracing Board to assess each racing association for the pay and fringe benefits to be paid for stewards assigned to the race meet and requires the board to maintain these funds in a separate account for payment of the stewards.

This bill would make the separate account a trust account in the State Treasury and authorize the board to withdraw advances from the trust account sufficient to meet the requirements of the stewards' compensation program, but the amounts withdrawn could not exceed the total amount of funds assessed for the program.

Ch. 870 (AB 3402) Perino. State Teachers' Retirement System· tax-sheltered annuity.

Existing State Teachers' Retirement Law defines the terms "tax-sheltered annuity" and "tax-sheltered annuity contributions" and authorizes members of the State Teachers' Retirement System to make tax-sheltered annuity contributions for the purpose of providing additional income. The Teachers' Retirement Board is authorized to perform all acts necessary for the administration of the system.

This bill would specifically authorize the system to operate a tax-sheltered annuity program for its members which meets the tax qualification requirement of the Internal Revenue Service The bill would establish the Teacher Tax-Sheltered Annuity Fund in the State Treasury and continuously appropriate moneys in the fund to the board for disbursement for the tax-sheltered annuity program.

The bill would repeal all existing provisions and references in such laws relating to such tax-sheltered annuities on July 1, 1979.

Ch. 871 (AB 3725) Dannemeyer. Freeways· noise attenuation barriers.

Under existing law, the Department of Transportation is required to undertake a noise abatement program with respect to schools along freeways being constructed and with respect to some schools constructed after the freeway construction occurred.

This bill would require the department to develop and implement a priority system for ranking the need for installation of noise attenuation barriers along California freeways and, consistent with available funding, to begin a program of construction of noise attenuation barriers. The bill would require the department to reimburse, without interest, a city or county for the cost of sound attentuation barriers constructed prior to the availability of state funding of a barrier of such priority if such barrier reaches the state funding priority, and meets department standards, follows bidding and contracting procedures approved by the department, and receives approval by the California Transportation Commission

Ch. 872 (AB 3550) Young. Optometry.

Existing law makes it unlawful for any person to, among other things, advertise himself as an optician or optometrist unless he has a certificate issued by the Board of Optometry.

This bill would delete the prohibition of advertising as an optician from such provision.

Existing law specifies that certain discharged veterans who are licensed to practice optometry in another state are eligible to take an examination and receive a certificate to practice optometry in this state if such veterans receive a passing grade on such examination.

This bill would delete such provision

Under existing law the Board of Optometry has power to accredit schools providing optometric education. Until January 1, 1972, only schools which complied with standards specified in the statutes regulating optometry could be accredited by the board After that date the board could adopt rules and regulations governing its accreditation of such schools.

Existing law also provides that a person who completes his undergraduate optometric education prior to January 1, 1972, must graduate from a school accredited by the board using standards applicable prior to January 1, 1972.

This bill would delete that provision.

Existing law makes it unlawful for any person to engage in the practice of optometry or to display a sign or in any other way to advertise or hold himself out as an optician

or optometrist without having first obtained a certificate or registration from the board under specified provisions.

This bill would, in conformity with existing regulations prohibiting an optician from engaging in the practice of optometry, delete such provision with respect to an optician.

Existing statutory law provides that applicants must show the board by satisfactory evidence they have successfully completed at least three resident courses of professional instruction in the study of optometry, with specified exception.

This bill would delete such provision.

This bill would additionally delete specified statutory provisions regarding hours of attendance and specified courses, specified grade point average and semester unit qualifications, special courses, subject examinations, the selling or offering to sell of certificates of registration, the purchasing or procuring by barter certificates of registration, and prohibitions forbidding advertising by displaying a sign or otherwise with respect to an optician.

Existing law also specifies the course of instruction which had to be completed in a school accredited by the board using standards applicable prior to January 1, 1972.

This bill would delete that provision.

Existing law specifies that the examination for a license to practice optometry shall be practical in character, designed to test an applicant's fitness to practice optometry, and be conducted in the English language.

This bill would delete such provision.

The bill would make related changes.

Ch. 873 (AB 3651) Thurman. Guayule development pilot program

Existing law does not provide for a guayule development pilot program.

This bill would provide for such a pilot program administered by the Department of Food and Agriculture. The program would be conducted on 10 test plots established in suitable growing areas and would terminate January 1, 1982. The Director of Food and Agriculture would be required to submit a report to the Governor and the Legislature on the feasibility of commercial guayule development not later than February 1, 1982. It would require the director to seek federal funding necessary to carry out the provisions of this bill.

Ch. 874 (SB 1429) Roberti. Records.

Existing law requires the Office of Information Practices to charge consulting fees to every agency requesting assistance in preparing regulations and meeting technical and administrative requirements.

This bill would, instead, authorize such consulting fees to be charged in the discretion of the Office of Information Practices.

Existing law provides that agencies are authorized to estimate the number of individuals on whom records are maintained in each system by selecting 1 of not more than 3 size ranges to be established by the Office of Information Practices.

This bill would delete such provision.

Existing law provides that the Information Practices Act of 1977 does not prohibit the release of names and addresses of persons applying for licenses to engage in professional occupations.

This bill would delete such provision.

Existing law requires agencies to keep an accurate accounting of disclosures made pursuant to specified authority.

This bill would provide that an accounting of disclosures between law enforcement officers actively engaged in field duty shall not be required

This bill would make other related changes

Existing law pertaining to records of students of the state colleges and universities authorizes any college or university to make a reasonable charge in an amount not to exceed the actual cost of furnishing copies of any student record. The Information Practices Act of 1977, provides that the state colleges and universities may charge the prevailing national rate for copies of student transcripts.

This bill would delete the later provision contained in the Information Practices Act of 1977

This bill would take effect immediately as an urgency statute.

Ch. 875 (AB 3596) Torres. Automobile liability insurance: rates.

Presently, for purposes of setting motor vehicle liability policy rates, "geographic area" is defined as a portion of the state of not less than 20 square miles defined by description in the rating bureau of which the insurer is a member or subscriber.

This bill would require that a record of loss experience for such geographic areas include the breakdown of actual loss statistics by zip code, as designated by the U.S. Postal Service, within each geographic area for private passenger and lightweight commercial vehicles, with such data by zip code area to be available for examination by the Insurance Commissioner. It would also specify that differentiation in rates between geographical areas does not constitute unfair discrimination.

This bill would take effect July 1, 1979

Ch. 876 (AB 1887) Ellis. Business opportunities

Existing law does not specifically or generally regulate seller assisted marketing plans.

This bill would, among other things, require the seller of a seller assisted marketing plan to make certain disclosures to purchasers and to file with the Secretary of State a disclosure statement, as specified. It would require seller assisted marketing plan contracts to contain specified provisions.

Additionally, the purchaser would have the right to cancel a seller assisted marketing plan contract for any reason at any time within 3 business days of the contract.

The bill would provide for certain criminal penalties for violations of its provisions. It would not, however, appropriate any sums to reimburse local entities for costs incurred for specified reasons.

Ch. 877 (AB 2179) Lockyer. Telephones: automatic dialing-announcing devices.

Present law does not provide for the regulation of persons who place telephone calls through the use of automatic dialing-announcing devices nor the connection of such devices to a telephone system.

This bill would define the term "automatic dialing-announcing device" and would permit the use of such a device in the placement of a telephone call only when the person called has previously consented to receive such calls, or, as an alternative, would require the person calling to identify the nature of the call, the business or organization being represented, if any, to request consent to proceed with a recorded message, and to disconnect the device from the telephone line upon termination of the call by either party. It would require a person proposing to use such a device to first make written application to the telephone corporation within whose service area calls are proposed to be placed, furnishing specified information and such additional information as the corporation or the Public Utilities Commission may require. It would state the basis upon which the application may be approved, modified and approved as modified, or denied.

Ch. 878 (SB 1493) Zenovich. Sales and use taxes: medical tag.

Existing California State and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax. The sale or use of medical alert tags worn to alert persons that the wearer has a medical disability or allergic reaction is not exempted from sales or use taxes.

Moreover, counties, cities, and transit and rapid transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated in the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the transit or rapid transit districts, for revenue losses caused by the enactment of sales and use tax exemptions

This bill would exempt from state and local sales and use taxes the gross receipts from, or the storage, use, or other consumption in this state of medical alert tags furnished by certain tax-exempt organizations.

This bill also makes an appropriation in a specified amount to the Controller from the State General Fund to make the reimbursements to counties and cities specified in Section 2230 of the Revenue and Taxation Code.

The bill provides that it would remain in effect for only two years unless such date is extended.

This bill would take effect immediately as a tax levy

Ch. 879 (SB 1555) Nejedly California Coastal Commission: coastal development permits.

The California Coastal Act of 1976, generally, provides for the establishment of the California Coastal Commission and six regional commissions, with prescribed membership powers, and duties, to administer its provisions for the planning of, and regulation of developments within, designated areas of the state's coastline.

Under the existing provisions, a member of a regional commission who is also a supervisor from a county or city and county with a designated population is authorized to appoint an alternate member to represent him or her at any regional commission meeting in the absence of the member.

This bill would authorize any member of the California Coastal Commission or a regional commission to appoint an alternate member, who would be subject to confirmation by the member's appointing power, to represent him or her at any commission or regional commission meeting The alternate member would be authorized to serve without confirmation for a period not to exceed ~~1 year~~ [90 days]* unless and until confirmation is specifically refused.

This bill would take effect immediately as an urgency statute.

Ch. 880 (SB 1565) Roberti. Handicapped persons library services.

This bill would appropriate $166,000 to the State Librarian to provide partial support for a Southern California Regional Library to provide library services for the blind, physically handicapped, and reading disabled in Southern California.

This bill provides that the amounts so appropriated shall be used in a specified manner, that the library services provided shall meet specified standards, and that such services shall be reviewed regularly by the State Librarian. This bill contains various statements regarding legislative intent.

This bill would take effect immediately as an urgency measure.

Ch. 881 (SB 2019) Vuich. Public resources: vegetation management.

Under existing law, there is no provision for a comprehensive program of vegetation management.

This bill would make legislative findings concerning vegetation management, as defined.

The bill would require specified state agencies to each submit a report to the Legislature on vegetation management including specified information by March 1, 1979. Such agencies and the Legislature would be directed to seek the advice of the State University and Colleges and the University of California in the preparation and review of the reports.

The bill would remain in effect only until January 1, 1980.

The bill would take effect immediately as an urgency measure.

Ch. 882 (SB 2226) Rodda. State claims

This bill would appropriate $2,166,360 22 from specified funds to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control.

This bill would take effect immediately as an urgency statute

Ch. 883 (SB 1787) Dunlap. Education.

Under existing law, the early childhood education programs have generally been replaced by provisions relating to school improvement programs. There is no longer any specific legal authority to allow funds to school districts for expenditures incurred under the Early Childhood Education Act

This bill would appropriate $375,000 from the General Fund to the Superintendent of Public Instruction for the purpose of allowing to school districts sums which are allowable under the early childhood education program for the 1974–75 and 1975–76 fiscal years but which had not actually been allowed to school districts.

Under existing law, various provisions relating to the adoption of budgets by school districts, community college districts, and county boards of education require the taking of particular actions on a specified date.

This bill would extend deadlines with respect to publication budgets for school districts.

This bill would take effect immediately as an urgency statute.

Ch. 884 (SB 966) Marks. Housing: deferred-payment rehabilitation loans.

The Zenovich-Moscone-Chacon Housing and Home Finance Act and the Marks-Foran Residential Rehabilitation Act of 1973 provide various means of public financing of rehabilitation of residential structures. However, no existing provision of state law specifically authorizes a program of housing-rehabilitation loans and with repayment deferred.

This bill would authorize such a program to be administered by the Department of Housing and Community Development under contract with, and loans made through or to, local agencies. Such loans could be made for prescribed rehabilitation costs to (1) local agencies for repair of substandard dwellings, (2) prescribed owners of residential property in conjunction with administration of a local residential rehabilitation financing program under the Marks-Foran Residential Rehabilitation Act of 1973, (3) prescribed owners of residential property in concentrated rehabilitation areas, and (4) prescribed owners of housing developments in cities or counties in which mortgage loans are made available by the California Housing Finance Agency as part of a systematic code enforcement program. Repayment of loans made to housing owners pursuant to the bill could be deferred for 5 years, for increments of 5 years, or until transfer of the property, as prescribed. Loans made pursuant to the bill, except loans made to local agencies for repair of substandard dwellings, would bear 3% interest. The bill would authorize the Department of Housing and Community Development to waive interest payments where the local agency prepays or makes an advance payment in lieu of interest on behalf of the borrower, as prescribed.

The bill would create the Housing Rehabilitation Loan Fund, which would be continuously appropriated to the department, for the purpose of funding the program of deferred-payment rehabilitation loans which would be established by the bill. The bill would appropriate $2,000,000 from the General Fund for transfer to the Housing Rehabilitation Loan Fund

This bill would take effect immediately as an urgency statute.

Ch. 885 (AB 2636) Lockyer. Schools: paper recycling programs.

Under current law, a paper recycling program for state agencies is prescribed and local public agencies are authorized to purchase recycled paper even if the cost is up to 5% more than nonrecycled paper.

This bill would authorize and encourage school districts, community college districts, and the California State University and Colleges to establish and maintain a paper recycling program as prescribed in the bill. Such entities, and the county offices of education, would be encouraged to purchase recycled paper if they can do so for not more than 5% more than the cost of comparable nonrecycled paper, and such provisions would not limit or supersede other provisions of law, as specified.

This bill would require the Solid Waste Management Board, in conjunction with the Department of Education and other agencies which the board and the Department of Education deem to be appropriate, to develop and distribute curriculum materials relating to conservation and the recycling program, and would authorize the board to encumber funds from the State Litter Control, Recycling, and Resource Recovery Fund from such amounts which the Legislature may appropriate to the board for such purposes, not to exceed $200,000 for the 1978–79 fiscal year, for the purpose of administering and implementing the paper recycling program. Such authority would be repealed pursuant to existing law on July 1, 1983

The bill would also incorporate additional changes in Section 68042 of the Government Code proposed by SB 1855, to become operative only if SB 1855 and this bill are both chaptered and this bill is chaptered last

This bill would also incorporate additional changes in Section 42652 of the Revenue and Taxation Code proposed by AB 3012, to become operative only if AB 3012 and this bill are both chaptered and this bill is chaptered last.

This bill would also specify that it does not make an appropriation nor create an obligation to reimburse local agencies for costs incurred by them pursuant to this bill because of a specified reason.

Ch. 886 (AB 2186) Thurman. Weighmasters.

Existing law requires farm products sold to and purchased by agents, brokers, commission merchants, dealers, factors or processors on the basis of weight, to be weighed by a licensed weighmaster.

This bill would, with prescribed exceptions, make such provision applicable to farm products delivered to a processing establishment with such products to be weighed prior to processing by a licensed weighmaster. Also, the bill would allow a grower to request that the farm products be weighed by a licensed weighmaster prior to the processing when the products are delivered, but are not sold, to a processing establishment and the processing charges are not based upon weight. It also requires weighing of finished products by a licensed weighmaster and the issuance of a weight certificate, when the processing fees are based upon the weight of the finished product.

Ch. 887 (AB 2138) W. Thomas. Fruit, nut, and vegetable standards: garlic and onions for commercial dehydration.

Existing state law does not prescribe standards of quality for garlic or onions for commercial dehydration, nor is the Director of Food and Agriculture required to prescribe any standards for such garlic or onions.

This bill would require the Director of Food and Agriculture to initially adopt the American Dehydrated Onion and Garlic Association quality standards of garlic and onions suitable for commercial dehydration. It would, except with respect to garlic or onions which are covered by a marketing order which establishes uniform grading and inspection for garlic and onions which are suitable for commercial dehydration, make such quality standards the only standards of quality for such garlic or onions and make the provisions of any contract entered into on or after January 1, 1979, to sell such garlic or onions, or to deliver such garlic or onions on consignment which prescribe other or different quality or maturity requirements, ineffective.

The bill would permit, upon the request of a grower, that deliveries of garlic or onions for dehydration purposes be weighed by a certified weighmaster and a valid weight certificate be issued in the area of production. Costs of weighing and transportation to and from the weigh station would be required to be shared by the grower and dehydrator. The bill would specify that such weight would be for the grower's information and not in lieu of contractual provisions, as prescribed.

The bill would require the director to inspect all sales or contract deliveries of garlic or onions for commercial dehydration and to certify garlic or onions which are being delivered which he finds conform to the quality standards prescribed by the director.

The bill would prescribe the authority of the director to adopt regulations relating to sampling of lots, loads, or containers of garlic or onions; to prescribe the methods and procedures for determination of moisture content in deliveries of garlic or onions for dehydration purposes; to establish and record on certificates items or conditions affecting such lots, loads, or containers, and for the enforcement of the provisions which would be enacted by the bill.

The bill would specify the authority of the director to enter, for the purpose of inspection, places where garlic or onions for commercial dehydration may be found, and to take and inspect or test samples of such garlic or onions. It would prescribe penalties for violations of the provisions which it would enact and would authorize the director to cause the prosecution of any person violating any of such provisions and to seize and hold portions of a lot or load of such garlic or onions for evidence.

The bill would require the director to adopt a schedule of uniform fees, payable equally by operators of dehydrators and growers of garlic or onions for commercial dehydration and require that any money collected from such fees be deposited into the Department of Agriculture Fund, which is a continuously appropriated fund The bill would, therefore, be an appropriation bill.

The bill would establish in the Department of Food and Agriculture, a Garlic and Onion Advisory Committee which would be advisory to the director on all matters pertaining to the quality standards for garlic and onions for commercial dehydration and prescribe the manner of appointment, qualifications, and terms of members of the committee.

The provisions of the bill would remain in effect only until January 1, 1982

The bill would also provide that no appropriation is made for the reimbursement of any local agency for any costs that may be incurred by it pursuant to the act for a specified reason

Ch. 888 (AB 2615) Tucker. Lifeline utility rates· life support equipment.

Existing law requires the Public Utilities Commission to designate minimum energy or lifeline requirements for gas and electricity based on the needs of the average residential user.

This bill would require the commission to designate lifeline gas and electricity requirements for customers dependent on life support equipment, as defined, and for paraplegic and quadriplegic persons having increased heating needs.

This bill would incorporate the changes in Section 739 of the Public Utilities Code made by Assembly Bill No. 2273 and Assembly Bill No. 2503, to become operative only if this bill and AB 2273, or this bill and AB 2503, or all three bills, are chaptered, and this bill is chaptered last.

Ch. 889 (SB 1012) Roberti Community care facilities.

Under existing law, community care facilities are licensed by the State Department of Social Services. Persons coming within the jurisdiction of, or adjudged wards of, the juvenile court on the basis of either noncriminal or criminal conduct may be placed in such facilities.

This bill would require the Department of the Youth Authority to conduct a study of the placement of wards of the juvenile court, as defined, in community care facilities, as specified, and report to the Legislature by August 31, 1979. It would also appropriate $62,200 to the department for such study and report.

This bill would require the Department of Social Services to provide, at cost, annually to each county and each city a roster of all licensed community care facilities in the county which provide services to such wards, as specified.

This bill would, for Los Angeles County, Santa Clara County, and Riverside County only: authorize the county or any city in the county to require the local planning director to make a finding, as a precondition of licensure of a proposed community care facility for such wards, as to whether the proposed facility violates certain provisions; require denial of a license for a proposed community care facility for such wards if such proposed facility is located within 300 feet, as specified, of an existing community care facility for such wards; authorize adoption of an ordinance requiring a greater distance of separation but not to exceed one mile, as specified; deem approved, any related application not acted upon within 60 days of filing; require each city and each county to notify the State Department of Social Services of each such approval and disapproval. The foregoing provisions would self-repeal effective two years from the effective date of this act.

This bill would, for Los Angeles County, Santa Clara County, and Riverside County only: authorize the county and any city in the county to require existing community care facilities for such wards, not having local zoning approval, to obtain such approval within 1 year of the effective date of this act; authorize denial of such approval if the facility is located within 300 feet, as specified, of another existing such facility and the presence of the facility at its present location has resulted in the surrounding neighborhood having to sustain a disproportionate and unreasonable level of vandalism, violence, or other acts of disruption; require certain state and local agencies to make their records available and assist in determining if the presence of the existing facility at its present location has resulted in the surrounding neighborhood having to sustain a disproportionate and unreasonable level of vandalism, violence, or other acts of disruption; authorize adoption of an ordinance requiring a greater distance of separation, but not to exceed 1 mile, as specified; and deem approved, any related application not acted upon within 1 year after the effective date of this act. The foregoing provisions would self-repeal effective two years from the effective date of this act.

This bill would exempt from its provisions such facilities which have received local zoning approval prior to the effective date of this act.

This bill would· exempt such facilities which serve 6 or fewer persons from any business tax, local registration fee, use permit fee, or other fee to which other single family dwellings are not likewise subject, as specified; prohibit the State Fire Marshal or any local entity from charging any fee for enforcing fire inspection regulations with respect to such facilities which serve 6 or fewer persons.

This bill would, for Los Angeles County, Santa Clara County, and Riverside County only, require that, whether or not unrelated persons are living together, such a facility which serves 6 or fewer persons be considered a residential use of property for the purposes of all local zoning ordinances and require that the residents and operators of such a facility be considered a family for the purposes of any law or zoning ordinance

which relates to the residential use of property; prohibit, for the purposes of all local ordinances, such a facility which serves 6 or fewer persons from being included in any term which implies that such a facility is a business run for a profit or differs in any other way from a single family residence; make, with certain prescribed exceptions, any local ordinance which distinguishes or has the effect of distinguishing such a facility which serves 6 or fewer persons from other single family dwellings, void and of no effect as applied to such facilities; and prohibit any conditional use permit, zoning variance, or other zoning clearance from being required of such a facility serving 6 or fewer persons which is not required of a single family residence in the same zone. The foregoing provisions would self-repeal effective two years from the effective date of this act.

This bill would also express certain legislative intents and findings and declarations.

This bill would also provide that no appropriation or reimbursement is made by this act to local agencies because of specified reasons.

The bill would take effect immediately as an urgency statute.

Ch. 890 (SB 1432) Dunlap Schools: nonimmigrant, noncitizen pupils.

Under current law, (1) school districts that provide education in kindergarten or grades 1 through 12 for nonimmigrant children or noncitizen children without immigration status during the 1976–77 school year may increase their revenue limits for conducting programs for such children and (2) the county of which a nonimmigrant or noncitizen pupil is a resident must at the close of each year pay to the district or county superintendent of schools educating such pupil the excess cost for providing special programs to such pupils

This bill would repeal (1) above as of July 1, 1979, would repeal (2) above as of the effective date of the bill, and would make a related change as to the method of financing county offices of education contained in Chapter 332 of the Statutes of 1978.

This bill would take effect immediately as an urgency statute.

Ch. 891 (SB 2093) Roberti. Residential care facilities.

(1) Existing law declares that it is the policy of this state that mentally and physically handicapped persons are entitled to live in normal residential surroundings and should not be excluded therefrom because of their disability, and in order to achieve statewide implementation of such policy it is necessary to establish the statewide policy that the use of property for the care of 6 or fewer mentally disordered or otherwise handicapped persons is a residential use of such property for the purposes of zoning.

Existing law also requires that a state-authorized, certified, or licensed family care home, foster home, or group home serving 6 or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, be considered a residential use of property for the purpose of zoning if such a facility provides care on a 24-hour-a-day basis. Existing law also requires that such a facility be a permitted use in all residential zones, including, but not limited to, zones for single family dwellings, but this provision does not prohibit a county or city from requiring a conditional use permit to maintain any such facility. Existing law expressly permits conditions to be imposed on such facilities which are more restrictive than those imposed on similar dwellings in the same zone if such additional conditions are necessary to protect the health and safety of the residents.

This bill would revise such provisions to delete the authority of counties and cities to require a special use permit for such facilities or to impose zoning conditions on such facilities more restrictive than imposed on similar dwellings in the same zone This bill would also do the following

(a) Declare state policy that counties and cities permit and encourage development of sufficient numbers and types of residential care facilities as are commensurate with local need; and declare state policy to prevent overconcentrations of such facilities that impair the integrity of residential neighborhoods

(b) Require the State Department of Developmental Services and State Department of Mental Health to jointly develop and implement a statewide program to encourage the establishment of sufficient numbers and types of living arrangements for persons served by such departments, to consult with specified organizations in the development of specified procedures, and to submit prescribed annual reports and recommendations to the Legislature commencing in 1980.

(c) Exempt a residential facility which serves 6 or fewer persons from any business tax, local registration fee, use permit fee, or other fees to which other single family dwellings are not likewise subject

(d) Prohibit the State Fire Marshal or any local entity from charging any fee for enforcing fire inspection regulations with respect to residential facilities which serve 6 or fewer persons.

(e) Require that, whether or not unrelated persons are living together, a residential facility which serves 6 or fewer persons be considered a residential use of property for the purposes of this bill and require that the residents and operators of such a facility be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property pursuant to this bill; provide that such use of a single family dwelling does not constitute a change of occupancy.

(f) Prohibit, for the purposes of all local ordinances, a residential facility which serves 6 or fewer persons from being included in any term which implies that the residential facility is a business run for a profit or differs in any way from a single family residence.

(g) Prohibit any conditional use permit, zoning variance, or other zoning clearance from being required of a residential facility serving 6 or fewer persons which is not required of a single family residence in the same zone.

(h) Prohibit the denial of any fire inspection clearance or other permit, license, clearance, or similar authorization to a residential facility because of a failure to comply with local ordinances from which such facility would be exempted by the bill, provided the applicant otherwise qualified for such fire clearance, license permit, or similar authorization.

(i) Require, for the purposes of any contract, deed, or covenant for the transfer of real property executed on or after January 1, 1979, that a residential facility which serves 6 or fewer persons be considered a residential use of property and a use of property by a single family, notwithstanding any disclaimers to the contrary.

(2) Existing law requires the Director of Social Services to at least annually prepare and publish a list or lists of licensed community care facilities, other than family homes providing 24-hour care for 6 or fewer foster children. Such lists are required to specify the services for which the facility is certified and a prescribed evaluation rating for each facility.

This bill would require the list or lists of such facilities prepared by the State Department of Social Services to specify the licensing entity with respect to each and its licensed capacity. The bill would also require quarterly updates, commencing July 1, 1979, listing facilities newly licensed since publication of the last complete list or lists.

(3) Existing law defines the term "community care facility" for purposes of provisions relating to licensure thereof and specifically includes certain types of facilities within the definition

This bill would define and include "foster family home" and "residential care facility for the elderly" as distinct categories of community care facilities within such definition.

(4) Existing law does not require the denial of an application for a new residential care facility license because of an overconcentration of such facilities in the area where the new facility would be located.

This bill would define "overconcentration" in terms of a separation distance of 300 feet, with specified exceptions. The bill would require the Director of Social Services to deny any application for a new residential care facility, where the director determines that the location would result in overconcentration The bill would authorize the director to approve a lesser separation with the approval of the affected city or county.

(5) This bill would also provide that there shall be no reimbursement of, nor appropriation for, costs incurred by local agencies for a specified reason

This bill would take effect immediately as an urgency statute

Ch 892 (AB 3353) Greene. Infant medical dispatch centers: study on infant death

Under existing law, 2 infant medical dispatch centers were provided state funds for specified purposes until July 1, 1978, when such existing law would be repealed. Pursuant to such existing law, the Legislative Analyst is required to submit an evaluation of the 2 centers to the Legislature on or before January 1, 1978, and annually thereafter

Such existing law is repealed effective July 1, 1978.

This bill would repeal and reenact such provisions of law and, instead, require the evaluation by the Legislative Analyst to be made on or before March 1, 1979.

The bill would also require the State Department of Health Services to submit a report of specified contents on the status of the centralized data base for this project to specified committees of the Legislature on or before November 1, 1978.

The provisions of the bill would remain in effect only until July 1, 1979, and as of such date would be repealed.

The bill would appropriate $309,000 to the State Department of Health Services for allocation, as specified, to such centers for the purpose of operating such centers and for specified data and reports of the state department and for the purpose of conducting a study of the relationship between infant botulism and Sudden Infant Death Syndrome It would also prescribe that $15,000 of federal money, as specified, be allocated for purposes of conducting such a study.

The bill would take effect immediately as an urgency statute.

Ch. 893 (AB 2043) Imbrecht. Public schools: financial support.

(1) Existing law generally requires that for financially independent counties, all expenses required by specified provisions of law to be paid from the county general fund for support of programs conducted by each county board of education, the county committee on school district organization, and the county superintendent of schools be payable from the single county school service fund.

This bill would provide that any expenses of the county superintendent of schools, the county board of education, and the county committee on school district organization required by the Education Code be payable from such single county school service fund

(2) Public elementary and secondary education is supported by a combination of federal, state, and local funds. State funding is apportioned to each school district primarily for support of the "foundation program" in the form of "basic state aid," which is a guaranteed minimum amount received by all school districts per unit of average daily attendance, and "state equalization aid," an additional amount which accrues primarily to "low-wealth" school districts in amounts varying inversely with the level of assessed valuation of the districts per unit of average daily attendance. No "state equalization aid" may be received unless the school district levies at least a specified minimum computational tax rate which varies depending on whether the district is an elementary district, high school district, or unified district.

This bill would remove the requirement that a district levy at least a certain minimum computational tax rate in order to receive "state equalization aid" for the 1978–79 fiscal year.

(3) Currently, the Superintendent of Public Instruction may withhold state apportionments to school districts and county superintendent of schools for maintaining classes or programs for mentally retarded, severely mentally retarded, physically handicapped, and educationally handicapped pupils if the current expense of operating the class or program does not equal or exceed state allowances per unit of average daily attendance for such programs, and other support amounts which may be received therefor

This bill would remove the authority of the superintendent to withhold state apportionments for such special classes and programs in the manner described above for the 1978–79 fiscal year.

(4) Existing law authorizes the governing board of a school district to provide for a special reserve fund.

This bill would authorize the expenditure of money in the fund for the general operating purposes of the district, under specified circumstances

(5) Chapter 894 of the Statutes of 1977 effected a comprehensive revision of the law relating to financial support for the public schools and enacted provisions relating to school improvement programs and educationally disadvantaged youth programs, among other things.

This bill would make numerous revisions to the body of law affected by Chapter 894.

(6) This bill would prescribe community college district contributions to the Teachers' Retirement Fund

(7) Existing law prescribes a method for adjusting computational tax rates used to compute state equalization aid to reflect increases in assessed valuation

This bill would prescribe a similar adjustment for tax rates used to compute areawide aid and open-space land subventions and would revise the method of determining the base amount used to compute the adjustment.

(8) Existing law prescribes a method of recomputing the equalization aid of school districts which lost state funds because of the exclusion of the attendance of defined adults from the high school foundation program computations; such recomputation to occur in the 1976–77 fiscal year.

This bill would also provide for such recomputation in the 1977–78 fiscal year and would prescribe a limitation to be placed upon such recomputations

(9) Existing law provides for an increase of $52 in the adult foundation program for the 1977–78 fiscal year.

This bill would revise such increase to $54

(10) Existing law prescribes a method of computing the revenue limits of school districts.

This bill would make certain revisions in the method of making the computation, including a revision of the method of computing an adjustment when the enrollment of the district is declining and the recomputation of school district revenue limits for the 1977–78 fiscal year using a revised revenue limit.

(11) A provision of existing law requires the State Board of Education to prepare and distribute to certain school districts examples of minimum academic standards and a framework for assessing pupil proficiency in various subject.

This bill would delete that provision.

(12) Existing law prescribes a program for the improvement of elementary and secondary education.

This bill would make numerous revisions in that program, primarily technical in content, and including an explicit definition of the terms "elementary school", and "parity" and a revision so that planning grants would not be reduced by the amount of allowances for Miller-Unruh teachers.

(13) Existing law prescribes a program for educationally disadvantaged youths.

This bill would provide that funds provided under the program in one fiscal year may be expended in subsequent fiscal year.

(14) Existing law prescribes a formula for apportioning funds to a basic aid district for units of its average daily attendance credited to a county-operated regional occupational center or program.

This bill would appropriate $1,200,000† from the General Fund to Section A of this State School Fund in order to make such apportionments.

(15) Under existing law, an annual transfer is made from the General Fund to the Instructional Materials Fund per pupil in average daily attendance in public and nonpublic schools in the state in the preceding fiscal year. The amount is computed utilizing a base figure of $12.58 adjusted to reflect annual changes in the Consumer Price Index.

This bill would increase the base amount to $13 30.

(16) Existing law prescribes a method of computing the tuition to be paid by an elementary school district to a high school district which educates 7th and 8th graders of the elementary school district.

This bill would, in addition, permit an elementary school district to pay an agreed amount to reflect the pro rata revenue limit adjustment attributable to a decline in enrollment of 7th and 8th graders for the 1978–79 fiscal year, and would require such an elementary school district to pay such an amount in the 1979–80 and subsequent fiscal years

(17) Existing law prescribes a formula for the recomputation of school district revenue limits for the 1977–78 fiscal year, and further prescribes an inflation adjustment to be utilized in computing the 1978–79 revenue limit.

This bill would specify that, if the 1977–78 fiscal year revenue limit is less than 120% of the sum of the 1976–77 foundation program and $120, the 1978–79 fiscal year revenue limit shall be computed using $109 as the 1978–79 foundation program increase.

(18) This bill would specify that the provisions of this bill which affect the computation of foundation programs and revenue limits shall be deemed to have been operative

† Appropriation deleted by action of the Governor

for the entire 1977–78 fiscal year.

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

Ch. 894 (AB 2643) Papan. Reclaimed water: greenbelt irrigation.

Existing law prohibits the use by public agencies of water of quality suitable for potable domestic use for the irrigation of greenbelt areas, as defined, where reclaimed water is found by the State Water Resources Control Board to be available for such use under specified conditions.

This bill would extend such provisions to the use of water by any person, as well as any public agency, and would expressly refer in such provisions to the use of water from any source. The bill would specify that any such use of reclaimed water in lieu of the extraction of ground water shall, to the extent of such reclaimed water so used, be deemed to constitute a reasonable beneficial use of the ground water and that such use of reclaimed water shall not cause any loss or diminution of any existing water right.

The bill would go into immediate effect as an urgency statute

Ch. 895 (AB 3037) Thurman. Fertilizer: tonnage reports

(1) Under existing law, the Department of Food and Agriculture collects fees for licenses and permits issued for pest control and crop dusting. The funds are used for administration and enforcement of agricultural pest control provisions and provisions relating to fertilizing materials.

This bill would provide that fees derived from the regulation of pest control are to be used exclusively for administration and enforcement of pest control provisions.

(2) Existing law generally requires producers, manufacturers, importers or dealers in commercial fertilizer to register with the Director of Food and Agriculture. Each registrant is required to pay, upon any sale to a nonregistrant, a tonnage license tax of $0.14 per ton or fraction of a ton on the sale of commercial fertilizer and $0.05 per ton or fraction of a ton on the sale of any agricultural mineral

The last registrant who distributes the fertilizer or agricultural mineral to a nonregistrant is required to report the transaction, in invoice or summary form, to the director within a specified period, ranging from 7 to 20 days. Based on these reports the director compiles a statement of sales and publishes a quarterly commercial fertilizer and agricultural mineral tonnage report. Failure to report or pay tonnage tax subjects a registrant to payment of a 10% penalty.

The bill would increase the tonnage license tax to a maximum of $0.28 per ton or fraction thereof for commercial fertilizer and a maximum of $0.10 per ton or fraction thereof for agricultural minerals. The director would be authorized to determine the rate necessary to carry out the provisions of the chapter. All tonnage assessments would be deposited in the Department of Agriculture Fund, a continuously appropriated fund, and would be used exclusively for the administration and enforcement of provisions relating to fertilizing minerals The provision requiring a statement of sales would be repealed, and reporting registrants would be required to submit a summary report. Failure to submit the monthly tonnage report would subject the registrant to a penalty. The director would be allowed to charge actual costs as a fee for the quarterly commercial fertilizer and agricultural mineral tonnage report

The bill would specify that where one or more registrants are involved in a distribution, the last registrant to distribute to a nonregistrant would be responsible for the tonnage report and payment of the tonnage tax and would be required to file a quarterly affidavit accompanied by the license tax payment. If the affidavit is not filed or the tonnage tax is not paid, the director would be authorized to revoke the registration and assess a penalty.

Ch 896 (AB 3021) Lanterman. Developmental disability facilities: loan insurance

Existing statutes contain the California Health Facility Construction Loan Insurance Law which was enacted under Section 4 of Article XVI of the California Constitution, an exception to certain constitutional prohibitions, and which is financed by the Health Facility Construction Loan Fund, a continuously appropriated fund, but do not make

‡ Section 28 of bill deleted by action of the Governor

special provision for the guarantee of loans used to construct facilities for the developmentally disabled

This bill would add to the above law, the Small Facility Loan Guarantee for Developmental Disability Programs law to encourage the development of public and private nonprofit developmental disability facilities. The law would make special provision for determining loan insurance eligibility under the California Health Facility Construction Loan Insurance Law of developmental disability facilities, including: (1) exemptions from certain approval requirements; (2) insurance of loans under $300,000, equal to the total construction cost; and (3) loan insurance priority for loans under $300,000 to a single facility for 6 or fewer developmentally disabled.

This bill would limit the total amount of loans which may be insured under it to $15,000,000.

This bill would also require review and comment by the Legislative Analyst as specified.

Ch. 897 (AB 2975) Mello. Anchovies.

Existing law provides for the Department of Fish and Game to conduct biological research and field investigations, but does not specifically require the department to conduct annual anchovy egg-larvae surveys, research, and analyses

This bill would declare state policy regarding management of the anchovy resource, and would require the department to conduct, or have others conduct, annual anchovy egg-larvae surveys, or any other annual surveys, research, and analyses necessary to insure that an accurate biomass estimate is made.

The bill would provide that such provisions shall become operative, and that activities shall be carried out pursuant to such provisions only in the event, and to the extent, that funding is made available by the federal government.

The bill would take effect immediately as an urgency statute.

Ch. 898 (AB 2666) Hughes. School employees.

(1) Existing law requires that the order of layoff and reemployment between certificated employees having the same employment date be determined by the school district governing board solely on the basis of the needs of the district and its students.

This bill would require the governing board to furnish, upon request, to any certificated employee laid off on the basis of such a provision, in writing, the reasons and basis of the needs of the district and the students used by the board to determine the order of reappointment. The bill would also provide that such requirement is not to be interpreted to give affected employees any new legal right or interest.

(2) Existing law authorizes the governing board to terminate the services of certificated employees whenever there is a declining enrollment or whenever a particular kind of service is reduced or discontinued, as specified. With respect to such certificated employees having the same employment date, the order of termination is determined by the governing board solely on the basis of the needs of the district and its students.

This bill would require the governing board to furnish, upon request of any certificated employee whose order of termination is so determined, a statement of the specific criteria used in determining the order of termination and the application of the criteria to such employees. This bill would also provide that such requirement is not to be interpreted to give affected employees any new legal right or interest.

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 the bill for a specified reason.

Ch 899 (AB 3356) Ellis Concealable weapons

Existing law requires any person who engages in the business of selling or otherwise transferring or who advertises for sale, or offers or exposes for sale or transfer concealable firearms to obtain a license.

This bill would apply such provisions to any person who engages in the business of selling, transferring, advertising, offering or exposing for sale or transfer, and would define the phrase "engaging in the business of selling or transferring concealable firearms" to exclude infrequent gun show or swap meet sales, transfers, offering, exposing for sale or advertising for sale

Ch. 900 (AB 2511) Hayden. Retirement.

(1) Existing provisions of the Public Employees' Retirement Law govern concurrent retirement by a person who is a member of both the Public Employees' Retirement System and another system pursuant to conditions of reciprocity except that existing law provides only that wages earned under the State Teachers' Retirement System are used in computing final compensation under the Public Employees' Retirement System.

This bill would broaden these reciprocity provisions to specify that compensation earned by a person who is a member of both the State Teachers' Retirement System and the Public Employees' Retirement System, as well as a person who is a member of the retirement system operating pursuant to the Judges' Retirement Law or the Legislators' Retirement System and the Public Employees' Retirement System, shall be considered as compensation earnable by a member of the Public Employees' Retirement System provided such person retires concurrently from both systems.

(2) Existing provisions of the Public Employees' Retirement Law provide for the confidentiality of data filed by a member of the Public Employees' Retirement System with the Board of Administration, and prohibits divulging any such record to other than the member or his authorized representative, the contracting agency by which he is employed, or any state agency or the University of California.

This bill would specifically permit disclosure of such matters to the school district by which the member is employed as well as the contracting agency by which he is employed, and would expand the meaning of the term "authorized representative" for purposes of these provisions to include the spouse or beneficiary of a member when no contrary appointment has been made by the member if the board determines that the member is unable to make such an appointment due to mental or physical incapacity or death.

(3) Under existing provisions, a member of the Public Employees' Retirement System with less than 5 years of service credit who leaves state service and enters employment as a member of a retirement system established under the County Employees' Retirement Law of 1937 may elect to leave accumulated contributions on deposit in the Public Employees' Retirement Fund, but such a member who enters employment as a member of the State Teachers' Retirement System, the Legislators' Retirement System, the retirement system operating pursuant to the Judges' Retirement Law, or the University of California Retirement System is not presently authorized to elect to leave accumulated contributions on deposit, although such a member may redeposit such accumulated contributions with the fund.

This bill would permit any such member with less than 5 years service who enters employment as a member of a public retirement system supported in whole or in part by state funds, including the University of California Retirement System, as well as one who enters service as a member of a retirement system established pursuant to the County Employees' Retirement Law of 1937, to elect to leave such accumulated contributions on deposit with the fund

(4) Present law permits a member of the Public Employees' Retirement System who had authorized that payroll deductions to be made for the purpose of completing required payments for service credit to elect to continue payment for any balance remaining unpaid upon retirement by deduction from his retirement allowance, but does not extend this option to the survivor of a retiree, who must pay such remaining balance in a lump sum in order that the service credit so elected is not reduced.

This bill would authorize a survivor of a retiree who is eligible for a monthly allowance to elect to continue such deductions for such purposes.

(5) The Public Employees' Retirement Law and laws governing retirement of Legislators provide that the basis for determining changes in the cost of living shall be the average of the separate indices of the cost of living published by the United States Bureau of Labor Statistics

This bill would instead require that, effective January 1, 1978, the basis for determining changes in the cost of living shall be the average of the separate indices of the "Consumer Price Index for All Urban Consumers" for the Los Angeles-Long Beach-Anaheim area and the San Francisco-Oakland area as published by the United States Bureau of Labor Statistics, and that for the period prior to January 1, 1978, the average of the separate indices for the Los Angeles-Long Beach area and the San Francisco-Oakland area shall be used

(6) Under the County Employees' Retirement Law of 1937, changes in the cost of living are to be as shown by the current Bureau of Labor Statistics Consumers Price Index for the area of the county seat.

This bill would instead provide that such changes shall be as shown by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers.

Ch. 901 (AB 2907) Rosenthal. Vocational nursing: continuing education.

Existing law makes no provision for the Board of Vocational Nurse and Psychiatric Technician Examiners to collect a fee from any provider of a course in continuing education who requests approval by the board of such a course for purposes of continuing education requirements relating to vocational nurses.

This bill would permit the board to collect such a fee, not to exceed $50. The fee, however, shall not exceed the cost to the board of administering the approval of such courses.

Ch. 902 (AB 2468) Deddeh. State Teachers' Retirement System: health benefits.

Under existing law, members of the State Teachers' Retirement System are not eligible for health benefits coverage under the State Employees' Medical and Hospital Care Act.

This bill would authorize a school district, county board of education, personnel commission of a school district, or a county superintendent of schools to elect to become subject to the State Employees' Medical and Hospital Care Act upon specified conditions for coverage of their certificated employees who are members or retirants of the State Teachers' Retirement System

This bill would incorporate additional changes in Section 22754 of the Government Code proposed by Assembly Bill No. 3053, to be effective only if Assembly Bill No. 3053 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch. 903 (AB 2959) Rosenthal. Radiation control.

Under existing law, the State Department of Health Services is required to adopt by regulation a schedule of fees to be paid by persons possessing sources of ionizing radiation which are subject to registration, as defined. Existing law prescribes that the fee amount be $10 annually for each source of ionizing radiation. Existing law also authorizes the department to increase such fee annually by an amount not in excess of 10% of the fee for the previous year, but the fee may not be increased to exceed the cost of administration, as specified.

This bill would delete the $10 fee amount and, instead, prescribe certain specified maximum fee amounts for the 1978–79 fiscal year. Such fee amounts for the 1978–79 fiscal year and succeeding fiscal years would be based on a ranking of priority for inspection of such sources of ionizing radiation, which the department would be required to prescribe by regulation, as specified. It would also prescribe that such fees, together with such other funds made available to the department, be set in amounts intended to cover the cost of administration, as specified.

This bill would prescribe that the revenues generated from such fees not offset any general funds appropriated for certain specified radiologic programs.

This bill would require the Legislative Analyst to report to the Legislature on or before January 1, 1981, as specified.

Ch 904 (AB 2988) Vasconcellos Community child health and disability prevention programs.

Currently, the State Department of Health Services is required to administer and adopt standards for the approval of community child health and disability prevention programs.

This bill would specify that nothing in the enabling statute be construed as prohibiting community child health and disability prevention programs from being conducted in public and private school facilities.

Ch. 905 (AB 2729) Brown. Medi-Cal: advertising

Existing law prohibits providers of medical assistance under Medi-Cal from advertising their services by specified means except as provided in the Waxman-Duffy Prepaid Health Plan Act.

This bill would repeal the law.

Ch. 906 (AB 2665) Rosenthal Highway Patrol officers.

Existing law requires the approval of the Director of General Services, with the concurrence of the state agency concerned, of applications by the Motion Picture Development Council for the use of state-owned property for the purpose of making motion pictures and requires state agencies having management and control over state property, the use of which is sought by such application, to permit such property to be used for the purpose of making motion pictures upon approval of the Director of General Services and the payment of the fees established by the Motion Picture Development Council. However, existing law contains no express provisions regarding the use of state property and the assistance, control, or protection by state employees.

The bill would provide that if in connection with the use of roads, highways, or freeways the assistance, control, or protection by Highway Patrol officers is desired, applications by the Motion Picture Development Council or by an entity engaged in agricultural production to utilize services of Highway Patrol officers in the production of motion pictures or the transportation of agricultural commodities shall be made to the Commissioner of the Highway Patrol.

The bill would also authorize the council to establish fees to be paid for the use of state employee services. Such fees would be deposited in the Special Deposit Fund which is continuously appropriated.

Furthermore, the bill would authorize the Commissioner of the Highway Patrol to approve the application for use of Highway Patrol officers provided, among other things, that the department is fully reimbursed for additional costs incurred.

Ch. 907 (AB 2796) Imbrecht. California Postsecondary Education Commission: geriatric medicine.

(1) Existing law prescribes the required curriculum for applicants for a physician's and surgeon's license.

This bill would add to the curriculum the study of geriatric medicine and would make certain technical and conforming changes necessitated by the enactment of other statutes.

(2) This bill would also require the California Postsecondary Education Commission to study the need for and feasibility of establishing an educational and research center for geriatric medicine at 1 or more schools or colleges of medicine. This bill would also create a Geriatric Medicine Advisory Committee to provide oversight on the study The study would be presented to the Legislature by January 1, 1980.

(3) This bill would become operative on January 1, 1979.

Ch. 908 (SB 1068) Dills. Milk and dairy products: marketing· unfair practices.

The existing law prohibits various conduct, as unfair practices, in the marketing of milk and dairy products and fluid milk and cream.

This bill would repeal certain limits on the furnishing of advertising materials or refrigeration facilities and equipment and on the furnishing of secret rebates and refunds or unearned discounts in connection with the marketing of milk, cream, and dairy products.

Under the existing law, the making or renewal of any loan to a wholesale customer is an unfair practice.

This bill would repeal such a provision and, instead, authorize the Director of Food and Agriculture to establish limitation upon the extension of credit by distributors to wholesale customers.

It 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 909 (AB 2518) Greene Reorganized Education Code: corrections: school governing board elections

Chapter 1010 of the Statutes of 1976 repealed the former Education Code and reenacted a reorganized Education Code that became operative on April 30, 1977. Chapter 36 of the Statutes of 1977 adapted other 1976 education legislation to the reorganized

Education Code and made numerous technical changes.

This bill would restore to the reorganized Education Code a provision relating to the legislative intent with respect to exemplary programs for intensive instruction in reading and mathematics.

Existing law authorizes any child nutrition entity with inadequate or no food preparation facilities to contract for preparation and delivery of certain meals with other school districts, county superintendents of schools, public agencies, or nonprofit private agencies.

This bill would authorize such entities to contract generally for preparation, delivery, and service of such meals.

This bill would also make various technical, corrective, and clarifying changes.

Ch. 910 (SB 1934) Gregorio. Toll bridge: San Mateo-Hayward Bridge.

Under existing law, the San Mateo-Hayward Bridge is the bridge, together with necessary approaches, across San Francisco Bay connecting San Mateo County near San Mateo City with Alameda County near Mount Eden.

This bill would define the approaches to the bridge to include:

(a) An approach along State Highway Route 92 to Route 101, including an interchange between Routes 92 and 101, in San Mateo County.

(b) An approach along Route 92 to a point at or near the junction of Routes 17 and 92, in Alameda County.

(c) An interchange between Routes 17 and 238, in Alameda County.

(d) That portion of Route 17 between Route 92 and Route 238, in Alameda County.

The bill would authorize the California Transportation Commission, subject to any bond resolution adopted by the California Toll Bridge Authority to finance the construction of the new Dumbarton Bridge, to pledge and use the revenues of the San Francisco-Oakland Bay Bridge, the San Mateo-Hayward Bridge, and the Dumbarton Bridge to finance the construction of the approaches.

The bill would require the commission to take such action only if a study of the Metropolitan Transportation Commission recommends that the financing of the approaches, in whole or in part, be by toll revenues, including bonds. In such a case, the commission would be authorized to adopt a plan for the financing and construction of the approaches based on recommendations of the Metropolitan Transportation Commission.

Ch. 911 (AB 2966) McVittie. Vehicles: driving privilege: revocation.

(1) Existing law permits a person convicted of certain offenses to petition the court for dismissal of the offense after fulfilling the conditions of probation or if discharged, prior to the termination period of probation. Certain misdemeanors under the Vehicle Code cannot be dismissed. Further, a dismissal does not affect any action taken against a person's driving privilege because of the conviction.

This bill would place language in the Penal Code specifying that a dismissal will continue to be regarded as a conviction in determining whether to suspend or revoke the driving privilege.

(2) Currently the law requires permanent revocation of the driving privilege of persons convicted of 2 or more violations of felony drunk driving.

Pursuant to this bill, the privilege would be revoked and could not be reinstated until at least five years has elapsed and the Department of Motor Vehicles establishes the person's eligibility for reissuance of a license

(3) Existing law authorizes a peace officer having reasonable cause to suspect a person of driving under the influence of intoxicating liquor to require the person to take a chemical test to determine his or her blood alcohol level. Failure to submit to or complete a chemical test results in suspension of the driving privilege for 6 months. If the person refuses to take the test, the peace officer files a sworn statement with the Department of Motor Vehicles, as prescribed.

This bill would require that the sworn statement be submitted on a form which is furnished or approved by the department

Ch. 912 (AB 2353) Arnett Court interpreters.

Chapter 158 of the Statutes of 1978 appropriated to the State Controller $35,000 from the General Fund for allocation to the State Personnel Board for fiscal year 1978–79 for the purpose of improving court interpreter services in the Spanish language in several specified counties

This bill would make a technical correction in such appropriation.

This bill would take effect immediately as an urgency statute.

Ch. 913 (SB 1910) Presley. Dead bodies permit for disposition.

Existing law prohibits disposition of dead bodies except pursuant to a permit for disposition obtained from the local registrar of vital statistics, and such dead body may not be held pending disposition more than 5 days after death, finding of the body, or bringing of the body in from outside the state, unless such a permit is issued by the local registrar of the registration district in which death occurred or the body was found.

Existing law requires the local registrar to issue such permit upon filing of a properly executed certificate of death or upon presentation by a permit for disposition, valid where death occurred, of human remains transported from outside the state into a registration district for interment.

Such a permit issued in one location in the state is valid and sufficient in any county specified as the place of interment. After interment, such permit is required to be endorsed and returned to the local registrar where interment took place

Existing law establishes a fee of $2 for such permits issued during regular office hours, and an added fee of $3 for those issued outside of regular office hours.

This bill would prohibit disposition of human remains except pursuant to a permit for disposition issued by a local registrar. The bill would require a local registrar to issue the permit for disposition upon presentation to such registrar of a certificate of death. The bill would require such issuing registrar to forward the death certificate and a duplicate of the permit for disposition to the local registrar of the district where death occurred or the body was found The bill would provide for a fee of $5 to be paid to such issuing registrar. It would require such registrar to transfer $2 of such fee to the registrar of the county where the death occurred and $1 to the State Registrar, as specified. It would make certain fees collected under existing law inapplicable when the $5 fee is collected.

The bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason.

Ch. 914 (SB 1877) Johnson Yuba County Water Agency.

(1) Existing law defines "district" for purposes of the Yuba County Water Agency Act.

This bill would include in the definition of "district" mutual water companies and public utilities as defined in Section 216 of the Public Utilities Code.

(2) Existing law authorizes the agency to enter into contracts with any member unit, as defined, for specified purposes.

This bill would prohibit any such contract which provides for the sale of project water for agricultural purposes, industrial purposes, or for power plant cooling purposes upon any term or condition more favorable than the same term or condition contained in the agricultural water contracts entered into between the agency and member units prior to January 1, 1978.

Ch. 915 (SB 1899) Mills. Transportation.

(1) Under existing law, the Department of Transportation, before approving an exclusive public mass transit guideway project financing plan and development schedule, is required to obtain a finding from the California Transportation Commission, (hereafter referred to as the commission) that the proposal is in accordance with the adopted regional transportation plan and the California Transportation Plan.

The bill would require that the finding of the commission be that the proposal is in accordance with the adopted state transportation improvement program for state funded projects and the adopted regional transportation improvement program for federally funded projects.

(2) Under existing law, 40% of the funds available for state highway construction are allocated for expenditure in County Group No. 1 and 60% in County Group No. 2, the so-called "north-south split." Seventy percent of the allocation in each county group is required to be allocated among the state transportation districts in the county group on

the basis of existing state highway construction needs therein. In addition, during each 4-year period, a sum of at least $4,000,000 is required to be allocated for expenditure in each county ($3,000,000 each in the case of Alpine and Sierra Counties).

The bill would require that the allocations, commencing with the 4-year period commencing on July 1, 1983, to the state transportation districts be on the basis of existing exclusive public mass transit guideway construction needs as well as existing state highway construction needs.

(3) Under Article XIX of the California Constitution, the formulas for the allocation of state-imposed highway users tax revenues (i.e , gas tax, diesel tax, registration fees, weight fees, drivers' license fees) may not be revised unless the revised allocation of such revenues would give equal consideration to the transportation needs of all areas of the state and all segments of the population consistent with the orderly achievement of adopted local, regional, and statewide goals for ground transportation in local general plans, regional transportation plans, and the California Transportation Plan.

The provision in (2) above would be operative only if the California Transportation Plan is adopted and the Legislature finds that the proposed inclusion of existing guideway construction needs in determining allocations to state transportation districts meet the above requirements of Article XIX.

(4) The enactment of Chapter 1106 (A B. 402) of the Statutes of 1977, among other things, created the California Transportation Commission to assume the powers, duties, and functions of the State Transportation Board, the State Aeronautics Board, the California Highway Commission, and the California Toll Bridge Authority. Chapter 1106 also terminated the continuous appropriation from the State Highway Account in the State Transportation Fund.

The bill would make conforming changes to Chapter 1106.

(5) Prior to the enactment of Chapter 1106, the department was required to obtain the approval of the State Transportation Board that the exclusive public mass transit guideway project is in conformance with the appropriate regional transportation plan and the California Transportation Plan before the department presents its budget recommendation to the California Highway Commission for funding under such terms and conditions as the board and the California Highway Commission deem appropriate.

The bill would delete the requirement that such approval be obtained from the commission. The funding would be under such terms and conditions deemed appropriate by the commission, taking into consideration any recommendation of the department.

(6) Prior to the enactment of Chapter 1106, any disagreement as to the funding of a guideway project was to be resolved by a committee chaired by the Secretary of the Business and Transportation Agency and composed of an equal number of members from the State Transportation Board and the California Highway Commission.

The bill would abolish the committee

Ch. 916 (AB 2454) Bane. Registered dispensing opticians.

Existing law requires each application for registration as a dispensing optician to contain specified information, including, among other things, information relating to each person signing the application, each person who will have charge of or manage the applicant's general dispensing operations and each person having any proprietary interest in the applicant's general dispensing operations.

This bill would delete such specified information requirement for all such persons except the person who will manage the applicant's dispensing operations. The bill would authorize the Division of Allied Health Professions of the Board of Medical Quality Assurance to require such manager to appear before the board to supply additional information. The bill would require the board to notify any applicant in writing as designated, if, as of the 30th day after filing an application, the application is not complete and in proper form.

Existing law requires that the person who will be in charge of or who will manage an applicant's dispensing operations and each person having any proprietary interest in such operations to have at least 5 years' experience in fitting and adjusting prescription lens or lenses.

This bill would only require the person who will manage such operations to have 5 years' experience and would authorize the Division of Allied Health Professions of the

Board of Medical Quality Assurance to substitute graduation from a specified course in optical dispensing for up to 3 years of the experience requirement.

Existing law requires that the application for registration as a dispensing optician shall be accompanied by affidavits of 3 physicians and surgeons attesting to named individuals experience and qualifications. It allows physicians eligible to be admitted to practice in this state to make such an affidavit

This bill would authorize the affidavits of former or present employers or officer of such employers to be substituted for 1 or 2 of the physician affidavits. It would authorize all physicians licensed in other states to make such affidavits. It would also repeal a provision requiring the granting of a certificate to engage in the business of a dispensing optician to a person who has had 5 years' experience and has been licensed for such period in another state.

Existing law authorizes a registered dispensing optician business to continue in operation for 90 days after a designated manager ceases for any reason to be actively engaged as manager of such business.

This bill would terminate any certificate of registration in the event a designated manager is transferred to another business address unless prior to such transfer a new manager has been designated by the registrant, as specified. The bill requires notice to be given to the Division of Allied Health Professions of the Board of Medical Quality Assurance whenever a manager ceases to be an active manager.

Ch. 917 (AB 3530) N. Waters. County Employees Retirement Law of 1937: safety member.

Existing County Employees Retirement Law of 1937 prohibits, with specified exceptions, any person from becoming a safety member of a retirement system established under its provisions if the person is over 35 when employed in a position eligible for safety member membership.

This bill would permit certain counties to elect to make a person over 35 eligible to be a safety member in such a retirement system when employed in a position eligible for safety member membership, if the person was previously a safety member of the system and maintained continuous membership in the system since his original service as a safety member. For purposes of such provisions, the bill would also specify the manner in which contributions, liabilities, actuarial interest rates, and other valuation factors are to be determined.

The bill would repeal such provisions January 1, 1980.

Ch. 918 (SB 2178) Nejedly. County parole.

Under existing law the county board of parole commissioners consists of the sheriff, the probation officer and a member of the public.

This bill would include as such a member, the director of a county department of corrections, in a county where there is such a department, instead of the sheriff.

Existing law limits the public member's term to 1 year and until his successor is appointed.

This bill would place a limit of 3 consecutive years on such term instead of until his successor is appointed.

Existing law provides for the making of rules and regulations by the board as to specified prisoners

This bill would include work furloughs within such list of prisoners, and provide for copies, posting and additional information relative to the regulations.

This bill would make provisions not found in existing law concerning which county has jurisdiction to grant parole, procedures for consideration of parole, and denial of credits for time on parole upon revocation.

Existing law does not provide for supervision of such parolees

This bill would express a legislative finding relative to this and other specified matters

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.

Ch. 919 (SB 1960) Zenovich. Disposition of state property.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to convey, sell, exchange, or lease certain specified real property. It would, in addition, reserve specified mineral rights to such land.

The bill would allow reimbursement of any cost incurred in the disposition of any parcel in this act.

Ch. 920 (SB 2164) Petris County costs.

Under existing law when a court orders a change of venue to another county all costs incurred by that county, which are not payable by the Department of Corrections for the transfer, preparation and trial of the action, the guarding, keeping and transportation of the prisoner, any appeal or other proceeding relating to the action and execution of the sentence shall be a charge against the county in which the action originated.

This bill would specify that the term "all costs" means all reasonable and necessary costs incurred by the county as a result of the change of venue which would not have been incurred but for the change, and does not include normal salaries, overhead, and other expenses which would have been incurred by the county in any event.

Ch. 921 (SB 1785) Vuich. Agricultural labor relations: board services.

Existing law requires the Agricultural Labor Relations Board to administer the Agricultural Labor Relations Act of 1975.

This bill would require the board to maintain, at its principal office, a telephone line 24 hours a day and 7 days a week for the purpose of providing certain information. The board, in order to carry out such responsibility, would be permitted to contract with an answering service for purposes of receiving telephone messages during the periods of time that its principal office is normally not open for business.

This bill would also provide that, whenever a petition for an election has been filed in a bargaining unit in which a majority of the employees are engaged in a strike, the necessary and appropriate services of the board in the region in which the election will be held shall be available to the parties involved 24 hours a day until the election is held.

The bill would provide that its provisions will be effective only until December 31, 1979, and as of such date would be repealed.

Ch. 922 (SB 1386) Campbell. Fires: insurance investigations

Nothing in present law specifically requires insurers to reveal information relating to investigation of claims for fire losses

This bill would require insurers, as defined, to release such information to prescribed authorized agencies where there is evidence or suspicion that the crime of arson has been committed. Additionally, insurers would be required to notify specified authorized agencies when they have reason to suspect a fire loss was caused by incendiary means. Such information in the possession of an authorized agency would be permitted to be released to any other authorized agency ~~; such act specifically not constituting an act of fraud or malice.~~

[This bill would also provide that in the absence of fraud or malice, no insurer who furnishes information pursuant to its provisions shall be liable for damages in a civil action or subject to criminal prosecution, nor shall any agency which releases information pursuant to its provisions be civilly or criminally liable]*

This bill would permit authorized agencies to petition the superior court for an order requiring compliance with such provisions by insurers willfully failing to comply.

Ch. 923 (SB 2148) Campbell Water softeners or conditioners: restrictions on use: certification.

Existing law does not regulate use of water softening equipment except to the extent such use violates water pollution laws.

This bill would prohibit any new installation of residential water softening or conditioning appliances on or after January 1, 1980, and, those residential dwellings having such appliances in place prior to such date in areas served by sewage treatment facilities which have been limited with regard to salt loading pursuant to the Porter-Cologne Water Quality Control Act and for which the appropriate regional water quality control board makes a specified finding, use of existing appliances after a period of four years after the regional water quality control board has made its findings, unless such new or used appliance is regenerated, as defined, at a nonresidential facility other than the residence of use, or the appliance is certified to meet specified salt efficiency require-

ments if controlled by clock or manually-initiated controls, as defined, or it is demand controlled, as defined, and if shower and faucet restrictors, toilet reservoir dams, and specified outside plumbing lines are installed, as specified.

The bill would require such certification to be provided by the new user to contain specified information, to be completed by a contractor having a valid Class C-55 or C-36 contractor's license, and to be filed with the local agency responsible for issuing plumbing permits.

Ch. 924 (SB 433) Stiern Teacher qualifications: special school classes.

Existing law generally requires a fifth year of college level work beyond the bachelor's degree to qualify for a teaching credential.

This bill would provide that the qualifications of a home teacher and teachers in hospital classes, classes for adults, continuation schools, and necessary small high schools, shall be a valid teaching credential based upon a bachelor's degree, student teaching, and special fitness to perform the duties.

This bill would also prohibit the assignment of a teacher to the position of a home teacher or as a teacher in any of such special schools, classes, and programs without the consent of the teacher.

Ch. 925 (SB 119) Zenovich. Cal-Vet: home improvement

(1) Present provisions of the Veterans' Farm and Home Purchase Acts of 1943 and 1974 prohibit any property sold under a Cal-Vet contract to be transferred, assigned, encumbered, leased, let or sublet, or in the case of a mobilehome, removed from its original site except in an emergency without the written consent of the Department of Veterans Affairs unless the purchaser has paid up his contract in full.

This bill would permit the department to give its written consent to such transfers, assignments, encumbrances, leasings, lettings or sublettings, or removals for good cause shown subject to the interest of the department and consistent with the purposes of the Cal-Vet laws.

(2) Present law permits the department to advance to a Cal-Vet purchaser sums under conditions as it may prescribe for home improvement, painting, repair, redecorating, or remodeling.

This bill would, in addition, permit the department to advance sums for purposes of making permanent improvements, including permanent improvements for the purpose of increasing farm productivity.

Ch. 926 (SB 1797) Song. Health enforcement.

Existing law does not expressly prescribe what agency, if any, is responsible for the enforcement of the requirement that an employer of labor provide, without charge, fresh and pure drinking water to his employees during working hours.

This bill would require the State Department of Health Services and local health officers to enforce such requirement. It would also prescribe that such enforcement responsibility is not to be construed as abridging or limiting in any manner the jurisdiction of the Division of Industrial Safety, as specified.

This bill would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason.

Ch. 927 (SB 1403) Nimmo Milk: inspection services

The existing law provides for the regulation of milk inspection services It requires the Director of Food and Agriculture, under designated conditions, to designate and assign the county or city approved milk inspection service which shall conduct the milk products plant inspection or the dairy farm inspection, or both, and to define the district or area in which each county or city shall conduct such an inspection. The director is also required to fix milk inspection fees, subject to specified limitations.

This bill would, in addition, do the following:

(1) Require the director to establish standards for evaluation of the efficiency and performance of approved milk inspection services, and inspection services in established milk inspection areas, until January 1, 1982.

(2) Provide for the establishment of an advisory committee, by the director, to assist the director in the administration of the provisions regulating milk inspection services.

(3) Permit the director to authorize the inspection of dairy farms producing manufacturing milk, as prescribed.

(4) Provide limitations for the inspection fee that may be charged producers of graded market milk who are located in specified counties

(5) 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 a specified reason.

Ch. 928 (SB 1510) Smith. Special Education: Advisory Commission.

Existing statutes create an Advisory Commission on Special Education.

This bill would require that 4 of the public members of the commission who are to be appointed by specific public officers and bodies be parents of pupils in either public or private schools who have received or are currently receiving special education services, and would further require the commission to report to the State Board of Education at least once a year on specified matters.

Under existing law, the State Board of Education must carry out various duties and functions relating to special education.

This bill would additionally require that the State Board of Education adopt uniform rules and regulations relating to parental due process rights in the area of special education.

Existing law also gives parents the right of access to pupil records, and defines "access" as a personal inspection or oral description of a record

This bill would add receipt of an accurate copy of a record to the definition of "access" and would require the Department of Education to adopt uniform regulations relating to parental due process rights in the area of special education

This bill would also require that no child be placed in specified experimental programs without the prior informed consent of a parent or guardian of the child

Ch 929 (SB 1645) Ayala. Alcoholic beverage liability: proximate cause.

The California courts have recently interpreted existing law as imposing civil liability upon persons who sell, furnish, give or cause to be given alcoholic beverages to an intoxicated person when such person inflicts injury upon a third party.

This bill would specifically prohibit the imposition of civil liability in such instance.

This bill would also state a legislative declaration that prior judicial interpretation shall be reinstated so that such civil liability to a third party is incurred solely by the intoxicated person. The bill would also provide specifically that no social host who furnishes alcoholic beverages to any person shall be held legally accountable for damages suffered by such person, or for injury to the person or property of, or death of, any third person, resulting from the consumption of such beverages.

Ch. 930 (SB 1175) Foran. Alcoholic beverages.

Existing law prohibits furnishing alcoholic beverages to drunkards or obviously intoxicated persons.

This bill would create a cause of action against a licensee who furnishes alcoholic beverages to an obviously intoxicated minor if the minor causes personal injury or death, would authorize the Director of Alcoholic Beverage Control to enjoin certain violations of law, and would prohibit petitions for an offer in compromise for a second or subsequent violation of specified provisions within 36 months of an initial violation.

Ch 931 (AB 2360) Deddeh State Teachers' Retirement System. contributions benefits.

Under existing law, school districts and other employing entities are required monthly to pay contributions deducted from the salary of employee members of the State Teachers' Retirement System to the system within 20 calendar days

This bill would require that such payments of contributions be made within 5 working days and would provide that payments shall be delinquent on the 6th working day The bill would also provide for the collection of estimated payments of the contributions due

Under existing law, retirement allowances were increased effective January 1, 1977, for members of the State Teachers' Retirement System who retired prior to July 1, 1974, and had 20 or more years of credited service.

This bill would increase the first $300 of the monthly retirement allowances of retirants, disabilitants, and their beneficiaries who retired prior to July 1, 1974, by prescribed amounts, effective July 1, 1978, if the member had less than 20 years of credited service.

This bill would take effect immediately as an urgency statute.

Ch. 932 (SB 1668) Robbins Vehicles: towing equipment.

Existing law requires, generally, that every towed vehicle be coupled to the towing vehicle by a safety chain, cable or equivalent device in addition to the regular connection. Safety connections must be of sufficient strength to control the vehicle in the event the regular hitch, coupling device, drawbar, tongue or other connection fails.

This bill would prohibit any recreational vehicle, which is designed to be towed, from being manufactured for sale in this state, sold, offered for sale, leased, or rented unless the vehicle is equipped with a safety connection having a breaking strength which equals or exceeds the gross weight of the towed vehicle. The bill would also require retail sellers, renters, and lessors of such vehicles to supply instructions to buyers, renters, or lessees on the proper method of connecting the towed and towing vehicles. Such provisions would not, however, require the lessor of a recreational vehicle to supply to the lessee the required instructions if such vehicle is sold to the lessor by a third party and such third party or his agent delivers possession of the vehicle to the lessee; in such case such third party would be required to supply to the lessee the required instructions.

Ch. 933 (SB 1834) Alquist. Dams: power generating facilities.

Existing law does not expressly require any study of the feasibility of equipping smaller dams with electrical power generating facilities.

This bill would require the Department of Water Resources to study the feasibility and cost-effectiveness of equipping existing dams and hydraulic structures with electrical power-generating facilities and to prepare a report specifying those existing dams and hydraulic structures for which such retrofitting would be feasible. The bill would make legislative findings in such connection, and would require submission of the report, as specified, not later than January 1, 1981.

Ch. 934 (SB 2167) Nejedly. Environmental planning: Association of Bay Area Governments.

Existing state law requires specified regions and public agencies in this state to propose, adopt, and implement various plans for air pollution control, solid waste management and control, water pollution control, general county and community development planning, land use control, and other environmental control, and expressly subjects such plans to the approval of specified local, regional, and state agencies.

Existing state law also authorizes cities, counties, special districts, and other state and local governmental agencies to agree among themselves, with federal governmental entities, and with specified private entities to perform any common powers pursuant to such agreement and to form a joint powers agency for such purposes, which joint powers agency is a separate governmental entity.

Existing federal law requires a local regional public agency, designated by the state, to prepare an air quality maintenance plan for each air basin, submit such plan to the designated state planning agency for implementation in the state plan, and for the state agency to submit such plan to the federal Environmental Protection Agency.

Existing federal law also requires a designated regional agency of the state to prepare an areawide waste treatment management plan for water pollution control, to be certified by the Governor, and to be submitted to the federal Environmental Planning Agency.

Pursuant to such existing law, various cities, counties, and local districts formed the Association of Bay Area Governments to discuss and study metropolitan area problems of mutual interest, which joint powers agency has been designated as the planning agency for purposes of the federal air quality control and water pollution control laws Such agency has prepared an environmental management plan, containing, among other things, the air quality maintenance plan, and the areawide waste treatment management plan for water pollution control for adoption in satisfaction of such existing federal planning requirements.

The bill would provide that, after the adoption, revision, or amendment by the associa-

tion and before submitting such plan to the federal Environmental Protection Administration, a state agency may, upon specified findings, return such plan, or a portion thereof, for revision by such association to bring the plan into compliance with the applicable environmental protection standards required by federal law. The bill would permit a state agency only to transmit such plan without change to the federal Environmental Protection Agency or to return it to the association for revision, as specified.

The bill would appropriate $280,000 to the association from the California Environmental Protection Program Fund and would require that such funds be used by the association to match available federal grants for the continuing environmental planning process, and to update the Environmental Management Plan.

The bill would take effect immediately as an urgency statute.

Ch. 935 (SB 2027) Sieroty. Records: narcotic and drug abuse programs.

Under existing law, any records of identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any narcotic and drug abuse program are confidential and can be disclosed only under certain circumstances.

This bill would exempt the records of any person involuntarily committed to any narcotic and drug abuse program conducted by the State Department of Corrections from the confidentiality requirements.

Ch. 936 (SB 2006) Robbins. Property taxes: public school and universities: exemption

Existing provisions of the California Constitution exempt property used exclusively for public schools from property taxation. Case law has established that the exemption also applies to property used exclusively for the public schools which is not owned by such schools and has applied such exemption to the University of California.

This bill would specify that property used exclusively for community colleges, state colleges and state universities, including the University of California, and leased property used exclusively for educational purposes by a nonprofit institution of higher education, shall be exempted as is specified in the California Constitution.

Under existing law, a lessor is subject to property taxes on property owned and leased by such lessor, but is not required to reduce a lessee's lease payments due to the reduction of property taxes attributable to the exemption of property on the basis it is used exclusively by the lessee.

This bill would require a lessor to reduce lease rental payments on property which receives the benefit of an exemption on the basis such property is used for certain public libraries and museums or used exclusively for public schools, community colleges or state universities, including the University of California, and leased property used exclusively for educational purposes by a nonprofit institution of higher education.

Existing law provides for the cancellation or refund of a specified portion of the property taxes on property as to which certain exemptions, including the public schools exemption, were available, but for which a timely application was not filed, if such exemption is thereafter claimed according to a specified procedure.

This bill would specify that such tax cancellation or refund procedure applies to community colleges, state colleges and state universities.

This bill would take effect immediately as an urgency statute.

Ch. 937 (SB 1851) Greene. Workers' compensation: temporary disability.

Existing law provides that aggregate disability payments for a single injury causing temporary disability shall not extend for more than 240 compensable weeks within a period of 5 years from the date of injury.

This bill would limit existing law to injuries occurring prior to January 1, 1979, and would provide that aggregate disability payments for a single injury occurring on or after January 1, 1979, causing temporary partial disability shall not extend for more than 240 compensable weeks within a period of 5 years from the date of injury.

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.

Ch. 938 (SB 1853) Greene. Podiatry Examining Committee.

Existing law makes the Podiatry Examining Committee's authority to investigate, and evaluate applicants for the certificate to practice podiatry, and to make recommendations to the Board of Medical Quality Assurance concerning such applicants, subject to rules and regulations adopted by the board

This bill would remove the board's supervising rule and regulation powers over the Podiatry Examining Committee's authority to take such actions and would provide that the recommendations are to be made to the Division of Allied Health Professions rather than to the board.

Existing law places authority for reviewing the quality of medical practice carried out by persons certified to practice podiatry, under district medical quality review committees

This bill would place such authority under the Podiatry Examining Committee.

Under existing law, the Division of Allied Health Professions has specified powers with regard to issuing certificates to practice podiatry.

This bill deletes such authority, and authorizes the Podiatry Examining Committee to issue an order to deny, suspend, revoke, or impose probationary conditions on, a certificate to practice podiatry, and requires the Division of Allied Health Professions to take such corresponding action with regard to an applicant or licentiate as is ordered by the Podiatry Examining Committee.

Under existing law, the Division of Medical Quality of the Board of Medical Quality Assurance is responsible for carrying out disciplinary actions appropriate to findings made by a medical quality review committee, a hearing officer, or itself, with respect to all licentiates under the Medical Practice Act.

This bill would provide that, with respect to podiatric licentiates, such disciplinary action be carried out by the Division of Allied Health Professions appropriate to findings made by the Podiatry Examining Committee

The bill would, additionally, provide that the Podiatry Examining Committee could recommend to the Division of Allied Health Professions the adoption, amendment, or repeal of rules and regulations relating to podiatry.

Ch. 939 (AB 2823) Ellis. Law enforcement; safety equipment.

Currently, local agencies are required to furnish newly hired full-time police officers and deputy sheriffs certain equipment.

This bill would recommend that additional equipment, as specified, be furnished to newly hired full-time police officers and deputy sheriffs. The bill would also authorize a local agency to furnish certain additional equipment, as specified, to any police officer and deputy sheriff assigned to solo motorcycle duty or to helicopter duty.

This bill would also specify the intent of the Legislature in enacting this bill.

Ch. 940 (AB 2866) Keysor. Elections: Secretary of State.

Existing law contains a revolving fund for the purchase of ballot paper and punchcards in the amount of $170,000.

This bill would delete the $170,000 sum specified in the revolving fund.

The bill would also appropriate $350,000 to the Secretary of State for purposes of funding the above-specified revolving fund

Ch 941 (AB 2406) Lancaster. Unemployment insurance

Existing unemployment compensation disability law required, until January 1, 1976, the Director of the Employment Development Department to approve, under certain specified conditions, amendments to voluntary employer plans regarding payment of disability benefits to employees.

This bill would remove the limitation requiring the director to only approve such amendments until January 1, 1976.

Existing unemployment compensation disability law includes service performed as a clerk-carrier for the U S. Postal Service, to the extent Congress permits, and if Congress permits the states to require the postal service to withhold workers' contributions and to transmit them into a state fund for unemployment compensation disability benefits and also provides that such provisions shall not take effect unless the 94th Congress enacts HR 13341

This bill would repeal the requirement that such provisions shall not take effect unless the 94th Congress enacts HR 13341 but would retain the other qualifications

The bill would also appropriate from the Employment Development Department Contingent Fund to the Employment Development Department an amount sufficient to augment an appropriation available from the Unemployment Trust Fund for the acquisition of real property and equipment or for construction of state public works projects where such project cannot be undertaken because the estimate exceeds the amount available or bids received are in excess of the estimate.

Ch 942 (AB 2311) Kapiloff. Anchovies: Humboldt Bay

Under existing law no anchovies may be taken for any purpose in Humboldt Bay.

This bill would permit anchovies to be taken under specified conditions only for live bait in a described area in Humboldt Bay and would authorize the Fish and Game Commission to promulgate any regulation it deems necessary to protect the Humboldt Bay anchovy resource The bill would require the Department of Fish and Game on January 1, 1980, and annually thereafter, to submit to the Legislature a report, as specified, on the Humboldt Bay anchovy fishery. Such provisions would be repealed as of January 1, 1982, and the bill would provide that thereafter no anchovies could be taken for any purposes in Humboldt Bay.

Ch. 943 (AB 3023) Lockyer Drug labeling.

Currently, the Sherman Food, Drug, and Cosmetic Law specifies that any drug is misbranded unless the established name and quantity of each active ingredient, including certain specified ingredients, whether active or not, is placed on the label of the drug, except that with nonprescription drugs the requirement may be satisfied instead, except with respect to quantities of the specified active ingredients, by filing a statement of the quantities with the State Department of Health Services.

This bill would limit the exception for listing the quantities of active ingredients of nonprescription drugs on the label of the drug to cosmetics, as defined, which satisfy federal labeling requirements, and would remove the requirement that a statement of quantities for these drugs be filed with the department.

This bill would make related technical changes.

This bill would become operative on January 1, 1980

Ch 944 (AB 3082) Young Unemployment compensation disability benefits.

Existing law provides that an individual is disabled, for purposes of unemployment compensation disability benefits, when he or she is unable to perform his or her regular or customary work because of his or her physical or mental condition, because of pregnancy under certain circumstances, or when he or she is ordered not to work by a written order from a state or local health officer because he or she is infected with, or suspected of being infected with, a communicable disease.

This bill would, in addition, provide that an individual is eligible to receive disability benefits (1) for a period not in excess of 30 days while being treated as a resident in an alcoholic recovery home participating in an alcoholic recovery program or (2) while being treated for acute alcoholism.

The bill would require the Employment Development Department to reimburse, under certain circumstances, the State Department of Alcohol and Drug Abuse for expenses incurred, would require both such departments to advise physicians of the enactment of the provisions of the bill, and would require the Employment Development Department to make reports, at specified intervals, to the Legislature as to the adequacy, implementation, and utilization of the program authorized by the bill.

The provisions of the bill would be operative with respect to periods of disability commencing on or after January 1, 1979.

This bill would incorporate additional changes in Section 2627, Unemployment Insurance Code, proposed by A B. No. 3004, to be operative only if A B. No. 3004 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch. 945 (AB 2970) Gualco. Watermeters: installation

Existing law does not specify any particular circumstances under which the water system of a water corporation subject to regulation as a public utility by the Public Utilities Commission shall be equipped with watermeters.

This bill would prohibit the commission from ordering any water corporation furnishing water for residential use, as specified, which does not have metered residential service on January 1, 1979, or any residential customer of such corporation, to install meters unless a public hearing is held within the corporation's service area and it is determined that metering will be cost effective, will reduce water consumption, and will not impose an unreasonable financial burden on customers unless found to be necessary to assure continued service.

Ch. 946 (AB 3141) Keene. Indian health

Under existing law, there is established an Indian health service program in the State Department of Health or its successor, the State Department of Health Services, which provides financial, training, and technical assistance to certain urban and rural Indian health programs. Existing law prescribes that no more than 15% of the funds appropriated pursuant to this program may be expended for administrative purposes.

This bill would additionally require the department to provide technical assistance to promote the provision of services for preventative health care, health education, and environmental health. It would specify that the administrative cost limitation is not applicable to printed materials, films, and similar items utilized for health education purposes

This bill would prescribe that certain specified health service programs available to various groups, be made more accessible to Indians. It would require the department to report to Legislature, as specified, with respect to the extent to which funding for these health service programs is allocated to those programs receiving funding pursuant to the Indian health service program.

Ch. 947 (AB 3086) McAlister. Unemployment insurance: school employees.

Existing law requires school employers to pay a certain percent of the total wages, and requires funding agencies under specially funded projects to pay a certain percent of taxable wages, paid to employees, into the Classified School Employees Fund for unemployment insurance purposes, with a reduction in such unemployment insurance rate to be effective during the 1976–77 to 1978–79 fiscal years, inclusive.

This bill would, in the case of school employers, provide that such contribution rate shall vary depending on the computation of a "benefit cost ratio," as defined, and, in the case of specially funded projects, would reduce the specified rate but would also provide that it is to be based on total wages, as defined, instead of taxable wages. The bill would permit the administrator of such fund, if he makes a specified finding, to increase the tax rate to maintain the solvency of the fund.

The bill would also create a School Employer Advisory Committee, composed of 5 individuals appointed by specified persons, whose duties would be to consider and recommend improvements concerning the administration of the provisions relating to the financing of unemployment insurance coverage for public school employees.

Existing law provides for the creation of a City-County-Special District Advisory Committee whose purpose is to offer advice regarding financing of unemployment insurance coverage for employees of local public entities and is composed of 3 representatives appointed by both the League of California Cities and the County Supervisors Association of California who serve without compensation or expenses.

This bill would increase the membership of the committee to 7 with the members appointed by the above 2 associations in conjunction with the Director of Employment Development in the approximate ratio that the number of employees of members of each such organization and of special districts bears to the total number of employees of local public entities which are participating members of the Local Public Entity Employees Fund The bill would permit members to receive per diem expenses for attending meetings which expenses would be a cost of administration of such fund

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.

Ch. 948 (AB 3117) Lanterman. Developmentally disabled.

The Lanterman Developmental Disabilities Services Act provides for the creation of a network of regional centers to provide services for persons with developmental disabilities and requires the State Department of Developmental Services to act as an

agent for the transmittal of all funds for services provided through such centers.

This bill would require that parental contributions for specified care received by children under the age of 18 be made to the department after determination of amount of parental contribution is made by the appropriate regional center, instead of to a designated regional center.

Ch. 949 (AB 2721) Fenton. Civil actions.

Under existing law, where a probation officer or domestic relations investigator makes custody investigations pursuant to a court order, the court is required to make inquiry into the financial condition of the parent or other persons charged with the support of the minor, and if a determination of ability to pay is made, the court is required to order repayment to the county of part of all of the costs of the investigation and report.

This bill would instead provide that the court may order such repayment if such a determination of ability to pay is made.

Existing law does not require that a motion for summary judgment be heard any particular length of time before trial.

This bill would require that a motion for summary judgment be heard at least 45 days before trial, unless the court for good cause orders otherwise.

Ch 950 (AB 2707) Greene. Unemployment insurance disability benefits.

Existing law, effective January 1, 1978, terminated all elections by public entities filed under the law prior to January 1, 1978, which permitted a public entity to elect to be treated as an employer for purposes of extending unemployment insurance and unemployment compensation disability benefits to its employees.

This bill would provide that elections by public entities, prior to January 1, 1978, to extend unemployment compensation disability benefits to specified employees of local public entities shall continue in effect.

Existing law defines "wages", for purposes of the unemployment compensation disability law as including the amount of tips and gratuities, ~~in excess of~~ [if equal to or greater than]* $20, received by a worker from persons other than his employer.

This bill would expressly provide that such tips and gratuities shall be treated, for such purposes, as wages paid by the employer to the worker.

Existing law requires that worker contributions ~~on such tips and gratuities~~ [for 1979 and after for elective coverage by self employed persons and employers]* be at a rate determined by the Director of Employment Development.

This bill would require that such worker contributions for calendar year 1978 be at the rate of 1.72 percent ~~of the remuneration received from tips and gratuities,~~* and [thereafter]* such worker contributions ~~for calendar year 1979 and after~~* be at a rate determined by the director.

The bill would take effect immediately as an urgency statute.

Ch. 951 (AB 3166) Rosenthal. Health facilities and community care facilities: license suspension and revocation.

(1) Under present law, the State Director of Health Services may temporarily suspend any health facility license or special permit without a hearing to protect the public welfare. However, if the licensee or permit holder files a notice of defense with the director, the director must act within 30 days of receiving such notice to set the matter for hearing.

This bill would require the director to take action within 15 days after receiving the notice of defense to set the matter for hearing, and the hearing would be required to be conducted within 30 days after receipt of such notice

(2) Under present law, the Director of Social Services is authorized to temporarily suspend a community care facility license or special permit prior to any hearing if necessary to protect residents or clients of the facility from physical or mental abuse, abandonment, or any other substantial threat to public safety. However, if the licensee or permit holder files a notice of defense with the director of the department, the director must act within 5 days after receipt of the notice of defense to set the matter for hearing If the director fails to make a final determination on the merits within 30 days after completion of the original hearing, the temporary suspension is automatically vacated.

This bill would require the director to take action within 15 days after receiving the notice of defense to set the matter for hearing, and would require the hearing to be held within 30 days after receipt of such notice.

(3) Present law contains provisions requiring special notification and service of an accusation whenever the Director of Social Services intends to seek suspension or revocation of a community care facility license or special permit. Such provisions also contain time limitations respecting the time for setting the hearing and rendering a decision.

This bill would repeal the above provisions of existing law.

(4) Under existing law, no standards are set forth statutorily for the approval or denial of license or special permit renewals for community care facilities, except the State Department of Social Services may renew a license or special permit for a period, not to exceed two years, if the licensee has been found not to be in violation of certain statutory requirement, regulations, or standards.

This bill would require that such application be approved if satisfactory evidence is presented to the department that the licensee has substantially complied with pertinent statutory provisions and rules and regulations during the term of the previous license. It would also require that additional requirements be adopted by rule or regulation and not by departmental standards.

(5) Under existing law, before issuing a license to any person or persons to operate or manage a community care facility the department is required to secure from an appropriate law enforcement agency a criminal record to determine whether the applicant, facility administrator or manager, or spouse of such persons living in the same location has ever been convicted of a crime, as specified

This bill would delete reference to the spouse of such person living in the same location and instead refer to any other adult living in the same location

(6) This bill would make other technical, nonsubstantive changes.

Ch. 952 (AB 2690) Suitt. Lake Elsinore State Recreation Area.

(1) Existing law appropriates $500,000 from the Park and Recreation Revolving Account in the General Fund for the preparation of an environmental impact report and certain construction activities at Lake Elsinore State Recreation Area. Existing law also appropriates $520,000 from the Park and Recreation Revolving Account in the General Fund, together with $40,000 from the Harbors and Watercraft Revolving Fund, to the Department of Parks and Recreation for expenditure, from September 1, 1976, to December 31, 1979, for a study regarding the availability and feasibility of a well water source of supply for Lake Elsinore

This bill would, of the $500,000 appropriated from the account for the preparation of an environmental impact report and construction activities, reappropriate $300,000 from the account to the department in augmentation of the $560,000 appropriated for the study and reappropriate the unencumbered balance to be available for expenditure until June 30, 1981. The bill would also extend the availability of the study appropriation for expenditure from December 31, 1979, to June 30, 1981.

(2) Existing law provides that not more than $300,000 of the $560,000 may be expended for the purchase or pumping of water for raising the lake's level if the lake's level recedes to a designated elevation, as determined by the Director of Parks and Recreation, at any time prior to December 31, 1979.

This bill would extend such date to June 30, 1981.

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

Ch 953 (AB 2752) Wornum Planning. cities and counties

(1) Existing law provides that the planning agency of each city and county is required to adopt a general plan consisting of various elements, including seismic safety and safety elements.

This bill would authorize a city to adopt that portion of a county's seismic safety element that pertains to the city if it is sufficiently detailed containing appropriate policies and programs for the city.

This bill would require one copy of the seismic safety element of each city and county general plan to be submitted to the California Division of Mines and Geology.

(2) Currently, no provision is made for the combining of the various elements of a general plan.

This bill would authorize the elements of a general plan to be combined at the discretion of the county or city if such a combination is consistent with the provisions providing the authority for, scope of, and adoption of, general plans.

(3) This bill would incorporate additional changes in Sec. 65302, Gov. C. proposed by Assembly Bill No. 1727 to take effect only if this bill and AB 1727 are both chaptered and take effect on January 1, 1979, and this bill is chaptered last.

(4) This bill would provide that there is no appropriation made for the reimbursement to local agencies for costs incurred by them by this bill pursuant to Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 954 (SB 1458) Gregorio. Driving under the influence and public offenses.

(1) Under existing law, effective July 1, 1978, the Office of Alcoholism is abolished and its functions and duties are transferred to the State Department of Alcohol and Drug Abuse, repealing the relevant provisions in the Welfare and Institutions Code and adding them to the Health and Safety Code.

This bill would make certain provisions relating to the treatment of drinking drivers, as specified, which were added to the Welfare and Institutions Code prior to the effective date of the reorganization, conform to such reorganization. It would also make other technical, nonsubstantive changes.

(2) Under existing law the court may, as an alternative to suspending a person's privilege to operate a motor vehicle upon conviction for driving while under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, as specified, refer such person to an approved program for the treatment of drinking drivers if such a program exists in the county of such person's residence or in a county with which the county of such person's residence has an agreement, as specified. Under existing law the court may refer a person to such a program even though the person's privilege to operate a motor vehicle is suspended or revoked, if the period of such suspension or revocation will terminate within 6 months after the person's commencement in the program.

This bill would prescribe that a person is eligible to participate in an approved program in (1) the county where such person is convicted, or (2) the county where the person resides, or (3) a county in which such person's county of residence or conviction has an agreement, as specified It would prescribe that such person may request a transfer from one approved program to another, as specified. It would require the state department to establish reporting forms and procedures to ensure that the court receives notice of such transfer. It would give the court of conviction jurisdiction of all post conviction matters. It would require the state department in cooperation with the Department of Motor Vehicles and alcoholism administrators to establish procedures for the implementation of the above requirements. It would also permit any person to participate in such programs even though the person's privilege to operate a motor vehicle is suspended or revoked.

(3) Under existing law, fees collected by such programs can only be used for the program itself.

This bill would permit an approved program that accumulates a profit or surplus, within the maximum level established by the state department, to use such profit or surplus for any purpose allowable under any provisions of law.

(4) Existing law requires the Office of Alcoholism or its successor, the State Department of Alcohol and Drug Abuse, to adopt standards which it may issue in the form of regulations to assure effective implementation of the procedures established for drinking driver treatment programs

This bill would require such standards to be adopted by regulation no later than March 1, 1979

(5) Under existing law, if a person is convicted of a second offense for driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug, as specified, the court may suspend execution of the sentence, with respect to imprisonment, upon the condition that such person participate in an approved program.

This bill would clarify that such provisions of existing law only apply to persons convicted of such a second offense and not persons convicted of a third or subsequent offense and that such provisions do not affect any fines imposed for any offense for

driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug.

(6) Under existing law an abstract of a conviction for violation of certain specified provisions is required to be prepared and forwarded within 10 days after such conviction to the Sacramento office of the Department of Motor Vehicles.

This bill would revise such requirement in situations where sentencing is not pronounced in conjunction with the conviction to require that in such situations the abstract be forwarded to the department within 10 days after sentencing.

(7) Under existing law, provisions regarding such programs for the treatment of drinking drivers are applicable only to persons alleged to have committed that offense on or after January 1, 1978, and subsequently convicted for that offense, or alleged to have committed that offense on or after the date when a program, to which such a person may be referred, has been approved, and subsequently convicted for that offense, whichever date is later.

This bill would specify that the provisions of the bill apply only to persons who are alleged to have committed the offense of driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug, and who committed such an offense, if at all, on or after the date when a program to which such persons may be referred by the court has been approved by the state department. The bill would also make a declaration regarding the intent of the Legislature in this regard.

(8) This bill would take effect immediately as an urgency statute, to become operative July 1, 1978, or the effective date of this bill, whichever is later.

Ch. 955 (AB 3063) Keene. Physicians and surgeons.

Existing law requires the Division of Medical Quality of the Board of Medical Quality Assurance to take action against any holder of a physician's and surgeon's certificate who is guilty of unprofessional conduct which has been brought to its attention. Such a certificate may be revoked or suspended.

This bill would require the division to establish a pilot program, involving no less than 3 medical quality review committees to be designated by the division, in which the evaluation of the competency of holders of physicians' and surgeons' certificates would be made by such committees in conjunction with voluntarily participating quality assessment organizations and professional standards review organizations, as defined. Criteria for such evaluation would be developed by each committee and the participating district organizations.

Such pilot project would be authorized until July 1, 1981. A final report to the Legislature and Governor evaluating the pilot project and alternative means of financing the remainder of the project would be required by March 1, 1981.

It would provide immunity from civil or criminal liability to persons and hospitals for communications authorized by the bill, as designated.

Ch. 956 (AB 3015) Thurman. Public Employees' Retirement System: increased allowances.

Under existing law, the retirement allowances of state members of the Public Employees' Retirement System who retired pursuant to the 1/60th formula was increased by 15% with respect to allowances paid on or after January 1, 1976.

This bill would make the 15% increase applicable to allowances paid on and after July 1, 1974, rather than January 1, 1976, and would declare the intention of the Legislature with respect thereto.

This bill would appropriate $6,230.16 to the Public Employees' Retirement Fund for carrying out the provisions of the bill.

Ch. 957 (AB 3664) Bane Registered dispensing opticians.

Existing law prohibits any person other than a physician and surgeon or optometrist from utilizing the services of registered dispensing opticians in connection with the fitting of a contact lens or lenses.

Existing law makes it unlawful for registered dispensing opticians to engage in specified acts, including the duplicating or changing lenses without a prescription or order from a duly licensed person.

This bill would specifically prohibit a registered dispensing optician from fitting a

contact lens or lenses unless the prescription specifically refers to and authorizes contact lenses.

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill.

Ch. 958 (AB 2942) Hayden. Workers' compensation: employees

Existing law provides that a working member of a partnership receiving wages irrespective of profits from such partnership is an employee for purposes of the workers' compensation law.

This bill would provide that, all working members of a partnership receiving wages irrespective of profits from the partnership are employees for purposes of the workers' compensation laws, provided that in the case of general partners, the partnership and such partners elect to be covered by the law.

Ch. 959 (SB 2175) Wilson. Sales and use tax exemption: medical prescription items.

Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax.

Moreover, counties, cities, and certain transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the transit districts, for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would exempt from state and local sales and use taxes the sale or use of items and materials when used to modify a vehicle for physically handicapped persons.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy.

Ch. 960 (SB 2163) Rains. Municipal services and functions.

Existing law authorizes the legislative body of any city or county to enter into an agreement with the legislative body of any other city or county to provide certain services, including fire and police protection, construction and maintenance of utility lines, and others.

This bill would authorize any local agency, as defined, to contract with any other local agency for the performance by the latter of municipal services or functions within the territory of the former.

Ch. 961 (AB 2956) Keene. Commercial fishing: salmon stamps

Existing law does not require the purchase of commercial fishing salmon stamps by persons commercially fishing for salmon

This bill would require commercial fishermen to purchase a commercial fishing salmon stamp for a fee, as determined by the Department of Fish and Game, but not to exceed $30, before taking salmon for commercial purposes. Revenues from such stamps would be used to match funds expended by the department during the same period for raising chinook salmon to a yearling size, at which size they would be released into state waters. The department would be prohibited from using moneys from the General Fund to match salmon stamp revenues expended for the program

The bill would declare legislative intent that the Department of Fish and Game raise annually approximately 2 million chinook salmon to contribute to the replenishing of California's salmon resource

The bill creates a new source of revenue for the Fish and Wildlife Preservation Fund, a continuously appropriated fund, and thereby makes an appropriation.

The bill would repeal such provisions as of December 31, 1986.

This bill would also provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 962 (AB 2750) Rosenthal Motion Picture Development Council.

Existing law provides that the Motion Picture Development Council shall serve as an advisory body to the Department of Commerce.

This bill would provide that the council shall serve as an advisory body to the Department of Economic and Business Development and shall be known as the Motion Picture Council. It would increase the membership of the council from 12 to 14 members

The bill would appropriate $40,000 during fiscal year 1979–80 from the General Fund to the Department of Economic and Business Development for use by the Motion Picture Council for motion picture development work in the state. After fiscal year 1979–80 the Legislature would be required to appropriate support funds for the council as a portion of the budget of the Department of Economic and Business Development.

This bill would authorize the council to appoint an advisory commission.

Ch. 963 (AB 2913) Kapiloff. Peace officers: first aid.

Existing law provides for first aid training to policemen, sheriffs, highway patrolmen, firemen, and lifeguards pursuant to provisions administered by the State Department of Health.

This bill would delete police, sheriffs and highway patrolmen from these provisions and would make other provisions relative to the first aid training of such persons.

Existing law provides for minimum standards for training of specified state and local peace officers. Pursuant to such provisions, training known as basic training is provided under the jurisdiction of the Commission on Peace Officer Standards and Training.

This bill would require that the basic peace officer training after a specified date include first aid training so that reimbursement where authorized is provided from the Peace Officers' Training Fund.

Existing law also provides for a refresher first aid course in cardiopulmonary resuscitation each year and in other first aid every 3 years.

This bill would require all such refresher courses only after 3 years.

Ch. 964 (AB 2727) Dixon. Schools: curriculum.

Existing law requires that courses of instruction in social sciences in grades 1 through 12 and at the community college level include a study of the roles of various specified groups, including persons of oriental extraction, in the development of California and the United States of America

This bill would require that the role and contribution to that development of both men and women and of Pacific Island people be included in such courses of instruction in grades 1 through 12 and at the community college level and would change the designation of "persons of oriental extraction" in the provisions relating to such courses to "Asians."

This bill would also change the designation of "American Negroes" in the provisions relating to courses of instruction in grades 1 through 12 to "black Americans."

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 the bill for a specified reason

Ch. 965 (AB 3186) Knox. Financial institutions.

Under existing law the new General Corporation Law (Chapter 682, Stats. 1975) will become applicable to banks on January 1, 1979

This bill would make various conforming changes in the Banking Law

Ch 966 (SB 1962) Zenovich Superior courts· Fresno County.

Existing law provides that there shall be 12 judges of the Superior Court of Fresno County

This bill would increase the number of judges from 12 to 13

This bill also appropriates $60,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to its provisions.

Ch. 967 (AB 1239) Tucker. Municipal courts. Los Angeles County

Existing law specifies that there shall be 4 judges of the municipal court in the Inglewood Municipal Court District.

This bill would increase the number of municipal court judges in such district from 4 to 6.

The bill would also provide that no appropriation or reimbursement shall be made

because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act.

Ch. 968 (SB 1399) Zenovich. Courts: Madera County.

The California Constitution requires each county to have a superior court of 1 or more judges. Madera County presently has a 1-judge superior court pursuant to this provision

This bill would add a second superior court judge to the superior court in Madera county

This bill would appropriate $84,127 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act. The bill would not otherwise appropriate money to reimburse local agencies for costs imposed by the bill

Ch. 969 (AB 2436) Ingalls. Courts: Riverside County.

Existing law specifies that there shall be 13 superior court judges for Riverside County.

This bill would increase the number of such judges to 16.

Existing law provides for one traffic referee-assistant clerk in the Mt. San Jacinto Judicial District, but no traffic referee-assistant clerk in the Three Lakes Judicial District in Riverside County.

This bill would provide that the clerk of the Three Lakes Judicial District may appoint the traffic referee-assistant clerk appointed for the Mt. San Jacinto Judicial District to also serve as traffic referee-assistant clerk in the Three Lakes Judicial District, with ⅘ of such person's salary and benefits to be apportioned to the Mt San Jacinto Judicial District and ⅕ apportioned to the Three Lakes Judicial District.

This bill would also appropriate $90,000 to the State Controller for allocation and disbursement to local agencies pursuant to Section 2231 of the Revenue and Taxation Code for costs incurred on or after January 1, 1979, by them pursuant to its provisions

Ch. 970 (AB 2130) Suitt. Street improvements: Improvement Act of 1911.

Under the Improvement Act of 1911, the bond issued for the unpaid assessment on any parcel of land is secured by the parcel

This bill would authorize such bond, in the case of Indian-owned land, as defined, to be secured by a possessory interest created by a lease with a remaining term of at least 15 years beyond the term of the bond, with the consent of the Bureau of Indian Affairs, the fee owner, and any owner of an existing prior recorded possessory interest in the land.

The bill would take effect immediately as an urgency statute.

Ch. 971 (AB 2927) Gage. Alcoholic beverages.

Existing law provides that all beer manufacturers, except steam beer manufacturers, shall pay an annual license fee of $828 per year.

This bill would provide that all beer manufacturers that produce 60,000 barrels or less per year shall only pay a fee of $100 per year.

Existing law prohibits the sale of any draught beer containing more than 4% of alcohol and prohibits the sale of ale, porter, brown, malt liquor, and stout, except in properly labeled bottles

This bill would, notwithstanding such 4% alcohol limitation, authorize the sale of draught ale, porter, brown, malt liquor, and stout served from spigots bearing notice of contents

Ch 972 (AB 2020) Lockyer. Occupational information

Existing law requires the Superintendent of Public Instruction in cooperation with the Director of Employment Development and the Chancellor of the California Community Colleges to establish in the Department of Education a vocational manpower management information system to provide educators, students, and manpower planners with statistical data and comprehensive information relevant to the process of effective vocational education and manpower development planning in the state.

This bill would repeal such provisions and, instead, require the Director of Employment Development, the Superintendent of Public Instruction, the Chancellor of the California Community Colleges, the Director of the Department of Rehabilitation, the Council for Private Postsecondary Educational Institutions in the Department of Educa-

tion, and the Chairperson of the California Employment and Training Advisory Council, to each designate a representative who shall cooperate jointly as the State Occupational Information Coordinating Committee to develop and implement the California Occupational Information System as the official state program for the production of occupational planning, administration and guidance information for use by vocational educators, education and training planners, students, and counselors. This bill would require such entities to seek and to use, to the maximum extent possible, funds and in-kind contributions from federal and private sources for the purposes of such state program.

This bill would require the Department of Rehabilitation and the California Employment and Training Advisory Council to cooperate with the Employment Development Department, the Department of Education, and the California Community Colleges, which three entities shall report annually to the Legislature on the progress made toward the establishment of the program and on the use of the information provided by the program established by the bill.

The provisions of this bill, except one provision relating to the duties of the Council for Private Postsecondary Educational Institutions, would remain in effect only until December 31, 1982, unless such termination date is deleted or extended by other legislation.

This bill would incorporate additional changes in Sec. 94304, Ed. C., proposed by AB 3744, to be operative only if this bill and AB 3744 are both chaptered, and this bill is chaptered last.

Ch. 973 (AB 2803) Keysor. Schools: elections.

(1) Existing law requires a school district or community college district governing board to either call an election or make a provisional appointment within 30 days of a vacancy on the governing board or the filing by a board member of a resignation with a deferred effective date. There is no limitation as to the length of the deferred effective date.

This bill would prohibit a governing board member from deferring the effective date of his or her resignation for more than 30 days after the resignation is filed with the superintendent of schools.

The bill would also provide that in the event that a governing board fails to make a provisional appointment or order an election within the prescribed 30-day period, the county superintendent of schools must call an election to fill the vacancy.

(2) Existing law provides generally for the consolidation of school district and community college district elections with elections of political subdivisions to be held on the same day, in the same territory or in territory that is in part the same, if resolutions from two or more political subdivisions calling elections to be held on the same day whose boundaries are totally or partially the same territory are delivered to the officer conducting the election at least 80 days before the date of the election.

This bill would require such resolutions to be so delivered at least 74 days before the date of the election.

Ch. 974 (AB 2799) M. Waters Vehicles: financial responsibility.

(1) Existing law requires every driver of a motor vehicle to maintain in force one of the forms of financial responsibility. A driver involved in an automobile accident resulting in bodily injury or death or property damage in excess of a certain specified amount is required to report the accident to the Department of Motor Vehicles and file proof of some form of financial responsibility, as prescribed When a driver fails to establish proof of financial responsibility after being involved in a reportable accident, the department is required to suspend the driver's license for three years or until proof of financial responsibility is filed

The bill would specify that the three-year period of suspension commences as of the date of the accident.

(2) The department is required to advise the driver of his or her right to a hearing prior to suspending the license Upon demand of the driver or owner of the vehicle, the department is required to conduct the hearing, as prescribed, within 60 days.

This bill would require the request for a hearing to be made in writing and would specify that the department shall stay any suspension action until the hearing is completed and a decision has been made.

(3) Under present law, the department may file accident reports and abstracts of conviction via electronic recording and storage media and then destroy the original documents from which the data was taken. In any case where the Vehicle Code requires mandatory action against the driving privilege, the department is required to maintain the original documents.

This bill would allow the department to destroy all original documents once the data contained thereon has been electronically recorded and stored.

(4) The bill would make additional changes in Section 16075 of the Vehicle Code, proposed by Senate Bill No. 1446, to be operative only if this bill and Senate Bill No. 1446 are both chaptered and effective January 1, 1979, and this bill is chaptered after Senate Bill No. 1446.

Ch. 975 (AB 2790) Hughes. Private educational institutions.

Under existing law, an authorized or approved private postsecondary educational institution must be maintained and operated in compliance with specific minimum standards, including, among other things, that the institution is financially capable of fulfilling its commitments to its students.

This bill would require the Superintendent of Public Instruction to establish and maintain a Student Tuition Recovery Fund for the purpose of relieving or mitigating pecuniary losses suffered by any California resident who is a student of an authorized or approved private postsecondary educational institution which charges prepaid tuition due to such institution ceasing its operation for any reason. Moneys in such fund would be continuously appropriated to the Department of Education to carry out the provisions of this bill.

Ch. 976 (AB 2949) V. Thomas. Liquefied petroleum gas storage facilities.

Existing law does not specify the jurisdiction of the Division of Occupational Safety and Health Administration over liquefied petroleum gas storage facilities. The Division of Occupational Safety and Health Administration will be created within the Department of Industrial Relations by the Governor's Reorganization Plan No 1 of 1978, to generally carry out the present duties of the Division of Industrial Safety, which would be abolished by such plan.

This bill would specify that the division shall be the lead agency in providing for public health and safety as well as worker health and safety in the construction, maintenance, and operation of any liquefied petroleum gas storage facility, other than a facility owned or maintained by a public utility, and related apparatus of 100,000 barrels or more capacity. It would direct that the division, as lead agency, shall request any state or local agency having statutory health and safety jurisdiction over any part of the construction, maintenance, or operation of a LPG facility, other than a facility owned or maintained by a public utility, to exercise such jurisdiction, and to report to the Legislature any failure to exercise such jurisdiction.

Ch. 977 (AB 2722) Craven. San Pasqual Battlefield State Historic Park.

Existing law requires that proposed expenditures by the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund be included as separate items in the Budget Bill

This bill would, notwithstanding such provisions, appropriate $150,000 from the account to the department for expenditure, without regard to fiscal years, for planning and for working drawings of a visitors' center, biking and hiking trails, and other facilities and extension of utilities at the San Pasqual Battlefield State Historic Park, subject to the proviso that such funds shall not be encumbered unless and until the department approves the lease of additional lands from the City of San Diego to the state for the state historic park

Ch. 978 (AB 2116) Chimbole Poppy Preserve Project. construction of facilities

Existing law makes no appropriation to the Department of Parks and Recreation for planning and preliminary site preparation for facilities in connection with the Poppy Preserve Project

This bill would appropriate $50,000 from the Park and Recreation Revolving Account in the General Fund to the Department of Parks and Recreation for expenditure,

without regard to fiscal years, for planning and preliminary site preparation for an interpretive center, museum, and related facilities in connection with the Poppy Preserve Project

Ch. 979 (AB 2561) Keene Fish rearing facilities.

Existing law appropriates $25,000 to the Department of Fish and Game from the Wildlife Restoration Fund for the purpose of funding cooperative salmon and steelhead rearing facilities.

This bill would appropriate an additional $25,000 to the department from the Wildlife Restoration Fund for the same purpose.

Ch 980 (AB 3733) Imbrecht. Shorthand reporters.

Existing law authorizes the employment of an unlicensed court shorthand reporter for oral depositions upon presentation of an affidavit stating that no certified reporter is available.

This bill would delete such authorization.

Ch 981 (AB 3808) Imbrecht. Community colleges: courses: insurance: liability claims.

Currently, no provision of law authorizes the governing board of any community college district to require community college students to secure medical insurance coverage or to waive specified liability claims as a prerequisite to enrollment and participation in courses involving hazardous activities.

This bill would so provide, so long as no student was precluded from enrolling and participating in a course where the cost to the student of obtaining such medical insurance exceeded $4.00 per semester.

This bill would require the Board of Governors of the California Community Colleges to adopt regulations within 90 days after the operative date of the bill for the effective implementation of the bill.

The bill would require the Chancellor of the California Community Colleges to conduct a study on the subject of student medical insurance for hazardous courses, and to assess the impact of this bill, and to report thereon to the Legislature.

This bill would take effect immediately as an urgency statute, and would remain in effect for one year

Ch. 982 (SB 1633) Alquist. Insulation material: standards.

Under existing law, the State Energy Resources Conservation and Development Commission is required to adopt standards for insulation material by July 1, 1978, and prohibit the sale or installation of insulation material not meeting those standards one year after adoption of the standards. Furthermore, after one year following the adoption of these standards, the commission may conduct periodic inspections of manufacturers, distributors, and retailers of insulation material sold within the state in order to determine their compliance with such law, and it may conduct independent performance tests of insulation material sold in the state, in order to determine compliance with its adopted standards

This bill would reduce such one year periods relative to prohibiting the sale or installation of noncomplying insulation material and relative to conducting periodic inspections to 180-day periods This bill would authorize the commission to monitor compliance with its standards by conducting periodic inspections with its own personnel to determine their compliance with such law It would authorize the commission to require those manufacturers, distributors, or retailers inspected and found not in compliance to pay such reasonable fees as necessary to cover costs of inspection and enforcement. It would also permit the testing of insulation material by the manufacturer in his own approved testing lab, or in an approved independent testing lab under contract to the manufacturer, to be utilized in the initial certification process and the continued maintenance of such certification It would require each manufacturer to develop and implement a quality assurance program and to keep testing records for 3 years. The bill would make other related changes.

This bill would take effect immediately as an urgency statute

Ch. 983 (SB 1866) Holden. Genetic diseases: sickle cell anemia; lupus erythematosus.

(1) Under existing law, the State Department of Health Services is required to designate tests and criteria for detecting sickle cell anemia and regulations to be used in executing such policy. Existing law also requires the State Director of Health Services to adopt regulations in accordance with legislative findings and specified principles protecting the rights of persons with hereditary disorders.

This bill would make a legislative finding and declaration that such sickle cell anemia tests be carried out in a manner which provides the maximum positive benefits to certain individuals being tested and limits as much as possible stigmatization and breaches of individual rights to privacy.

The bill would appropriate $170,355 from the General Fund to the State Department of Health Services for expenditure for the purpose of implementing regulations adopted to execute the program for the testing for, and the detection of, sickle cell anemia.

(2) Current law authorizes the State Department of Health Services to contract with, or make grants to, a facility having research experience for carrying out a program with respect to lupus erythematosus.

This bill would require with respect to grants, that the State Department of Health Services comply with certain advance payment schedules if the research is being performed at a campus site of the University of California.

This bill would take effect immediately as an urgency statute.

Ch 984 (AB 3454) Imbrecht. Mobilehome parks for senior citizens: financing.

Existing law has no provision for the establishment of a program to provide low-interest loans to a nonprofit corporation, or to a local governmental agency, for the purpose of purchasing, developing, and operating a mobilehome park for senior citizens.

This bill would require the Department of Housing and Community Development to establish a demonstration program which provides no-interest loans to one local governmental agency and to one nonprofit corporation, as defined, for the development and construction of mobilehome parks to be occupied by elderly persons of low income.

The bill would authorize the department to fix schedules for repayment of such loans and for payment of rent and charges by residents of mobilehome parks financed by such loans.

The bill would require the department to evaluate the program and report thereon to the Legislature no later than March 1, 1983.

The department would be required to attempt to secure federal funding for the purposes of, and in an amount sufficient to, make the loans, and defray costs of administering the loan program specified in the bill and would be prohibited from undertaking any other activities under the bill until such time as, and to the extent that, federal funding is obtained therefor.

Ch 985 (AB 3333) Young. Contractors.

Existing law provides that in the event a contractor commits a fraudulent act which is a ground for disciplinary action, the correction of any condition resulting from such act shall not in and of itself preclude disciplinary action.

This bill would also provide that if a licensee has engaged in repeated acts which constitute grounds for disciplinary action and avoided discipline by correction of conditions arising from such acts, such correction shall not in and of itself preclude disciplinary action

Ch. 986 (SB 2247) Stiern School buildings

Under current law, buildings which do not comply with the so-called Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only 3 years.

The bill would permit the continued use of certain leased facilities which do not meet Field Act requirements for continuation education purposes until the completion of replacement facilities or until October 1, 1979, whichever occurs first, if such facilities had been used for such purposes under a lease which expires in 1978 and if specified conditions are satisfied.

This bill would be limited in application and would be repealed as of October 1, 1979.

This bill would take effect immediately as an urgency statute

Ch. 987 (SB 1590) Garamendi. Addition to Marshall Gold Discovery State Historic Park.

Existing law does not provide for the acquisition of lands adjacent to the Marshall Gold Discovery State Historic Park as an addition to the state historic park.

Chapter 1521 of the Statutes of 1974 reappropriated $1,000,000 from the Bagley Conservation Fund to the Department of Parks and Recreation for augmentation for land value increases for Bagley Conservation Fund land acquisition projects.

This bill would, of the unencumbered balance of such moneys, reappropriate $175,000, or so much thereof as may be necessary, to the department for expenditure, without regard to fiscal years, for the acquisition of described lands adjacent to such park.

The bill would prohibit the encumbrance of such appropriated funds until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

The bill would take effect immediately as an urgency statute.

Ch. 988 (AB 3231) Nestande. Unincorporated towns and villages: museums.

Existing law authorizes any unincorporated town or village to establish, equip, and maintain a public library, and also provides for the election of a board of library trustees, to be vested with specified powers.

This bill would authorize a library board of trustees to establish, maintain, and equip a public museum in the library district, to be funded primarily by private funds, and to constitute the library board of trustees as a museum board of trustees to exercise specified powers.

Ch. 989 (SB 1935) Marks. Housing: redevelopment.

(1) Under existing law, a redevelopment agency is required to file a report of its activities with its legislative body and the Department of Housing and Community Development on or before October 1 of each year.

This bill would instead require such report to be filed with these entities within 6 months of the end of the agency's fiscal year. It would also prescribe an extension to such entities for certain reporting requirements with respect to the 1977–78 fiscal year.

(2) Currently, local agencies may operate rehabilitation programs. Citizen participation in the form of consultation with an elected or appointed citizen advisory board which is composed of representatives of both owners and residents of property is, in part, required in such programs in the selection of residential rehabilitation areas.

This bill would specify duties of the board and require that the board include, to the greatest extent feasible, representatives of resident owners, nonresident owners, and resident tenants of both single-family and multiple-family residential structures who are not apartment managers, resident agents, or employees of property owners.

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

Ch. 990 (AB 3474) Chacon. Schools. bilingual education.

Currently, there is a Bilingual Education Act of 1972 which authorizes school districts to participate in a prescribed program of bilingual education. Also, there is the Chacon-Moscone Bilingual-Bicultural Education Act of 1976 which generally requires each limited-English-speaking pupil enrolled in the California public school system in kindergarten through grade 12 to receive instruction in a language understandable to the pupil as well as in English. The 1976 act also generally requires all teachers in bilingual programs to be bilingual-crosscultural teachers but authorizes school districts with a shortage of qualified bilingual-crosscultural teachers to grant waivers which are renewable 1-year waivers, and which expire no later than September 1, 1979.

This bill would provide for the extension of any such waiver until July 1, 1980, for a teacher teaching in those languages where there is no preparation or examination available for obtaining a certificate of competence for bilingual-crosscultural instruction, except that it would prohibit the granting of any such waiver for teachers teaching in classrooms utilizing the Spanish or the Cantonese dialect of the Chinese language.

Ch. 991 (AB 3374) Lockyer Consumer warranties.

Existing law provides that unless disclaimed, a manufacturers' implied warranty of merchantability shall accompany every sale of consumer goods sold at retail

This bill, in addition, would provide that unless disclaimed, a retail seller's implied warranty shall accompany every sale of consumer goods sold at retail.

Existing law provides that a manufacturer, distributor or retailer making express

warranties as to consumer goods may not limit, modify, or disclaim implied warranties.

This bill would provide that a manufacturer, distributor, or retailer, in transacting a sale in which express warranties are given may not limit, modify or disclaim implied warranties.

Existing law provides for an action by a buyer of consumer goods as to a willful violation of specified consumer warranty provisions and provides for treble damages and attorneys' fees as to such an action.

This bill would, in addition, provide for any other appropriate legal and equitable relief, and costs and attorneys' fees, as to such an action.

Existing law exempts from specified consumer warranty provisions any equipment or part thereof which is a component of a heating or air conditioning system.

This bill would delete such exemption.

The bill also would require persons who install or service or repair new or used consumer goods to perform such work in a good and workmanlike manner.

It would recast provisions relating to cost of repair of nonconforming goods and also make other related changes.

Ch. 992 (AB 3516) Brown. Schools: classified employees: holidays.

Existing law requires that school district governing boards not designating September 9, "Admission Day," as a paid holiday for classified employees shall provide a substitute holiday.

This bill would add technical clarifying provisions.

Ch. 993 (SB 1309) Beverly. Judgments: execution: exemptions.

Existing law provides that heads of families and persons aged 65 or over may claim a homestead exemption, or a claim for exemption from execution for a dwelling house, housetrailer, mobilehome, houseboat, boat, or other waterborne vessel in which such person or the family of such person actually resides, up to $30,000, and provides for a claim of homestead or claim for exemption from execution for such property as to all other persons of up to $15,000.

This bill would increase the limits of $30,000 and $15,000 to $40,000 and $25,000, respectively.

Ch. 994 (SB 2229) Campbell. Appropriation: Department of Justice.

This bill would appropriate $150,000 from the Motor Vehicle Account in the State Transportation Fund to the Department of Justice to pay the claim of Bonnie Jean Marsh against the State of California.

This bill would take effect immediately as an urgency statute.

Ch. 995 (AB 3689) Levine. State Bar.

Existing law provides for the membership of the board of governors of the State ~~Board~~ [Bar]* and requires the election of 15 attorney members from specified districts and the appointment [of]* 6 lay members; such members to serve for a term of 3 years.

This bill would require the election of 1 additional attorney member by the board of directors of the California Young Lawyers Association, from the membership of that association. Such member would serve for a term of 1 year and would be eligible for reelection. Vacancies would be filled in a specified manner.

Ch. 996 (AB 3168) Rosenthal. Psychiatric technicians.

Under existing law, fees paid under the Psychiatric Technician Law are generally paid on an annual basis.

This bill permits the establishment of a biennial renewal period by the Board of Vocational Nurse and Psychiatric Examiners.

Existing law prescribes the maximum fees to be paid for licenses by psychiatric technicians.

This bill would increase the renewal fee and delinquency fee for such licenses.

Existing law provides that all money in the Vocational Nurse and Psychiatric Technician Examiners Fund is continuously appropriated to carry out specified provisions of law.

The fees provided in this bill would result in an increase in such fund available for expenditure.

Ch. 997 (SB 1446) Presley. Vehicles: financial responsibility.

Existing law requires every driver or owner of a vehicle to maintain some form of financial responsibility, as specified. Any driver involved in an automobile accident resulting in the death or bodily injury of a person or causing more than $250 worth of damage to the property of one person is required to report such accident to the Department of Motor Vehicles Every driver or owner of a car involved in a reportable accident must establish proof of financial responsibility by any one of several methods, including being an insured or obligee under a form of insurance or bond. Failure to establish proof will result in suspension of the driving privilege. Suspension of the driving privilege is also mandatory when the department is notified of nonpayment of a judgment rendered as a result of a reportable accident.

This bill would provide that an automobile accident need not be reported unless it involves the death or bodily injury of a person or causes more than $350 worth of damage to the property of one person. In addition, the bill would recast the provisions relating to the use of insurance or bond as proof of financial responsibility by specifying that the insurance or bond shall cover the driver for the vehicle involved in the accident.

The bill would make additional changes in Section 16075 of the Vehicle Code, proposed by Assembly Bill No. 2799, to be operative only if this bill and Assembly Bill No. 2799 are both chaptered and effective January 1, 1979, and this bill is chaptered after Assembly Bill No. 2799.

The bill would make other conforming changes.

Ch. 998 (SB 2009) Greene. Instruction in cosmetology.

Current law provides that no programs, courses, classes, or instruction in cosmetology shall be initiated or expanded by any regional occupational center, high school, public community college, or campus of the California State University and Colleges unless it has been established by the appropriate body, as specified, that a definite need exists therefor or unless the report of the appropriate body is read at a public meeting. The appropriate body must report its findings within a specified time.

This bill would delete language authorizing the initiation or expansion of such programs, courses, classes, or instruction if the report of the appropriate body is read at a public meeting and would require reporting the findings at a public meeting within the specified time

Ch. 999 (SB 2154) Campbell. Dangerous fireworks: penalties.

Existing law defines and provides for regulation of the manufacture, transportation, and sale of dangerous fireworks. Such existing law provides specified misdemeanor penalties for violations of such law.

This bill would make the violation of such provisions which involve 7,500 grains or more of explosive material, a public offense with prescribed penalty.

The bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason.

Ch 1000 (SB 1867) Holden. Health services: genetically handicapped person's program

Under existing law, the Director of Health or such person's successor, the State Director of Health Services, is required to establish and administer a program for the medical care of persons with certain genetically handicapping conditions. Under existing law, the legislative findings indicate an intent for such program to cover such persons who are unable to pay for their necessary medical services. Existing law also prescribes that state reimbursements for services covered by such program not be made for any services which are available to the recipient under any other private, state, or federal programs or under other contractual or legal entitlements.

This bill would additionally state in the legislative findings that such persons, whose employment may be jeopardized by prolonged use of employer health insurance, be covered by such program.

This bill would prescribe that state reimbursements, as discussed above, may be made for services covered by employer health insurance when the state department determines that prolonged use of employer health insurance would jeopardize the recipient's employment

This bill would also repeal existing, but obsolete, provisions with respect to an adult cystic fibrosis program, since such program was incorporated into the program for

genetically handicapping conditions.

Ch 1001 (SB 1585) Marks. Asbestos

(1) Existing law prohibits any person from spraying any substance containing asbestos in or upon a building or other structure during its construction, alteration, or repair. Pursuant to the provisions of Chapter 303 of the Statutes of 1978 (SB 1591), which became effective June 28, 1978, portland cement plaster containing less than ½ 1% asbestos, exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application, cold process asphalt roof coatings, and substances containing less than ¼ of 1% naturally occurring asbestos impurities are exempt from such prohibition until July 1, 1979, and the Occupational Safety and Health Standards Board is required to conduct public hearings and adopt regulations establishing classifications for the use of such products which would be exempt from such prohibition after such date.

This bill would, on and after July 1, 1979, prohibit the sale, transfer, purchase, or manufacture, as defined, of any substance containing any amount of asbestos which would, if sprayed in or upon a building or other structure, as specified, be regulated by such provisions Violation of such provision would be a misdemeanor pursuant to existing law

(2) Pursuant to existing law, employers, and specified employees, who willfully violate such existing prohibitions, which violation causes death or specified serious injury to employees are subject to up to a $10,000 fine for a first offense or up to a $20,000 fine for subsequent offenses, in addition to imprisonment and civil penalties, and such provisions are enforced by the Division of Industrial Safety of the Department of Industrial Relations with respect to the safety of employees.

This bill would require the Division of Industrial Safety to enforce the provisions relating to substances containing asbestos suitable for spraying with respect to employee safety, and, in specified circumstances, to enforce such provisions pursuant to a specified procedure if workers are handling such substances and if the division or its employees become aware of such manufacture. The bill would require the State Department of Health Services to enforce such provisions in circumstances and facilities except those where the Division of Industrial Safety is required to do so.

Such provisions of the bill would become operative on July 1, 1979.

(3) 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 because of a specified reason.

Ch 1002 (AB 3598) Kapiloff. Nutrition and Volunteer Services Program for Senior Citizens.

Existing law provides for a nutritional program for senior citizens.

This bill would eliminate the waiver of liability claims against the local public entity required to be signed by senior citizen volunteers participating in any program pursuant to Chapter 6 (commencing with Section 9500) of Division 8.5 of the Welfare and Institutions Code. This bill also would eliminate from the evaluation of the program by the Department of Aging, the report on the feasibility and impact of implementing a means requirement for the meals component, including alternative methods and measures.

In addition, this bill would delete all references to fiscal years, with respect to the $900,000 appropriation to the department for this program

The bill would take effect immediately as an urgency statute.

Ch. 1003 (AB 3611) Lehman Workers' compensation insurance: rating organizations.

Existing law permits a person aggrieved by any decision, action, or omission to act of any insurer or rating organization to request reconsideration or appeal to the Insurance Commissioner if such request fails

This bill would, additionally, require any insurer, including an agent or broker of such insurer, adopting a change in the classification of an employer's workers' compensation insurance which results in an increased premium to notify the employer, in writing, and to indicate the reasons for such decision and the fact that the employer may request reconsideration of such change and thereafter file an appeal for reclassification with the

commissioner. Such requirement would not apply to changes resulting from regulations of the department or commissioner.

Ch. 1004 (SB 1334) Johnson. Fire prevention: County cooperative agreements.

Under existing law, implemented pursuant to a 3-year pilot program, the Director of Forestry is required to enter into a cooperative agreement with any county with a population of 100,000 or less, when any such county so requests, for the purpose of preventing and suppressing forest fires or other fires within the county, upon such terms and under such conditions as are mutually determined by the parties to be necessary or desirable to accomplish that purpose.

This bill would raise the population criterion for a county to so contract to 130,000.

The bill would also correct an obsolete reference.

Ch. 1005 (SB 205) D. Carpenter. Vehicles: lien

Existing law contains statutory provisions which establish possessory liens and lien sale procedures for personal property generally, including vehicles. Existing law also contains statutory provisions which establish possessory liens and lien sale procedures specifically for vehicles.

This bill would delete from the lien and lien sale procedures provisions applicable to personal property generally, those provisions applicable to vehicles.

The bill would delete registered mail as a permissive alternative method of giving certain pre-lien sale notices under the vehicle lien sale procedures provisions.

Existing law establishes a separate lien sale procedure for those vehicles valued over $200 and those vehicles valued at $200 or less.

This bill would require that, with respect to a low-valued abandoned vehicle, a lienholder of such a vehicle make a request to the Department of Motor Vehicles, within ~~5~~ [10]* working days of acquiring possession of such vehicle, for the names and addresses of all persons having an interest in the vehicle and, upon receipt of such information, immediately notify such persons by certified mail of his intent to conduct a lien sale, as specified.

Existing law governing vehicle lien sales provides that various notices regarding the sale contain certain information describing the vehicle to be sold.

This bill would revise the information that describes the vehicle to be sold.

This bill would also revise the procedure regarding lien sales of abandoned vehicles.

Existing law regulating vehicle lien sales provides for a different disposition of lien sale proceeds for vehicles valued over $200 and for abandoned vehicles

This bill would provide that the proceeds of all lien sales shall be disposed of as follows: first, to the discharge of the lien and the actual cost of selling the vehicle, with the cost of selling not to exceed $50; and second, the balance, if any, to be forwarded to the Department of Motor Vehicles within ~~10 working days~~ [5 days]* of the sale for a sale of a low-valued vehicle or within 25 days for a sale of other vehicles, for payment to the legal owner ~~or~~ [of]* any unpaid obligation or for deposit in the Motor Vehicle Account.

This bill would authorize any person claiming an interest in a vehicle to file a claim with the Department of Motor Vehicles for the payment of any portion of such balance by the department. This bill would continuously appropriate funds in the Motor Vehicle Account received from vehicle lien sales for the purpose of paying such claims

This bill would make additional technical and clarifying changes.

Ch 1006 (SB 1901) Sieroty Public playground equipment. accessibility and usability

Existing law does not require public agencies operating playgrounds to provide equipment within the playground which is accessible and usable by all persons regardless of physical condition

This bill would require public agencies to provide such equipment with respect to new playground equipment purchased on, or after January 1, 1979, whenever such equipment is available at a quality and cost which is comparable to the quality and cost of standard equipment. The bill would make legislative findings and declarations in such connection.

The bill would provide that no appropriation or reimbursement is made for costs incurred by local agencies pursuant to the bill for a specified reason.

Ch. 1007 (AB 3012) Wray. Methane gas recovery.

Existing law does not require the State Solid Waste Management Board to study the feasibility of recovering methane gas from landfills or to develop any program to implement the recovery of methane gas at landfills.

This bill would require the State Solid Waste Management Board to undertake and, not later than December 31, 1979, to submit to the Legislature and to the Governor a study regarding the feasibility of recovering methane gas from landfills, including an assessment of prescribed things The bill would require the board, based upon the findings of the feasibility study, to develop a proposed program, including prescribed recommendations, to implement maximum feasible recovery of methane gas at landfills in the state.

The bill would require the board on or before March 1, 1979, to consider and adopt official board policy concerning the board's recommendation regarding the eligibility of methane recovery projects for California Pollution Control Financing Authority funding.

The bill would also authorize the State Solid Waste Management Board to encumber funds from the State Litter, Recycling, and Resource Recovery Fund from such amounts which the Legislature may appropriate to the board for such purposes, not to exceed $75,000 for the 1978–79 fiscal year, for expenditure in carrying out the provisions relating to the study and the report to the Legislature and the proposed program to implement maximum feasible recovery of methane gas at landfills in the state.

Such authority would be repealed pursuant to existing law on July 1, 1983.

This bill would also incorporate additional changes in Section 42652 of the Revenue and Taxation Code proposed by AB 2636, to become operative only if AB 2636 and this bill are both chaptered and this bill is chaptered last.

Ch. 1008 (SB 2066) Rains. Energy: coal gasification demonstration program.

(1) Existing law requires the State Energy Resources Conservation and Development Commission to develop and coordinate research and development activities, including participation in large-scale demonstrations of alternative energy systems sited in California.

This bill would make legislative findings to the effect that it is the responsibility of state government to ensure energy production and distribution in a manner consistent with environmental quality and that the exigencies associated with increasing cost and scarcity of traditional fuels has created an urgent need to develop, demonstrate, and commercialize new and advanced energy technologies, including coal gasification. The bill would set out guidelines for developing and funding a coal gasification demonstration project or projects.

(2) Under current law, the commission studies proposals for, and extensively regulates the site selection and construction of, energy producing facilities.

The bill would revise the requirements for findings and certifications relative to coal gasification combined cycle demonstration projects.

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

Ch. 1009 (AB 3032) Keene Energy: cogeneration technology.

Existing law, generally, defines "public utility" as including every common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, wharfinger, warehouseman, and heat corporation, where the service is performed for, or the commodity delivered to, the public.

This bill would specify that in no event shall ownership or operation of a facility which employs cogeneration technology be deemed to make a person a public utility, within the meaning of the provisions of the Public Utilities Code, solely because of the ownership or operation of such a cogeneration facility. It would also provide that a corporation or person may employ cogeneration technology in the generation of electricity for its own use or the use of its tenants or for sale to an electrical corporation or state or local public agency, but not for sale to others, without becoming subject to the jurisdiction and control of the Public Utilities Commission as an electrical corporation itself

The bill would define cogeneration technology for purposes of the above provisions, and would make a declaration regarding legislative intent with respect to cogeneration technology.

Ch. 1010 (SB 1805) Holmdahl Energy. thermal powerplants.

(1) Under existing law, any person proposing to construct a thermal powerplant on a site is required to submit a notice of intention to file an application for the certification of such site with the State Energy Resources Conservation and Development Commission. Every notice is required to contain at least 3 proposed alternative sites.

This bill would provide that no notice of intention shall be required for a thermal powerplant, and the commission shall issue its final decision on the application within 12 months after the filing of the application for certification of such facility, or at such later time as is mutually agreed by the commission and the applicant, if a person proposes to construct a thermal powerplant, not exceeding 300 megawatts unless a greater capacity is authorized by commission regulation, which shall employ cogeneration technology, a thermal powerplant for which only 1 site is feasible, a thermal powerplant with a specified generating capacity, or a thermal powerplant designed to develop or demonstrate new technologies, or if a person proposes a modification of an existing facility.

This bill would define electrical corporation, within the meaning of the provisions of the Public Utilities Code, to not include a corporation or person employing cogeneration technology solely for generation of electricity for its own use or its tenants or for sale to an electrical corporation or state or local public agency. Further, exhaust steam, waste steam, heat, or resultant energy produced in connection with cogeneration technology, would be exempted from state sales taxes.

The bill would define cogeneration technology for purposes of the above provisions.

(2) Under existing law, if modification of an existing power facility is proposed, the commission may require that alternative methods of providing additional service or making the proposed modification be specified in the notice.

This bill would repeal such provision of existing law.

Ch. 1011 (SB 1855) Greene. Solid waste conversion projects

(1) Existing law provides for creation of joint powers agencies by cities, counties, districts, and other public agencies for the exercise of any power common to such entities.

This bill would, if such joint powers agency has the power to perform specified solid waste disposal, treatment, or conversion activities, authorize such joint powers agency to issue revenue bonds pursuant to the Revenue Bond Law of 1941 for such purposes.

(2) The existing Revenue Bond Law of 1941 authorizes specified governmental agencies to issue bonds secured by revenues from specified enterprises, which enterprises are to be constructed with such bond funds.

This bill would add to the listing of such specified enterprises those facilities to convert solid waste to energy and reusable materials and would exempt from the specified exclusions those undertakings for disposal, treatment, or conversion of solid waste, as specified.

(3) Existing law creates a State Solid Waste Management Board for the formulation and adoption of state policy for solid waste management, including minimum standards for solid waste management. The board is also required to select one or more sites which are suitable for the conversion of solid waste into energy and to enter into agreements to facilitate the construction and operation of any solid waste recovery and conversion facilities with selected cities, counties, private entities, or other agencies having jurisdiction over the site selected for such facilities Such agreements are required to provide, among other things, that the facilities shall be operational within a time period to be determined by the board, but in no event later than January 1, 1981

This bill would delete the January 1, 1981, deadline

(4) Existing law requires each county to adopt a county solid waste management plan meeting various prescribed requirements.

This bill would require each county, before implementation of a project located in such county and selected by the board as the site of any solid waste recovery and conversion facilities, to amend the county solid waste management plan to include the project, and to define the waste sources of the project, as specified If the waste sources include portions of one or more other counties, the bill would require that the waste source area be defined cooperatively among the counties concerned and that waste from such waste sources be committed for the life of the bonded indebtedness of the project or the permanent termination of the project, whichever occurs first.

(5) Existing law does not authorize the State Solid Waste Management Board to

finance preconstruction activities of refuse-to-energy projects.

This bill would require the board to disburse funds appropriated for such projects by awarding grants to project proponents for the preconstruction activities of solid waste-to-energy projects, as specified, but would require the board to condition disbursement of such funds on the provision of matching funds by the project proponents.

This bill would require the board to establish criteria for the selection of such projects and to report to the Legislature on the status of such projects commencing on April 1, 1979, and annually thereafter.

(6) Existing law does not require the State Office of Planning and Research to render maximum support to the proponents of prescribed solid waste resource and conversion facilities projects selected by the board in obtaining the permits necessary for the operation of the project.

This bill would do so.

(7) Current law prescribes a California Pollution Control Financing Authority empowered, among other things, to issue bonds to finance the cost of solid waste disposal projects. The total cost for which may be financed in each calendar quarter is $50,000,000 and financing for each project is required to be separately approved by the authority.

This bill would remove the quarterly limit for solid waste-to-energy projects and would authorize the authority to approve financing for several prescribed solid waste recovery and conversion facilities projects selected by the board by a single resolution if the total amount of such projects does not exceed $200,000,000. This bill would require the authority to contact the board before approval to ascertain that such projects meet specified requirements.

(8) Existing law continuously appropriates the balance of the State Litter Control, Recycling, and Resource Recovery Fund, after payment of assessment refunds and administrative costs of assessment collection, to the board for the purpose of making grants, as specified.

This bill would authorize the board to make grants or loans for such purposes and would express a legislative intent that funds be used to supplement, not replace, existing funding. The latter requirement would not be applicable to a grant or loan made to a public agency in fiscal year 1978–79.

(9) The Budget Act of 1978 reappropriates a specified amount of the State Litter Control, Recycling, and Resource Recovery Fund to the board for specified purposes and subject to specified conditions

This bill would reappropriate $2,000,000 of such reappropriated funds to the board for encumbrance for preconstruction activities of solid waste conversion projects and would eliminate specified conditions on the use of such reappropriated funds.

This bill would also reappropriate to the board funds deposited in the State Litter Control, Recycling, and Resource Recovery Fund in excess of amounts, as specified, for encumbrance as specified.

(10) The Budget Act of 1978 appropriates $9,900,000 for a loan to the State Litter Control, Recycling, and Resource Recovery Fund, a specified portion of which is available only for specific purposes after approval, as specified.

This bill would eliminate these limitations.

(11) The bill would also incorporate additional changes in Section 68042 of the Government Code proposed by AB 2636 to become operative on the operative date of AB 2636 only if AB 2636 and this bill are both chaptered and this bill is chaptered last.

(12) This bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason

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

Ch 1012 (SB 1767) Alquist. Powerplants and related facilities: site certification.

The present law, generally, provides for the certification of powerplants and related facilities by the State Energy Resources Conservation and Development Commission. Prior to submitting an application for the certification of a powerplant and related facilities, the applicant is required to file a notice of intent to file an application for certification.

Under existing law, if the commission determines that all reasonable conservation, allocation, and service restriction measures will not alleviate an energy supply emergency and upon specified declaration by the Governor or Legislature, it may authorize

the construction and use of generating facilities with a designated maximum capacity under terms and conditions it specifies to promote the public interest.

This bill would delete such a limitation on the maximum allowable generating capacity and, instead, require the commission to authorize the construction and use of generating facilities, if the above conditions are satisfied.

Ch. 1013 (SB 1859) Alquist Energy resources: conservation and development.

(1) The Warren-Alquist State Energy Resources Conservation and Development Act provides for, among other things, planning and forecasting of energy resources, and for site certification of designated powerplants and related facilities by the State Energy Resources Conservation and Development Commission.

Under the act, every electric utility in the state is required to send the commission 5-, 10-, and 20-year forecasts or assessments of loads and resources for its service area which the commission is required to review and evaluate.

This bill would delete the requirement for a 10-year forecast and, instead, require a 12-year forecast.

(2) Under the act, the commission is required to send the Governor and the Legislature a comprehensive report on energy supply, demand, and conservation every 2 years.

This bill would revise the criteria for such reports.

(3) Under the act, the commission is required to evaluate and certify sites and related facilities supplying electric power. When a notice of intention to file an application is received by the commission, it is required to conduct public informational hearings in the county of the proposed site and related facilities and to subsequently prepare and make public a preliminary report on the notice of intention to file an application prior to the final report of the commission.

This bill would delete such requirements with respect to conducting public informational hearings and preparing a preliminary report and, instead, would require the commission to conduct public information presentations in the county or counties of the proposed sites and related facilities within 45 days after filing of a notice of intention. It would require the commission to commence nonadjudicatory hearings 15 days after conclusion of the public informational presentations for the purpose of identification of issues and other matters, to prepare a summary and hearing order, which specifies dates for an adjudicatory hearing, and to carry out adjudicatory hearings. The bill would require the commission to prepare its final report after the conclusion of the adjudicatory hearings, but no later than 300 days after the filing of the notice of intention.

The bill would provide that the commission is not authorized, as specified, to mandate a specific supply plan for any utility.

The bill would require the commission to issue its written decision on the notice of intention not later than 12 months after filing of the notice of intention unless a later time is mutually agreed upon by the commission and the applicant.

(4) The bill would make related changes

Ch 1014 (SB 1325) Stull. Municipal courts.

Existing law specifies the number of municipal court judges in Riverside County at 14.

This bill would increase the number of municipal court judges in Riverside County from 14 to 15.

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 1015 (AB 2132) Suitt. Municipal court judges.

Existing law specifies the number of municipal court judges in Riverside County at 14.

This bill would increase the number of municipal court judges in Riverside County from 14 to 15

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 1016 (AB 2099) Bane. Funds: investment.

(1) Existing law specifies those securities eligible for investment of specified surplus

state funds and includes, among such eligible securities, bonds of any county, city, metropolitan water district, municipal utility district, or school district of this state, warrants of such agencies, bonds or warrants of any California water district, California water storage district, or irrigation district in California, bonds or interest-bearing notes or obligations of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest, and obligations of the Federal Home Loan Mortgage Corporation.

This bill would, in addition, make bonds or interest-bearing notes or obligations that are guaranteed as to principal and interest by a federal agency of the United States eligible securities.

(2) Existing law specifies those securities that may be received as securities for deposit of state funds in banks and savings and loan associations

This bill would add bonds issued by the State of Israel to such eligible securities.

(3) Existing law provides that in order for banks to receive and retain demand or time deposits, a bank must deposit with the Treasurer as security for such deposits, specified securities in an amount in value of at least 10% in excess of the amount deposited with the bank.

This bill would provide that uncollected funds shall be excluded from the amount deposited when determining the security requirements for such deposits.

This bill would incorporate additional changes in Section 16430 of the Goverment Code prepared by Senate Bill 1330 and Senate Bill 1776, to be effective only if Senate Bill 1330, or Senate Bill 1776, or both, and this bill are chaptered and become effective on January 1, 1979, and this bill is chaptered last.

In addition, it would incorporate additional changes in Section 16522 of the Government Code, proposed by Senate Bill 1330, to be effective only if Senate Bill 1330 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 1017 (AB 2157) Torres. Fairs: 48th District Agricultural Association.

Under existing law there is the 48th District Agricultural Association.

This bill would require the Director of General Services, with the approval of the State Public Works Board, to sell the Great Western Exhibit Center, which is the property of the district, in Commerce, California to the City of Commerce for construction of a residential development which would provide low and moderately priced housing. The development would be required to include low-income senior citizen housing and family housing units. Under the bill, all proceeds of the sale, less costs and expenses of sale, would be appropriated to the 48th District Agricultural Association for expenditure to obtain another fair and exposition site.

This bill would prohibit the 48th District Agricultural Association from expending for another site an amount in excess of the proceeds that it receives from the sale.

Ch. 1018 (AB 2780) Alatorre. Fire safety inspections.

Existing law requires the Board of Corrections to establish minimum standards for fire and life safety in local detention facilities, as defined. Existing law also requires the State Fire Marshal to adopt regulations establishing minimum fire prevention and protection of life and property standards for any building or structure intended for use as a jail. Under existing law, biennial inspections of local detention facilities are required.

This bill would require the State Fire Marshal, or such person's authorized representative, to annually inspect each jail or place of detention for persons charged with or convicted of a crime, unless the chief of any city or county fire department or fire protection district annually indicates in writing to the State Fire Marshal that the inspection of such jails or places of detention, therein, will be conducted by the chief, or such person's authorized representative. It would require the inspections to enforce certain regulations and standards, as specified. It would also require reports of such inspections to be submitted, as specified

The bill would also require the Board of Corrections to include in its minimum standards that at least one person be on duty at the detention facility who is knowledgeable in fire and life safety procedures.

This bill would also appropriate $41,000 to the State Fire Marshal for purposes of making certain inspections, as specified.

Ch. 1019 (SB 1021) Sieroty. Sales and use tax: exemption· art works.

Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax.

Moreover, counties, cities, and certain transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the transit districts, for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would exempt from state and local sales and use taxes original works of art, if purchased by a governmental entity or nonprofit organization operating a museum for such entity, or if purchased by a nonprofit organization for a museum operated by a nonprofit organization, under specified conditions, or if purchased for a donation to, and actually donated to, a governmental entity or nonprofit organization operating a museum, and would define the terms "work of art" and "museum" for such purposes

This bill also exempts from state and local sales and use taxes items which have value as museum pieces purchased by certain nonprofit museums to replace property destroyed by fire, flood, earthquake or other calamity, under specified conditions.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy

Ch. 1020 (SB 1537) Beverly Courts: commissioners.

Under existing law the presiding judge of a municipal court may assign a retired commissioner of a municipal court of any judicial district in Los Angeles County or San Diego County to serve as a court commissioner of the municipal court for such periods of time as needed for the prompt and efficient discharge of the business of that court.

This bill, in addition, would permit such judges to assign retired commissioners of any superior court in this state to serve as a court commissioner of the municipal court for such periods of time as needed for the prompt and efficient discharge of the business of that court.

Existing law authorizes commissioners of municipal courts, at the direction of the judges, to have the same jurisdiction and exercise the same powers and duties as the judges as to any infraction.

This bill would extend such authority to include small claims court actions

Ch 1021 (SB 1330) Zenovich. Security for the investment of state funds and for deposit.

(1) Existing law specifies those securities issued or guaranteed by prescribed entities which are eligible to be received as security for the court and private trusts of a trust company and the deposit of funds of state and local governmental agencies in banks and savings and loan associations.

This bill would also make obligations assumed by such entities eligible to be received as security and would make obligations issued, assumed, or guaranteed by certain additional entities eligible to be received as security.

(2) Existing law specifies those securities eligible for the investment of specified surplus state funds.

This bill would also make obligations issued, assumed, or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, or the Government Development Bank of Puerto Rico eligible securities

This bill would incorporate additional changes in Section 16430 of the Government Code proposed by AB 2099 and SB 1776 to be effective only if AB 2099, or SB 1776, or both and this bill are chaptered and become effective January 1, 1979, and this bill is chaptered last

In addition, it would incorporate additional changes in Section 16522 of the Government Code, proposed by AB 2099, to be effective only if AB 2099 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 1022 (AB 2434) Priolo. Annoying telephone calls.

Existing law makes it a misdemeanor for a person, with intent to annoy, to make a telephone call to another person and address to or about such other person obscene language or any threat to inflict injury to the person or property of such other person or any member of his family or to make a telephone call with intent to annoy and without disclosing his identity

This bill would make it a misdemeanor for a person to perform such acts of annoyance upon receiving a telephone call which was made in response to a request for a return call when the request was made with intent to annoy.

This 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.

Ch. 1023 (SB 1462) Sieroty. Private investigators and adjusters.

Existing law authorizes the Director of Consumer Affairs to adopt and enforce rules, among other things, which establish the qualifications specified persons must meet as a condition of being eligible to carry firearms.

This bill would include alarm agents employed by an alarm company operator to such provision.

Existing law requires specified persons, who are uniformed employees of licensees who operate a private patrol or any other employee of any lawful business employed as a security guard or patrolperson and who in the course of such employment carries a deadly weapon, to complete a specified course in the powers of arrest and the carrying and use of firearms.

This bill would revise such provision by adding any private investigator and alarm company operator and alarm agent employed by an alarm company operator to such requirement and make other technical changes to such provision.

Alarm company operators are licensed pursuant to the provisions relating to private investigators and adjusters. No fee for a renewal of such license is specified by statute.

This bill would authorize the renewal fee to be fixed at not more than $100.

Existing law provides that the delinquency fee for a license issued under the Private Investigator and Adjuster Act shall be 25% of the renewal fee and provides for a firearms qualification fee of $5.

This bill would provide that such delinquency fee shall be 50% of the renewal fee but not more than $25 and provide for a firearms requalification fee of $5.

Under existing law fees collected for licenses from licensees are collected and deposited in the Private Investigator and Adjuster Fund which is continuously appropriated. The fees that would be authorized by this bill would result in an increase in the amount of fees collected and deposited in such continuously appropriated fund.

Existing law exempts, among others, private investigators and private patrol operators, as specified, from penal provisions prohibiting the carrying of a loaded firearm.

This bill would include alarm company operators and uniformed alarm agents employed by such operators in such exemption. The bill would make related changes as to the carrying of firearms by such alarm company operators and agents including the issuance of a certificate by the Department of Consumer Affairs for the completion of a course in the use of firearms, as specified.

Appropriation: yes.

Ch. 1024 (SB 1956) Russell State Teachers' Retirement System: optional retirement.

(1) Existing State Teachers' Retirement Law authorizes members to elect different specified retirement allowance options.

This bill would require the Teachers' Retirement Board to develop, adopt, and implement an additional optional plan to allow members 55 years of age or older to receive a minimum retirement allowance prior to age 60 which would be increased at some age past age 60 to the service retirement allowance. The age beyond age 60 at which such retirement allowance would be increased would be determined by the period of time that the minimum retirement allowance would have to be paid in order that the benefits received prior to age 60 would equal the difference between the minimum retirement allowance and the regular service retirement allowance that would have been paid at age 60

The bill would require that valuation factors be determined on the basis of reasonable actuarial assumptions and methods which offer the actuary's best estimate of anticipated

experience.

(2) Existing State Teachers' Retirement Law permits members to receive full retirement allowances at age 60 consisting of (1) 2% of final compensation per year of service, (2) an annuity actuarially equivalent to accumulated annuity deposits of the member, and (3) a "tax-sheltered annuity" actuarially equivalent to the accumulated tax-sheltered annuity deposits of the member. Existing law also reduces the allowance under (1) if the retirement is effective at less than age 60 by 0.50 of 1 percent for each month which would elapse until the member would have reached age 60. Under such existing law, a school district or other employing agency may elect to permit all members with 30 years service to take such reduced benefits regardless of age.

This bill would revise the authority of a school district to provide for the retirement of members with 30 years of service only if they are over age 50 and would lower the reduction from full retirement allowance for members between ages 50 and 55 to a reduction of 0.25 of 1 percent for each month which would elapse until the member would have reached age 55 and 0.50 of 1 percent for each month between 55 and 60. The bill would provide that the age for determining such reduction is the age on the last day of the month in which the allowance begins to accrue instead of the member's age on the last day of the month in which the member has requested the retirement be effective and would delete the tax-sheltered annuities from such retirement allowance payment provisions.

Ch. 1025 (AB 2288) Levine. Air pollution control districts.

(1) Existing law provides for an air pollution control district in the San Francisco Bay area, known as the Bay Area Air Pollution Control District, and an advisory body to the bay district known as the Bay Area Air Pollution Control Advisory Council.

This bill would rename such entities to the Bay Area Air Quality Management District and the Bay Area Air Quality Management Advisory Council, respectively, and make other conforming changes.

(2) Existing law requires the South Coast Air Quality Management District to apportion the amount that each county included within the south coast district shall pay to finance the operation of the south coast district on the basis of the proportional population of the county to the population of the south coast district, as determined from the latest federal decennial census.

This bill would, instead, require such apportionment, as determined by the south coast district board, to be determined from the latest federal decennial census or the latest annual population estimate by the Department of Finance, as specified.

(3) The bill would make no appropriation nor create any obligation for reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

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

Ch. 1026 (AB 736) Lockyer. Taxation: depletion allowance.

Existing law provides a 23% depletion allowance for sulfur

This bill would decrease such allowance to 22%.

Existing law limits 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 is $1,500,000 reduced by 125% of the authorized allowance in excess of $1,500,000.

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

Such limit could 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 bill would take effect immediately as an urgency statute.]*

Ch. 1027 (AB 763) Greene. School districts: attendance: adults; nonpublic schools. loan of educational materials; schools: leased buildings.

(1) Under current law, school districts may enroll adults in classes for adults. The attendance of such adults is included in the computation of state apportionments to the district and the revenue limit of the district.

This bill would permit governing boards of school districts to determine not to include the attendance of persons enrolled in adult education classes for such purposes, and would require such a district to submit annually to the Superintendent of Public Instruction a report indicating the number of pupils in such category for the preceding fiscal year.

(2) Existing law requires the Superintendent of Public Instruction to lend free of charge to specified nonpublic school pupils instructional materials adopted by the State Board of Education for use in public elementary schools.

This bill would revise the provision to set forth specific items which may be lent under the provision and to specify that the items lent must be for pupil use.

(3) Current law generally requires that any building leased for a total time in excess of 3 years be constructed or reconstructed in accordance with the structural standards of the so-called Field Act.

This bill would exempt, until January 1, 1982, from such requirement any building which was being leased by a school district prior to January 1, 1979, and which is used exclusively for adult education purposes.

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

Ch. 1028 (SB 1893) Dunlap. Community colleges: average daily attendance

Existing law requires that fractions of units of average daily attendance be computed to the next lowest whole number, except when less than 1 unit is involved.

This bill would require units of a.d.a. to be computed to 4 decimal places and rounded to 2 decimal places.

Existing law authorizes a.d.a. in credit and noncredit short-term classes to be computed for apportionment and requires that attendance in such classes be computed according to a special formula. However, this authorization and requirement will remain in effect only until July 1, 1978.

This bill would extend this authorization and requirement, as to attendance in credit classes offered for other than the full term, quarter, or semester, or special session authorized for new community colleges

This bill would take effect immediately as an urgency statute.

Ch. 1029 (AB 2175) Mello. Junior high school tuition: special education.

(1) The law presently prescribes revenue limits for all types of school districts, makes elementary school districts responsible for the education of pupils in grades 1 through 8, and requires elementary school districts to pay a tuition charge to a high school district maintaining a junior high school in which 7th and 8th graders of the elementary district are educated.

A special act, enacted in 1973, and applicable only to schools in Santa Cruz County, prescribes specific computations to be used in determining the tuition revenue limit of high school districts, and the amount of tuition to be charged elementary districts, in cases where 7th and 8th grade students of the elementary district are educated in a junior high school maintained by the high school district.

This bill would revise the formula for making such computations for the schools in Santa Cruz County.

(2) Under existing law, local educational agencies may contract with private nonsectarian schools and public and private agencies to provide special education services. Contracting private schools and agencies must be certified as meeting certain standards. The certification may be for a period of no longer than 5 years.

This bill would permit the Superintendent of Public Instruction, for the 1978–79 fiscal year, to provide for the certification of private schools and agencies for up to one year

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

Ch. 1030 (SB 1517) Stiern. Horses and other Equidae: importation.

Existing law does not restrict the importation of horses or other Equidae unless they are accompanied by a health certificate and verification of testing for equine infectious anemia

This bill would require, with prescribed exceptions, that any horse or other Equidae brought into the state be accompanied by a health certificate stating that the animal is free from evidence of any communicable disease, and verification that the animal, has been tested and found negative to a test for equine infectious anemia within the preceding 6 months.

The bill would require that a filing fee, not to exceed $2 per animal, be paid to the Department of Food and Agriculture at the time the animal is shipped, and would provide that such moneys be deposited in the Department of Agriculture Fund, which is continuously appropriated, to be used for administration of the specified provisions of the bill. The bill would require that any positive test for equine infectious anemia performed in a California laboratory be reported, as specified, to the department

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. 1031 (SB 2119) Mills. Mobilehome residences.

Existing law contains a comprehensive scheme of regulation of tenancies in a mobilehome park, with express provisions as applicable to mobilehome subdivisions, cooperatives, and condominiums.

This bill would repeal and recodify this scheme of regulation without substantive change.

This bill would incorporate into proposed Section 798 74 of the Civil Code those changes in Section 789.10 of the Civil Code proposed by S.B. 1374, contingent upon the enactment of S.B. 1374.

Ch. 1032 (AB 3315) Ingalls. Mobilehome park tenancies.

Existing law requires that a tenant of a mobilehome park be furnished, if the tenant so requests, with a written rental agreement governing his tenancy. Such written rental agreement is required to be for a term of not less than 12 months.

This bill would preclude such written rental agreement from containing any terms or conditions with respect to charges for rent, utilities, or incidental reasonable service charges, which would differ during the first 12 months from corresponding terms or conditions which would be offered to the tenant on a month-to-month tenancy.

The bill would incorporate changes in the law proposed by SB 2119, to become operative only if SB 2119 is enacted and adds Section 798.18 to the Civil Code.

Ch. 1033 (SB 2120) Mills. Mobilehome tenancies.

Existing law regulating mobilehome tenancies requires that a prospective tenant of a mobilehome park be furnished with a written rental agreement which may include the rules and regulations of the park and the language of specified provisions of law regulating such tenancies

This bill would require that a rental agreement be in writing and contain in addition to those provisions presently required to be included, the term of the tenancy and the rent therefor, the rules and regulations of the park, and the language of all provisions of law regulating such tenancies, and all other provisions governing the particular tenancy.

Existing law also provides that a tenant may request that his tenancy be governed by a written rental agreement which, if the tenant so requests, must be furnished for a term of not less than 12 months.

This bill would require that a rental agreement be given a tenant for such term as he may request, not to exceed 12 months, or such longer period as the park management may approve.

Existing law provides that a park tenancy may be terminated for a tenant's failure to comply with a reasonable rule or regulation of the park as set forth in the rental agreement at the inception of the tenancy or as amended subsequently with the consent of the tenant, or without his consent upon 6 months' written notice, except for regulations applicable to recreational facilities which may be amended without the consent of the tenant upon at least 60 days' written notice.

This bill would provide that, with respect to a proposed amendment of the park rules and regulations, written notice to a new tenant where the tenancy commences within the required notice period shall constitute compliance with the notice provisions if such notice is given to him before the inception of his tenancy.

Existing law provides that a park tenancy may be terminated for a change of use of the park, provided the management gives 12 months' written advice to tenants and prospective tenants that a proposed change of use is contemplated

This bill would provide that, as to prospective tenants whose tenancies will commence within 12 months of the proposed change of use, written notice of such proposed change prior to the inception of the tenancies will satisfy the notice requirement.

Existing law requires that a permissible charge by the park management for the keeping of pets in the park by a tenant shall reasonably relate to the cost and maintenance of special pet facilities or services in relation to the number of tenants owning pets.

This bill would require that such charge bear a relationship to the number of pets kept in the park rather than the number of tenants owning pets.

Existing law specifies that a tenant may commence an action to enforce specified provisions of law regulating the inclusion of certain matters within the rental agreement or to recover damages for the breach of any provisions of the rental agreement.

This bill would ~~delete~~ [revise]* this provision.

Existing law requires that any tenant of a mobilehome park, subdivision, cooperative, or condominium be given 60 days' written notice of any rent increase

This bill would delete this provision with respect to all tenants other than tenants of a mobilehome park.

Existing law requires that any tenant of a mobilehome park, subdivision, cooperative, or condominium give 60 days' written notice before vacating his tenancy

This bill would delete this provision with respect to all tenants other than tenants of a mobilehome park.

This bill would make additional technical and clarifying changes

This bill would become operative only if Senate Bill No. 2119 of the 1977–78 Regular Session is enacted and becomes effective January 1, 1979

This bill also incorporates additional changes in mobilehome laws proposed by Assembly Bills 2291, 2785, and 3315, to become operative if this bill and one or more of those other bills are chaptered, as specified.

Ch. 1034 (SB 1376) P. Carpenter. Mobilehome park tenancies.

Existing law provides that the ownership or management of a park for mobilehomes may not have a condition or precondition of residency or tenancy that the mobilehome is prohibited from remaining in the mobilehome park in the event of a sale to a third party during the term of the tenant's lease, provided that the owner may, in the event of a sale to a third party, in order to upgrade the quality of his mobilehome park, require that any mobilehome less than 10 feet wide or more than 15 years old or 25 years old if manufactured after September 15, 1971, or any mobilehome in a rundown condition or in disrepair, be removed from the park.

This bill would raise from 15 years to either 17 years or 20 years, depending upon a mobilehome's width, the age of a mobilehome which could be required to be removed from a mobilehome park in the event of a sale to a third party

This bill would incorporate into proposed Section 798 73, as added to the Civil Code by SB 2119, the changes in Section 789.10 of the Civil Code made by this bill, contingent upon the enactment of SB 2119.

Ch. 1035 (AB 2291) Suitt. Mobilehome park tenancies

Existing law governing the creation and termination of tenancies in mobilehome parks applies only to mobilehomes or trailer coaches which are in excess of 8 feet in width or 40 feet in length and thus are required by law to be moved under permit

This bill would make such provisions applicable also to mobilehomes or trailer coaches without an engine for locomotion, which are at least 32 feet in length but less than 40 feet in length if the tenant has resided continuously in the mobilehome park for 9 months after January 1, 1979.

Existing law governing the creation and termination of mobilehome park tenancies

prohibits any lease from containing any provision by which a park tenant waives his rights under specified provisions of law governing mobilehome park tenancies

This bill would extend this prohibition to the waiver of the rights of park tenants under all present provisions of law governing such tenancies.

Existing law permits real estate brokers to engage in selling or purchasing, offering to sell or purchase, soliciting purchasers of, soliciting the obtaining of, or negotiating the purchase, sale or exchange of mobilehomes registered with Department of Motor Vehicles for at least 1 year which are greater than 8 feet in width and 40 feet in length.

Existing law also provides that real estate brokers engaged in such activities shall not maintain a place of business where 2 or more of such mobilehomes are displayed and offered for sale by the broker unless he is a licensed vehicle dealer.

This bill would make the above provisions applicable to mobilehomes which are greater than 8 feet in width and 32 feet in length.

This bill would incorporate additional changes in Section 789.5, Civil Code, proposed by Assembly Bill No. 3235, to be effective only if Assembly Bill No. 3235 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

This bill would incorporate the changes of the bill relating to mobilehomes and trailer coaches subject to the termination provisions into Section 798 of the Civil Code, as proposed by Senate Bill No. 2120, and Section 798.61 of the Civil Code, as proposed by Senate Bill No. 2119, contingent upon the enactment of either or both of these bills.

Ch. 1036 (SB 2136) Presley. Committed mentally disordered sex offenders: extended commitments

An existing statute which provides a procedure for extending the commitments of certain very dangerous mentally disordered sex offenders beyond the determined maximum commitment and for state payment of related expenses, contains a defective reference and a self-repealing provision to be effective on January 1, 1979.

This bill would delete the defective reference and specify that the State Controller shall reimburse the counties for such expenses.

This bill would also appropriate $30,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to such existing statute.

This bill would also make additional changes in Section 6316.2, Welfare and Institutions Code, proposed by A.B. 3645, to be operative only if A.B. 3645 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered after A.B. 3645.

This bill would take effect immediately as an urgency statute.

Ch. 1037 (AB 1096) Agnos. Medi-Cal: utilization controls.

Under the California Medical Assistance Program (Medi-Cal), the schedule of benefits available to recipients includes certain dental services, prosthetic and orthotic devices, eyeglasses, hearing aids, durable medical equipment, and medical supplies. Such benefits are subject to utilization controls imposed by the State Director of Health Services, and the controls may include limitations on the number of services within a specified time frame.

This bill would require utilization controls imposed on the benefits specified above to allow replacement services, devices, equipment or supplies where those previously furnished are lost or destroyed due to circumstances beyond the beneficiary's control It would also require utilization controls imposed on certain dental services to allow services and prostheses that are necessary to prevent a significant disability. It would require all utilization controls to be reasonably related to the purposes for which they are implemented.

This bill would also appropriate $1,800,000 to the State Department of Health Services for transfer to the Health Care Deposit Fund for purposes of the act.

The bill would take effect immediately as an urgency statute.

This bill would incorporate additional changes in Sec. 14132, Welfare and Institutions Code, proposed by AB 2424, AB 2960, and AB 2961, to be effective only if this bill and any of those bills are both chaptered and this bill is chaptered last.

Ch 1038 (AB 1896) Hart. Health care.

Existing law authorizes the Office of Statewide Health Planning and Development to designate experimental health manpower pilot projects sponsored by designated institutions as approved projects, as specified, and thereby authorize specified health care services by trainees

This bill would authorize the office to designate such projects as approved projects where such projects are sponsored by, in addition to the designated institutions in existing law, government agencies engaged in health or education activities.

The bill would also establish a hearing procedure to be conducted by a disinterested state governmental official, selected as specified, which procedure would be required to be followed prior to approval of a project sponsored by a state agency.

This bill would require the office to establish minimum standards, guidelines, and instructions for such projects after a hearing or hearings noticed as prescribed. The bill would set forth new requirements for applications for approval of such projects. The bill would place in the public domain specified data collected as the result of the health manpower pilot project program. The bill would provide for submission and publication by the office of dissenting views and challenges respecting the office's evaluation of such pilot projects.

The bill would make legislative findings and declarations pertaining to health care training.

Ch. 1039 (AB 3645) Alatorre. Committed mentally disordered sex offenders: extended commitments.

Existing statutes: define a "mentally disordered sex offender" as a person who by reason of mental defect, disease, or disorder, is predisposed to the commission of sexual offenses to such a degree that he is dangerous to the health and safety of others; prohibit the keeping of a committed mentally disordered sex offender in actual custody longer than the maximum term of commitment, with a specified exception discussed below; provide for the determination of the maximum term of commitment and the inclusion thereof in court orders of commitment.

An existing statute which will self-repeal effective January 1, 1979, prescribes, as such exception, a procedure for extending beyond the maximum term of commitment, the commitment of a committed mentally disordered sex offender who suffers from a mental disorder and as a result of such mental disorder is predisposed to the commission of sexual offenses to such a degree that he presents a serious threat of substantial harm to the health and safety of others, in one-year increments. The procedure includes, among other things, the filing of related commitment petitions and recommitment petitions, before the expiration of a commitment or an extension, and a court hearing, as specified.

This bill would: (1) extend the effective date of the self-repealing provision to January 1, 1980; (2) change the description of the category of persons who are subject to having their commitments so extended, to a committed mentally disordered sex offender who suffers from a mental disorder, disease, or defect and as a result of such disorder, disease, or defect is predisposed to the commission of sexual offenses to such a degree that he presents a serious threat of substantial harm to the health and safety of others; and (3) specify such procedure shall remain in effect for the remainder of the term of commitment for any person committed under such procedure prior to January 1, 1980.

This bill would also make additional changes in Section 6316.2 of the Welfare and Institutions Code, proposed by SB 2136 to be operative only if this bill and SB 2136 are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered after SB 2136.

This bill would also appropriate $31,000 to the State Department of Mental Health for the purposes of this act.

Ch. 1040 (AB 2314) Lanterman. Health care pilot projects: high-risk pregnant women.

In 1975, the Legislature authorized the State Department of Health to conduct one or more pilot programs of not more than 3 years' duration for the provision of personal health care services in the perinatal period to defined high-risk pregnant women, and required the department to report thereon, as prescribed. A total of $6,000,000 was appropriated from the General Fund for such purposes, with $1,000,000 to be available during the 1975–76 fiscal year, $2,000,000 during the 1976–77 fiscal year, $2,000,000 during the 1977–78 fiscal year, and $1,000,000 during the 1978–79 fiscal year. In 1976, the $1,000,-

000 appropriated for the 1975–76 fiscal year was reappropriated and made available for expenditure in the 1976–77, 1977–78, or 1978–79 fiscal years without restriction as to the amount thereof which may be expended during any of such fiscal years Thus, of the total amount of such appropriation, $2,000,000 or the lesser unencumbered balance thereof remains available for expenditure

This bill would reappropriate $2,000,000 of such appropriation or the lesser unencumbered balance still available for expenditure to the State Department of Health Services for purposes of the above-described pilot programs during the 1978–79, 1979–80, and 1980–81 fiscal years

This bill also would specify that the department may conduct such programs for not more than 4 years' duration. In addition, this bill would require 2 additional interim reports and require a final report on June 30, 1981, instead of June 30, 1979.

The existing provisions of law authorizing such programs specify they shall have no force and effect on and after January 1, 1979.

This bill would instead repeal such provisions as of January 1, 1982.

This bill would take effect immediately as an urgency statute.

Ch. 1041 (AB 3792) Mori. Indochinese Refugee Self-Support Project.

Existing law appropriates a specified amount to the State Department of Social Services to continue providing services under the Indochinese Refugee Self-Support Project and to match unallocated federal funds for the project.

This bill would permit, rather than require, the matching of unallocated federal funds. It also would require the Director of Social Services, with the approval of the Director of Finance, to provide the State Controller with a basic plan for the filing of claims and allocation of project funds which permits advanced payments.

The bill would take effect immediately as an urgency statute.

Ch. 1042 (AB 2990) Lancaster. State Department of Health Services: rules and regulations: interpretations.

Existing law does not contain any provisions specifically requiring the State Department of Health Services to issue interpretations of its rules and regulations.

This bill would require the department to make a determination of the proper interpretation and required enforcement of its rules and regulations, when a dispute arises as to the interpretation or enforcement of the legally adopted rules and regulations of the department which are being enforced by a city, city and county, county, or district, upon the submission to the department of a request for clarification or interpretation by a party to the dispute.

The bill would make the determination of the department binding upon the local agency and the parties subject to the rules and regulations of the department, except as it may be subject to judicial review.

Ch 1043 (AB 2991) Lancaster. Highways: state Route 39.

Under existing law, State Highway Route 39 is from Route 1 near Huntington Beach to Route 2 passing through or near Buena Park and via San Gabriel Canyon.

This bill would require Route 39 also to be via Beach Boulevard, Route 72, and Harbor Boulevard to the vicinity of Fullerton Road and then to Azusa Avenue, San Gabriel Avenue, and San Gabriel Canyon Road.

The bill would not require the Department of Transportation to maintain any portion of Route 39 until such portion has been constructed or reconstructed to minimum state highway standards.

Ch. 1044 (AB 3772) McVittie. Child support collection program.

(1) Existing law requires a county grand jury to appoint an auditor to review annually the county's child support collection program and to transmit the auditor's report to the board of supervisors and the State Department of Social Services

This bill would repeal this requirement.

(2) Under existing law, the Director of Social Services is required to report annually to the Legislature on the administration of the state plan for securing support and determining paternity Such report is a public record available for inspection and reproduction.

This bill would expressly require such report to be made available to the public

Ch. 1045 (AB 2964) McVittie. Parent and child

The Uniform Parentage Act details a procedure for the establishment of the parent and child relationship. It generally provides for designated notice to presumed or alleged fathers, or a father to whom a child is legitimate, if a mother relinquishes or consents to or proposes to relinquish a child for adoption. It provides for an inquiry to be made by designated state or local agencies in an effort to identify the natural father.

This bill would specify that in the case of a stepparent adoption such investigation must be made, at the option of the board of supervisors, by a licensed county adoption agency, the county department designated by the board of supervisors to administer the public social services program, or the county probation department.

It also makes a technical change.

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

Ch. 1046 (AB 3807) Duffy. Domestic water supply systems

Under existing law (the California Safe Drinking Water Bond Law of 1976) the Legislature may, by statute, authorize, subject to specified limits, the use of bond proceeds in the California Safe Drinking Water Fund for a grant program, with grants provided to water suppliers that are political subdivisions of the state, if it is determined that such suppliers are otherwise unable to meet minimum safe drinking water standards established pursuant to applicable provisions of law

This bill would authorize a grant not to exceed the amount of $400,000 from the California Safe Drinking Water Fund to the City of Delano for the purpose of improving its domestic water system to meet, at a minimum, safe drinking water standards. The bill would make legislative findings in such connection. The bill would require the Department of Water Resources to determine eligibility for and to make such grant in accordance with specified provisions.

The bill would take effect immediately as an urgency statute.

Ch 1047 (AB 3194) Robinson. Orange County Water District.

(1) Under existing law the amount of the general reserve of the Orange County Water District may not at any time exceed $600,000 and the appropriation for contingencies may not at any time exceed $2,000,000.

This bill would increase the limitation on the general reserve to $1,000,000 and on the appropriation for contingencies to $3,000,000.

(2) Existing law requires the proceeds of the district replenishment assessment authorized to be levied upon the production of ground water to be used exclusively to acquire water and, as specified, to replenish and protect the ground water supplies of the district.

This bill would authorize such proceeds to be used to acquire water and to pay the costs of initiating, carrying on, and completing any of the powers, projects, and purposes for which the district is organized, and would delete the specified limitation on the total of the replenishment assessment which may be levied in any year.

(3) Existing law authorizes the district to levy and collect an additional replenishment assessment against all persons operating water-producing facilities for all purposes other than irrigation, as defined, in accordance with a specified procedure.

This bill would revise the procedure, as specified, for levying and collecting such additional replenishment assessment.

(4) Existing law authorizes basin equity assessments, as well as production requirements and limitations, to be levied upon and applied to all persons and producers within the district in accordance with specified procedures, and requires the proceeds of the basin equity assessments to be used exclusively to equalize the cost of water to all persons and operators within the district

This bill would permit such proceeds to be used to acquire water to replenish the ground water supplies of the district, would revise the procedure for levying and collecting basin equity assessments, and would authorize the district, in accordance with specified procedures, to levy and collect a surcharge, in an amount to be determined in the discretion of the board, for production in excess of the production limitations.

(5) Existing law permits any water-producing facility which is not producing ground water from a zone replenished by the Santa Ana River or its tributaries or produces water unsuitable for domestic or agricultural purposes to be excluded, in accordance with specified procedures, from the replenishment assessment and from the basin equity assessment and the production requirements and limitations applicable to producers.

This bill would revise the procedure for the owner of a water-producing facility to obtain such an exclusion, and would generally require a petitioner to pay to the district the expenses of advertising and costs incident to the proceedings.

Ch. 1048 (AB 2410) Fazio. Economic poisons: containers and usage.

Existing law requires the Department of Food and Agriculture to adopt a code for identification of economic poisons and requires the Director of Food and Agriculture to adopt regulations for the marking of containers of economic poisons.

This bill would repeal such existing law and require the director to adopt regulations governing the labeling of service containers of economic poisons. The regulations would not apply to containers used by a person engaged in the business of farming when used on the property that the person is farming. The bill would define the terms "service container" and "use-dilution."

Existing law gives persons engaged in farming, persons holding valid agricultural pest control licenses, and persons holding valid structural control licenses limited exceptions from complying with the licensing and registration provisions governing economic poisons.

This bill would repeal such existing law and, instead, would authorize a person to mix or dilute any registered economic poison in accordance with its registered labeling for the person's own use or for use in the person's business without obtaining a license or becoming a registrant.

Ch. 1049 (AB 2611) Fazio. Pesticides: recommendations and usage.

Under existing law, a pesticide applicator, with certain exceptions, is required to be in possession of a written recommendation showing specified information on the pesticide.

This bill would delete such existing law. The bill would require that written recommendations of agricultural pest control advisors contain enumerated topics and would make related changes in the law governing use of pesticides. The bill would require the Director of Food and Agriculture and county agricultural commissioners to enforce the provisions relating to pesticides.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section for a specified reason.

Ch. 1050 (AB 3089) Fazio. Pesticide use: pesticide dealers: agricultural pest control advisors.

Existing law defines "pesticide dealers" according to the activities they perform, and excludes from the definition any governmental agency acting in its official capacity.

This bill would include in the definition of "pesticide dealer" anyone who sells to a user a pesticide that is classified as restricted, and would delete the exclusion for any governmental agency acting in its official capacity, and instead exclude from the definition any person licensed to engage in activity defined as structural pest control, as specified.

Existing law defines an "agricultural pest control advisor" as including a person who, as a requirement of, or incidental to, his employment, offers a recommendation to a producer of an agricultural product.

This bill would redefine "agricultural pest control advisor" to include a person who offers a recommendation or who holds himself forth as an authority on any agricultural use, or a general advisor on any agricultural use who solicits services or sales.

Existing law defines "recommendation" and specifically excludes any quotations of a licensed pest control advisor from that category.

The bill would repeal such provisions.

Existing law provides that the director shall establish by regulation the general classes of pest control operations in which an applicant for an aircraft operator's certificate may

be qualified.

The bill would repeal such provisions, and would make additional technical changes in existing law.

Ch. 1051 (AB 3091) Fazio. Agricultural: pesticides: violation enforcement.

Existing law provides for the regulation of the sale and use of economic poisons by agricultural pest control operators, and manufacturers, importers, or dealers of economic poisons. Violation of any of these provisions, or regulations promulgated pursuant to these provisions, is a misdemeanor.

This bill would specify certain penalties for misdemeanors involving violation of provisions dealing with economic poisons. The bill would also authorize the Director of the Department of Food and Agriculture to file a civil suit through the Attorney General and would provide for a civil penalty not to exceed $500 for each violation. In addition, the director or any agricultural commissioner would be authorized to issue cease and desist orders when a violation of provisions relating to economic poisons is either taking place or imminently threatened and the activity would present an immediate hazard or cause irreparable harm.

The additional penalties which could be imposed under this bill would ultimately be deposited in the Department of Agriculture Fund, which is continuously appropriated; and, therefore, this bill would make an appropriation.

Ch. 1052 (AB 3090) Fazio. Economic poisons: mill assessment on sales: allocation of assessment.

Existing law requires the Director of Food and Agriculture to pay five-eighths of money received as mill assessments on the sale of economic poisons to the counties, apportioned in relation to each county's expenditure for pesticide regulation enforcement programs, and requires the director to, by regulation establish procedures for the determination and payment to the counties of such funds.

This bill would until January 1, 1982, delete the provisions requiring the director to apportion the payments to counties in relation to each county's expenditures for enforcement programs, and instead would require the director to adopt regulations specifying the criteria to be used in allocating pesticide mill assessment funds to the counties, based upon each county's pest control activities, costs, workload, and performance. The bill would require the criteria to include specified items.

Ch. 1053 (AB 3088) Fazio. Agriculture: biological control organisms.

The existing law authorizes the Department of Food and Agriculture to distribute such insects as are useful in reducing the cost of crop production.

This bill would, instead, authorize the department, with the prior approval of the Department of Fish and Game and the Department of Health Services, to reproduce or distribute biological control organisms that are not detrimental to the public health and safety which are known to be useful in reducing or preventing plant or animal damage due to pests or diseases.

The department would be prohibited from producing beneficial organisms which are available commercially.

Ch. 1054 (AB 512) Goggin. Crimes: prisoners; search warrants.

Existing law provides for issuance of search warrants on specified grounds relative to commission of crimes.

The bill would prohibit issuance of search warrants relative to specified communications media information.

Existing law authorizes retention of children under 2 in the California Institution for Women if the mother is imprisoned there.

This bill would require the Department of Corrections to establish a community treatment program for such mothers and children who are eligible as specified.

Ch. 1055 (SB 941) Gregorio. Community colleges: attendance.

Existing law specifies the circumstances under which attendance at community colleges may be included in the computation of the average daily attendance of the district for state apportionments and other purposes.

This bill would specify generally that until June 30, 1982, attendance in courses or

programs of independent study by students who are under the supervision, control, and evaluation, but who are not necessarily in the immediate presence, of an instructor qualifies to be included in the average daily attendance of a district, provided that only attendance in specified college transfer classes may be included.

This bill would also prescribe a method of computing the average daily attendance in courses which do not have a regularly scheduled number of weekly contact hours.

Ch. 1056 (AB 3272) Bates. Child development services: State Preschool Program: Berkeley Unified School District.

The law currently authorizes the establishment by local and public agencies of various types of child development services, including part-day preschool educational programs for prekindergarten age children designated as the State Preschool Program and specifies that such preschool programs for which federal reimbursement is not available shall be funded as prescribed by the Legislature in the Budget Act. It also specifies that the State Preschool Program shall not charge a fee.

This bill would authorize the Berkeley Unified School District to undertake in a specified manner during the 1979–80 and 1980–81 school years a pilot project, in conjunction with its existing State Preschool Program, which allows children of low-middle-income families to be eligible to participate in the State Preschool Program for the purpose of determining the feasibility of increasing the cultural diversity of the State Preschool Program.

Ch 1057 (AB 3417) Deddeh. Automobile sales.

Existing law provides that amounts advanced by a holder of a conditional sale contract to procure insurance on a financed vehicle are secured by the vehicle if the holder notifies the buyer of his option to repay the amount advanced in 1 of 3 specified ways.

This bill would provide that 1 of the optional ways to repay amounts advanced for such insurance shall not apply to industrial loan companies.

Ch. 1058 (AB 3075) Lanterman. California Postsecondary Education Commission.

(1) Current law establishes the California Postsecondary Education Commission, to be composed of 2 representatives of the Regents of the University of California, 2 representatives of the Trustees of the California State University and Colleges, 2 representatives of the Board of Governors of the California Community Colleges, 2 representatives of the accredited independent California colleges and universities, the Chair of the California Advisory Council on Vocational Education and Technical Training and the Chair of the Council for Private Postsecondary Educational Institutions or their designees from the councils, the President of the State Board of Education or his or her designee from the board, and 12 representatives of the general public, of whom 4 are to be appointed by the Governor, 4 by the Senate Rules Committee, and 4 by the Speaker of the Assembly. Current law also prohibits any person regularly employed in any administrative, faculty, or professional position by any institution of public or private postsecondary institution from being appointed to the commission.

This bill would reduce the membership of the commission by reducing the number of representatives of the public to 9; by eliminating 1 representative each of the Regents of the University of California, the Trustees of the California University and Colleges, the Board of Governors of the California Community Colleges, and the independent colleges and universities; and by eliminating the membership of the Chair of the California Advisory Council on Vocational Education and Technical Training. This bill would also prohibit any person who is employed by any institution of public or private postsecondary education to be appointed to the commission with a specified exception for nonpermanent, part-time teachers.

(2) Current law establishes procedures for the initial operations of the commission

This bill would delete these provisions, and would make related clarifying changes.

Ch. 1059 (SB 1473) Behr. Minors

At common law a minor may be emancipated by an act of his parent, or by his marriage, or by his enlistment in the military service.

This bill would provide that any person under the age of 18 years is an emancipated

minor who. (1) has entered into a valid marriage; (2) is on active duty with the armed services; or (3) who willingly lives separate and apart from his parents with their consent or acquiescence and is managing his own financial affairs. It would specify the purposes for which such person is to be considered an adult. It would permit such minor to petition the superior court for a declaration of emancipation.

This bill would require the court to sustain the petition if it finds that the minor is ~~a person described by its provisions and no parent or guardian appears at the hearing and objects, and would require the court to deny the petition if~~ [married or on active military duty and would require the court to sustain the petition if it finds that the minor is 16 years of age or older and is willingly living separate and apart from his parents or legal guardian unless]* it finds that emancipation would not be in the minor's best interest. This bill would give the minor the right to file a petition for a writ of mandate if the petition is denied. It would also require the fact of emancipation to be stated on Department of Motor Vehicles identification cards upon application of the minor.

This bill would also provide a procedure for rescinding the declaration of emancipation.

Ch 1060 (SB 875) Holden. Alcoholic beverages.

Existing law requires applicants for on-sale licenses to have a notice of application printed in a newspaper of general circulation.

This bill would require applicants for on-sale licenses to have such notice printed 1 time in a newspaper of general circulation, other than a legal or professional trade publication

The bill would additionally require an applicant for an on-sale or off-sale license in a census tract having an undue concentration of licenses, as defined, to have a notice of application printed once a week for 3 successive weeks in a newspaper of general circulation other than a legal or trade publication, as specified.

Ch. 1061 (AB 958) Dixon. Juvenile court law.

Under existing law, no minor taken into custody solely on the basis of a so-called "status offense" (i.e., noncriminal conduct) or adjudged to be a ward of the juvenile court on that basis may be detained in a secure facility, e.g., juvenile hall.

This bill would detail certain limited circumstances in which such a minor could be detained in a secure facility, other than a facility in which adults are held in secure custody.

It would appropriate $1,500,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill, as specified.

It also would take effect immediately as an urgency statute.

Ch. 1062 (AB 2619) Egeland. School nurses.

Under existing law, the governing board of any school district may employ persons with specified qualifications as school nurses.

This bill would specify the functions of school nurses, and would define the duties and services which may be provided by school nurses, if authorized by the local governing board

Ch. 1063 (AB 3306) Cordova. Schools: disbursement procedures: destruction of supporting documents

Under existing law, disbursements of funds by school and community college districts are governed by provisions which generally require all such disbursements to be examined and approved by specified county officers.

This bill would permit the county auditor, who is examining the order and requisition, to authorize the destruction of any bill or supporting document received from a school or community college district if specified conditions are met regarding the reproduction of any such bills or documents.

Ch. 1064 (AB 2364) Greene. School employees: narcotics offenses.

(1) Existing law prohibits the Commission for Teacher Preparation and Licensing or the Board of Governors of the California Community Colleges from issuing a credential to a person who has been convicted of a narcotics offense, as defined, unless the person has obtained a certificate of rehabilitation and the person's probation has been terminat-

ed and the information or accusation has been dismissed.

This bill would, in addition, permit the issuance of a credential if the commission or board of governors determines that the person has been rehabilitated for at least 5 years.

(2) Existing law prohibits governing boards of school districts and community college districts from employing persons convicted of narcotics offenses in positions requiring certification qualifications.

This bill would permit such employment if the person has been issued a credential by the commission or board of governors.

(3) Under existing law, a school district or community college district may not employ or retain in employment any persons who have been convicted of a narcotics offense, as defined, except in the case of a classified employee where the person is convicted of a narcotics offense involving only the use or possession of marijuana and the governing board determines that the person has been rehabilitated for at least 5 years.

This bill would authorize a governing board of a school district or community college district to employ or retain in employment classified employees convicted of any of the narcotics offenses, as defined, if the board determines that the person has been rehabilitated for at least 5 years. For such purposes, this bill would eliminate from provisions applicable to classified employees the language presently limiting this procedure to narcotics offenses involving the use and possession of marijuana.

Ch. 1065 (AB 1905) Deddeh. Community colleges: intersession schools: summer schools.

Under existing law, community college districts are authorized to maintain summer schools.

This bill would delete references to summer schools and would instead authorize community college districts to maintain intersession schools between regular semesters or quarters. The maintenance of such schools would be subject to the approval of the Board of Governors of the California Community Colleges.

This bill makes additional changes in Section 84520 of the Education Code, proposed by SB 941, to be operative only if this bill and SB 941 are both chaptered and become effective January 1, 1979, and this bill is chaptered after SB 941.

Ch. 1066 (AB 2684) Brown. Dr. Martin Luther King, Jr., Day.

This bill would direct the Governor to proclaim January 15th as Dr. Martin Luther King, Jr., Day.

Ch. 1067 (SB 1539) Zenovich. Inundation maps: reimbursement.

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.

The bill would also appropriate $24,049.33 for disbursement to specified local agencies to reimburse the 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. 1068 (AB 599) Fazio. California Public Broadcasting Commission.

Under existing law, the California Public Broadcasting Commission is required to annually divide the amount available from the California Public Broadcasting Fund into two accounts, one to be used for television purposes and one to be used for radio purposes.

This bill would require the commission to divide the amount available into three accounts, one to be used for television purposes, one to be used for radio purposes, and one discretionary account to be used for either radio or television purposes or both.

This bill would provide that this act shall remain in effect only until January 1, 1981, and on that date the section amended by this act shall be restored to the form in which it read immediately prior to the effective date of this act.

This bill would take effect immediately as an urgency statute.

Ch. 1069 (AB 3497) Imbrecht. Civil procedure: discovery.

Except in an eminent domain proceeding, existing law does not provide specific procedures in a civil action for either a demand on another party for or an exchange of a list of expert witnesses whose testimony that other party intends to use at trial.

This bill would so provide. It would specify the information required to be exchanged and require prompt notice of subsequent changes in the information exchanged. It would prohibit the testimony of expert witnesses on direct examination not previously identified, except for impeachment or on court order and subject to such conditions as the court may impose. The bill also provides for the determination and payment of reasonable fees to an expert witness by the party who notices the deposition of such witness.

Ch. 1070 (AB 3521) McAlister. Insurance.

Existing law prohibits insurance fraud. Existing law also grants the Insurance Commissioner general authority to investigate subjects relating to insurance.

This bill would establish a Bureau of Fraudulent Claims.

If the bureau suspects insurance fraud by any ~~insured, as defined~~ [person]*, the commissioner would have authority to investigate the fraud, and to publish information concerning the fraud. He would have authority to administer oaths, take testimony, compel attendance, and related authority.

Documents relating to an investigation would not be subject to public inspection if the commissioner deems it necessary for the investigation, unless ordered by the superior court as specified. The bureau would, however, be required to assist and cooperate with law enforcement agencies.

Companies licensed to write insurance would be required to report cases of fraudulent claims, as specified.

Insurers and agents would not be liable for libel, slander, or other torts by virtue of filing or furnishing, without malice, information or reports required by the bill.

Costs of administration would be borne equally by all insurers admitted to transact insurance in the state. The commissioner would establish a fee not to exceed $500 per insurer in each fiscal year which would be deposited into a fund which would be continuously appropriated for the purposes of the bureau.

These provisions would remain in effect until January 1, 1984, at which time they would be repealed.

Ch. 1071 (SB 1318) Nejedly. Tax accounts.

Under existing law, certain qualified taxpayers, 62 years of age or older, may postpone payment of property taxes on specified types of owner-occupied dwellings, and the state would obtain a lien against such property. Such postponement does not affect the obligation of a borrower to continue to make payments to an impound, trust, or other type of account to secure payment of taxes.

This bill would prohibit certain lenders from requiring a borrower to maintain such accounts with regard to property taxes if such borrower has elected to postpone such taxes and would require the refund of certain amounts paid to such accounts if the borrower submits evidence of tax postponement.

Ch 1072 (AB 3747) Suitt. Agricultural Labor Relations Act.

The Agricultural Labor Relations Act of 1975 does not specifically provide that all employees of the Agricultural Labor Relations Board shall perform their duties in an objective and impartial manner without prejudice toward any party who is subject to the jurisdiction of the board.

This bill would amend such act to specifically so provide.

Ch 1073 (AB 3463) Chacon. Certificated employees: bilingual education.

(1) Existing law requires the Commission for Teacher Preparation and Licensing to grant certificates of bilingual-crosscultural competence.

This bill would require the commission to require institutions of higher education to use a specified assessment procedure before being eligible to recommend individuals for such certificates.

(2) Existing law provides for a waiver of the requirement that teachers providing certain bilingual-crosscultural education programs must hold a bilingual credential.

This act would extend the time during which a school district may apply for a waiver for these teachers, but would require that after September 1, 1979, teachers must satisfy

a specified competence requirement to be eligible for a waiver. This bill would also require that all waiver applications submitted for the 1979–80 school year include a specified competence certification.

This bill would take immediate effect as an urgency statute.

Ch. 1074 (AB 2407) Boatwright. State claims.

This bill would appropriate $2,432,832.59† from specified funds to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control.

This bill would require the Board of Control to award out-of-class employee claims for no greater than 1 year preceding the claim.

This bill would take effect immediately as an urgency statute.

Ch. 1075 (SB 1873) Smith. Coastal resources: planning and development.

The California Coastal Act of 1976, generally, established the California Coastal Commission and 6 regional coastal commissions, with a prescribed terminating date, to administer its provisions, and provides for the planning of, and regulation of development, as defined, within designated areas of the state's coastline, which shall be based on various coastal resources planning and management policies set forth in the act.

This bill would, very generally, revise the existing provisions of the act, with technical and substantive changes, as follows:

(1) Exempt from the provisions of the California Environmental Quality Act, with prescribed exceptions, the activities and approval by any local government which are necessary for the preparation and adoption of a local coastal program pursuant to the California Coastal Act of 1976.

(2) Revise the provisions dealing with federal lands excluded from the coastal zone pursuant to designated federal law

(3) Redefine, for purposes of the coastal resources planning and management policies, "public works" to include all projects of the State Coastal Conservancy.

(4) Provide that any designated member of the commission or regional commission with a fixed term may continue to serve beyond such term until his or her appointing power has acted, and specify that no provision of the act or any other law, including any doctrine of common law, shall preclude or prevent the appointment, as a public member, to the commission or regional commission of any person who is not a locally elected official.

(5) Revise the provisions dealing with reviewing and updating designations of areas in connection with siting of powerplant facilities.

(6) Revise the time schedule required for the completion and submission for approval of local coastal programs, and for the commission to prepare, upon request, local coastal programs.

(7) Require a denial of a coastal development permit, on the grounds that it will prejudice the ability of the local government to prepare a local coastal program that is in conformity with the coastal resources planning and management policies, to be accompanied by a specific finding which sets forth the basis for such conclusion.

(8) Delete the minimum length of time of 21 days after the date on which the application for a coastal development permit or appeal is filed with the regional commission or the commission before which a hearing on the application or an appeal may be set.

(9) Delete the requirement of describing or identifying any category of development, or any category of development within a specified defined geographic area, by regulation that the commission, upon certain finding, excludes from the coastal development permit requirements of the act.

(10) Require the commission to provide for the issuance of permits by the executive director of the commission or any regional commission for improvement of any inside family dwelling and increase the cost limit of other developments which would be covered under such a provision.

~~(11) Create the Local Government Coastal Planning Assistance Account and set forth the manner of payment to or from such an account.~~ *

(12) Revise the provisions requiring reimbursement of mandated costs relating to

† Appropriation reduced to $2,417,832.59 by action of the Governor

local coastal program preparation and adoption attributed to the operation of the act.

Existing law provides that the State Coastal Conservancy shall not act to acquire coastal zone land for agricultural purposes until the proposed acquisition has been submitted to the California Coastal Commission and the commission has certified that specified conditions apply to such acquisition.

This bill would require instead that coastal zone land not be acquired for such purposes unless the conservancy finds that such conditions apply to the land acquisition.

This bill would take effect immediately as an urgency statute.

Ch. 1076 (AB 3478) Nestande. Coastal resources: regional coastal commissions: termination.

The California Coastal Act of 1976, generally, provides for the planning of, and regulation of development, within designated areas of the state's coastline and established the California Coastal Commission and 6 regional coastal commissions to administer its provisions. The present law requires that each regional commission shall terminate within 30 days after the last local coastal program required within its region has been certified and all implementing devices have become effective or June 30, 1979, whichever is the earlier date.

This bill would extend such date from June 30, 1979, to June 30, 1981.

Ch. 1077 (AB 3436) Wornum. Court commissioners.

Existing law authorizes the presiding judge of the superior court in Marin County to assign a court commissioner who was duly appointed and who has been retired for service to continue to serve as such after service retirement, if the board of supervisors appropriates the necessary funds.

This bill would authorize the presiding judge of the municipal court in Marin County to assign a court commissioner who was duly appointed and who has been retired from service to serve as a court commissioner of the municipal court, if the board of supervisors appropriates the necessary funds.

Ch. 1078 (AB 3412) Cullen Local agencies facilities planning.

Existing law does not expressly authorize special districts, school districts, and joint powers agencies to adopt long-range plans for facilities development. Also, existing law does not require a city to comply with zoning and building ordinances of a county, or conversely. Existing law does not require a school district to comply with building ordinances of a city or a county, and, unless specified conditions exist, with zoning ordinances. Existing zoning ordinances also do not apply to construction of specified water and electrical facilities, nor to certain rapid transit districts, nor to bridge and highway districts

This bill would authorize every special district, school district, and agency created by a joint exercise of powers agreement, except certain districts which construct or maintain parks and recreation facilities, to adopt a 5-year capital improvement program containing specified information concerning proposed and existing capital improvements, and, if adopted, such program would be required to be annually reviewed and revised

The bill would require the capital improvement program, if adopted, and revisions thereof, to be submitted to the planning agency of each affected city and county within which the district or agency operates, for review as to consistency with the applicable general plan and any applicable specific plan.

The bill would provide that, if the planning agency finds that the capital improvement program, or a part thereof, is not consistent with the applicable general plan and specific plans, the district or agency shall not carry out such program unless the district or agency overrules such finding

Ch 1079 (AB 3348) Mori State motor vehicles· insurance

Existing law authorizes the Department of General Services to establish and collect from each state agency an amount to pay the cost of insuring motor vehicles belonging to the state agency against liability for damages resulting from the ownership or operation of motor vehicles and arising under specified provisions of the law or, an amount to be expended by the department in accordance with law in paying claims pursuant

to such provisions for their investigation, adjustment, defense, and administration.

This bill would provide that such amounts be deposited in the State Motor Vehicle Insurance Account which would be established as a special account in the General Fund. Such amounts would be continuously appropriated for the purposes for which they were collected.

Ch. 1080 (AB 3216) Gage. Real estate: liability; licenses.

Existing law authorizes the Real Estate Commissioner to bring an action for injunctive relief in the superior court against any person who has violated or is about to violate any of the provisions of the Real Estate Law or the Subdivided Lands Act.

This bill would authorize the commissioner to include in an action against such persons a claim for restitution to persons injured as a result of such violations.

Existing law provides an inactive license status for real estate brokers and salespersons, procedures for reactivation of an inactive license, and fee schedules for a real estate licensee's change of name or address and the transfer of a saleman's license on change of employer.

This bill would eliminate such inactive status as of January 1, 1981, make certain changes in the procedures for reactivation during the intervening period, repeal such fee schedules, and provide a procedure for reinstatement after January 1, 1981.

Ch. 1081 (AB 3834) Ingalls. Flood control projects.

Existing law provides for state cooperation with the federal government in the construction of specified flood control projects.

This bill would adopt and authorize the project for flood control runoff retardation and soil erosion prevention in the watershed of the Hagador-Tin Mine-Kroonen Oak Street Channel, in accordance with congressional authorization, at such cost as may be appropriated for cooperation by the Legislature upon recommendation by the Department of Water Resources.

The bill would require the Riverside County Flood Control and Water Conservation District to give the necessary assurances of local cooperation and to execute the project in conjunction with the Secretary of Agriculture.

This bill would provide that no 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 go into immediate effect as an urgency statute.

Ch. 1082 (AB 2139) Young. Professional engineers.

Existing law provides that 4 members of the 11-member State Board of Registration for Professional Engineers shall be licensees of the board. Specifically, 1 is required to be a civil engineer, 1 an electrical engineer, 1 a mechanical engineer, and 1 a structural engineer.

This bill would increase the membership of the board to 13 by the addition of 1 public member and 1 member to be selected from one of the branches of engineering not specified above.

Ch. 1083 (AB 3579) Fazio. Gasoline vapor control: refueling facilities.

Existing law authorizes the State Air Resources Board to establish performance standards for gasoline vapor emissions during gasoline marketing operations, and requires such board to adopt, by March 1, 1976, procedures for determining compliance of systems for control of such emissions.

Existing law permits air pollution control districts to adopt stricter standards and procedures than those promulgated by the state board.

This bill would prohibit the commencement of criminal or civil proceedings for failure to comply with vapor recovery standards, with respect to those vapor recovery systems subject to certification by the state board, if the vapor control equipment has been certified by the state board and has been installed, operated, and maintained in accordance with the manufacturer's instructions.

The bill would exempt from retrofit requirements of the state board, for a period of 3 years after the effective date of this bill, vapor control systems which have been installed and are operating in accordance with requirements of the Bay Area Air Pollution Control District.

The bill would require the State Air Resources Board to report to the Legislature by January 1, 1981, on the efficiency and durability of gasoline vapor recovery systems, and to reconsider its regulations relative to the installation of such systems if certain air quality benefits are not achieved.

The bill would take effect immediately as an urgency statute.

Ch. 1084 (AB 3505) Nestande. Property taxation: delinquent penalties.

Under existing law a 6% penalty is imposed on property taxes which are not paid in full prior to becoming delinquent. The tax collector or auditor is authorized to cancel a delinquent penalty on the property, with the approval of the board of supervisors on a finding that the delinquency was due to reasonable cause and circumstances beyond the assessee's control, and occurred notwithstanding the exercise of ordinary care and in the absence of willful neglect, provided the payment is made within 90 days of the first delinquency date or within 30 days after the second delinquency date.

The bill would authorize the tax collector, with the approval of the board of supervisors, to accept partial payments of property taxes and compute the delinquent penalty on the unpaid balance of the tax.

Under existing law, a party in interest in property which has been sold for delinquent property taxes who may claim the amount of the proceeds of the sale which exceed the amount of the taxes and certain costs may assign all or part of such interest, if such assignment describes the subject matter with sufficient particularity to identify the rights assigned.

This bill would specify that such party in interest in property which has been sold for delinquent property taxes may assign such interest only by a dated, written instrument that explicitly states that the right to claim the excess proceeds is being assigned and each party to such assignment has disclosed to the other party to such assignment all facts of which such party is aware relating to the value of the right that is being assigned.

Under existing law, if the excess proceeds from the sale of property for delinquent property taxes has been claimed by any party in interest in such property, such excess proceeds shall be distributed to the parties of interest in such property in a specified order of priority.

This bill would provide that such excess proceeds shall be distributed only to parties of interest in such property who have claimed such excess proceeds.

Ch. 1085 (AB 3774) Imbrecht. Ventura County Flood Control District: property assessments.

Under existing law the Ventura County Flood Control District is empowered to collect fees in any zone as a condition of development of land, but the amount prescribed in any zone, other than a special zone, may not exceed $400 for each acre of land to be developed.

This bill would increase such limit to $1,200 for each acre of land to be developed.

The bill would take effect immediately as an urgency statute.

Ch. 1086 (AB 3736) Egeland. Human remains: Uniform Anatomical Gift Act.

(1) Under existing law, the coroner is authorized, in his discretion, to remove and provide parts of the body to a licensed physician and surgeon for transplantation or therapy pursuant to the Uniform Anatomical Gift Act if, among other things, such removal will not disfigure the body

This bill would, instead, authorize the coroner to allow removal of parts of the body by a licensed physician and surgeon or trained transplant technician, as defined, for transplant, or therapeutic, or scientific purposes, as specified. It would also delete the requirement that such removal not disfigure the body and instead require that such removal not unnecessarily mutilate the body.

(2) Under existing law, there is no provision specifically permitting a donee, in order to receive a gift, to act through a licensed physician or trained transplant technician, as defined, authorized by the donee, or through a qualified licensed embalmer, to remove tissue from a legally dead individual for transplant, or therapeutic, or scientific purposes according to an established State Department of Health Services' protocol.

This bill would specifically authorize such a procedure.

(3) Under existing law, a licensed embalmer who has completed a course in eye

enucleation, as specified, may enucleate eyes of dead human bodies for certain purposes.

This bill would instead authorize such a licensed embalmer, who has completed a course in tissue removal for transplant, or therapeutic, or scientific purposes, to remove, at the request of a licensed physician, tissue from a dead human body for certain specified purposes.

(4) Under existing law, the time of death of a donor is required to be determined by a physician who tends the donor at death, or, if none, the physician who certifies the death.

This bill would additionally prescribe that when there is no physician who tends the donor at death that the physician or coroner who certifies the death be required to determine the time of death.

Ch. 1087 (AB 3609) Rosenthal. Podiatrists.

Existing law exempts a physician and surgeon licensed under the Medical Practice Act from payment of the license renewal fee provided such physician and surgeon has practiced medicine for 20 years or more in the State of California, has reached the age of retirement under the Social Security Act, receives social security benefits, and customarily provides his or her services free of charge to any person, organization, or agency, or for a nominal charge, provided that the aggregate of such charges in any 1 year does not result in his or her ineligibility for full social security benefits.

This bill would make the same exemption available to every person licensed to practice podiatry under the Medical Practice Act and would eliminate the requirement for such exemption that the physician and surgeon or podiatrist shall be receiving social security benefits.

Under existing law physicians and surgeons enrolled in approved residency programs are eligible for a 50% reduction in their initial license fee and initial biennial renewal fee.

This bill would provide that podiatrists enrolled in approved residency programs would also be eligible for the same reduction

The bill would provide that the act is an urgency statute, to take effect immediately

Ch. 1088 (AB 3161) Gualco. Weather modification operations.

Existing law prohibits any person, without first securing a license from the Department of Water Resources in accordance with prescribed procedures, from undertaking rainmaking and rain-prevention operations, and requires the licensee, prior to undertaking any operation authorized by the license, to file with the department and cause to be published, as prescribed, a notice of intention containing specified information. Existing law also requires every such licensee to keep and maintain a record of all operations, as specified, requires every licensee to prepare and maintain an evaluation statement for each operation, as specified, and prescribes related matters.

This bill would repeal such provisions and enact the California Weather Resources Management Act of 1978, and in such connection require, with specified exceptions, any person engaging in weather resources management, as defined, on or after October 1, 1979, to procure a license, as prescribed and for a specified fee, from the department. The bill would prohibit any person from undertaking a weather resources management project, as defined, without first securing a permit, as prescribed, from the department and would prescribe the powers and duties of the department in such connection, and would provide for related matters. The bill would make the state or the department or its agents or employees immune from liability for specified activities in such connection

The bill would specify that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch 1089 (AB 2976) Mello. Energy resources wind energy program

Under the existing law, the State Energy Resources Conservation and Development Commission is required to develop and coordinate a program of research and development in alternate sources of energy supply.

This bill would require the commission to implement a state wind energy program to speed commercialization of wind electric systems, as defined, at appropriate locations throughout the state. It would designate the tasks which would be required to be accomplished during the first and included in the succeeding years of the program. The

bill would require the commission to report to the Legislature, as specified, on the progress in the implementation of such provisions. It would provide that such provisions shall remain in effect only until January 1, 1984.

This bill would appropriate $800,000 from the State Energy Resources Conservation and Development Reserve Account in the General Fund to the commission for purposes of carrying out the provisions of the bill.

Ch 1090 (AB 2923) Robinson Energy resources: power facility and site certification.

Under the Warren-Alquist State Energy Resources Conservation and Development Act, generally, no thermal powerplant with certain designated capacity and related facilities may be constructed without obtaining, as prescribed, a certificate from the State Energy Resources Conservation and Development Commission. The present law requires the cost that the applicant incurs to comply with the decision of the commission to be allowed for ratemaking purposes.

This bill would, instead, require the reasonable and direct costs that the applicant incurs to comply with the power facility and site certification provisions of the act to be allowed for ratemaking purposes.

Ch. 1091 (AB 2841) Mello. Job training for low-income individuals.

Existing law provides for various job training programs to assist potentially employable individuals to become job ready and to create employment opportunities.

This bill would require the Employment Development Department and the Energy Resources Conservation and Development Commission to make a specified study regarding energy employment needs through 1982, and to report their findings to the Legislature by November 30, 1979. It would also require both the department and commission to cooperate with each other by providing information regarding energy and labor requirements with respect to trends in the energy field

Provisions added by this bill would be repealed on July 31, 1980, unless reenacted.

Ch 1092 (SB 2202) Rodda. Schools: school improvement and specialist teachers in reading grants.

Existing law authorizes school districts maintaining grades 1, 2, and 3 to apply for an allowance for the employment of specialist teachers.

This bill would provide that funds allocated for specialist teachers in grades 1, 2, and 3 may also be used for such specialists in grades 4, 5, and 6 or in kindergarten and grades 1, 2, and 3.

This bill would also make related clarifying technical changes.

This bill would take effect immediately as an urgency statute.

Ch. 1093 (SB 2072) Johnson. Environmental impact reports: exemptions.

Under the California Environmental Quality Act, all public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment or, if they determine that a proposed project will not have such effect, to adopt a negative declaration.

The act exempts from its provisions actions undertaken by a public agency for any powerplant site or facility, including the expenditure, obligation, or encumbrance of funds by a public agency for planning, engineering, or design purposes or for the purchase of equipment, fuel, steam, or power from such a powerplant, if the powerplant site and related facility will be the subject of an environmental impact report or negative declaration prepared by the State Energy Resources Conservation and Development Commission, the Public Utilities Commission, or the city or county in which the powerplant and related facility would be located.

This bill would limit the exemption to thermal powerplants, provide that the exemption shall apply if the site and facility will be the subject of a document, or documents, prepared pursuant to a regulatory program certified by the Secretary of the Resources Agency as an alternative to the report or declaration, and require the report, declaration, or document, or documents, to include the environmental impact, if any, of the

action. The bill would also exempt such actions for the conditional sale or purchase of water, except ground water, and for the conditional sale of equipment, fuel, steam, or power, for such thermal powerplant if the powerplant site and related facility will be the subject of such report or declaration or document, provided the environmental impact, if any, is included therein.

The bill would make additional changes in Section 21080, Public Resources Code, proposed by Senate Bill 2003, to be operative only if this bill and Senate Bill 2003 are both chaptered and effective January 1, 1979, and this bill is chaptered after Senate Bill 2003.

The bill would incorporate the changes in Section 21080 of the Public Resources Code made by Chapter 356 of the Statutes of 1978, which was an urgency statute and which took effect immediately.

Ch. 1094 (SB 2063) Petris. San Francisco Bay Conservation and Development Commission.

(1) Existing law provides that the San Francisco Bay Conservation and Development Commission or the executive director of the commission may issue an order requiring a person to cease and desist from undertaking any activity which may require a permit from the commissioner without securing a permit or which may be inconsistent with any permit previously issued. Existing law also provides for court and criminal remedies against any person who intentionally or negligently violates any cease and desist order.

This bill would make those provisions applicable to governmental agencies as well as to persons.

(2) Existing law does not specifically authorize the commission to conduct hearings or investigations.

This bill would authorize the commission to hold hearings or conduct investigations.

(3) Under existing law, the Legislature finds and declares that the commission should make a continuing review and prepare and submit periodic reports on the nature, extent, estimated cost and method of financing proposed acquisitions of private property for public use.

This bill would repeal that provision.

(4) Existing law does not expressly authorize the commission to establish and administer a Bay Fill Clean-up and Abatement Fund.

This bill would authorize the commission to establish and administer a Bay Fill Clean-up and Abatement Fund.

~~This bill would repeal that provision.~~

Ch. 1095 (AB 925) Keene. Humboldt Bay tidelands litigation expenses.

(1) Existing law appropriates $250,000 of the Long Beach oil and dry gas revenues payable to the state during the 1971–72 fiscal year for deposit in the Humboldt Bay Fund. The City of Eureka is required to deposit into the fund all moneys received directly from, or indirectly attributable to, tide and submerged lands granted to the city. Moneys in the fund may be expended by the city for the purposes for which revenues from certain tide and submerged lands granted to the city may be expended. Commencing June 30, 1974, the city is required to repay the state, with interest, in minimum annual installments of $25,000 from its tideland revenues.

This bill would appropriate $750,000 of the Long Beach oil and dry gas revenues payable to the state during the 1978–79 fiscal year for payment by the State Controller into the Humboldt Bay Fund in the following amounts: $250,000 during the 1978–79 fiscal year and an annual sum, first payable in that fiscal year, that is equal to 50% of the sum expended by the city during each fiscal year in the prosecution or defense of any action involving title to, or the boundaries of, tide and submerged lands along the Humboldt Bay waterfront granted to the city.

Prior to June 30, 1979, and prior to June 30 of each succeeding year, the city would be required to pay indefinitely an annual sum that is 15% of the amount of the money deposited by the city into the fund during the preceding fiscal year, after deducting from the fund principal and interest payments required by a specified revenue bond issue and excluding moneys received by the city pursuant to the appropriation made by this bill. Such annual payments to the State Controller would be declared to be in lieu of all obligations incurred by the city pursuant to existing law relating to the loan of $250,000

of Long Beach oil and dry gas revenues.

This bill would require the commission to audit, or provide for the audit of, the operations and all books of the city and would require the city to prepare and submit to the commission, for its review and approval, an annual budget with respect to all revenues and expenditures regarding tide and submerged lands granted to the city.

(2) Existing law permits the city to lease certain of the tide and submerged lands granted it for purposes that are consistent with the trust upon which they are held.

This bill would invalidate any lease or permit in excess of 1 year's duration for the use of tide and submerged lands unless it is first approved by the commission in accordance with specified procedures.

(3) The bill would make various conforming and technical changes.

(4) The bill would provide no reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

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

Ch. 1096 (SB 2023) Sieroty. Taxation: inheritance taxes.

Existing Inheritance Tax Law requires that the taxes on transfers of property be paid at a specified time, unless such transfer is exempt, and existing law prohibits the distribution of the estate of a deceased person until a receipt for such taxes is filed with the court.

This bill would permit certain transferees to elect to pay the tax attributable to a dwelling in 5 annual installments if the clear market value of the dwelling owned or occupied by the decedent at the date of death equals 75% or more of the clear market value of the decedent's transfers subject to inheritance taxes and the clear market value of all transfers from the decedent is less than $500,000 and would, in such circumstances, authorize the distribution of the decedent's estate although the inheritance taxes have not yet been paid.

This bill would become operative July 1, 1979.

Ch. 1097 (SB 1776) Greene. State surplus funds: investment.

Existing law specifies those securities eligible for the investment of specified surplus state funds.

This bill would also make student loan notes which are both insured under a federal program, as specified, and eligible for resale to a federal government-sponsored corporation, as specified, eligible securities for investment.

This bill would incorporate additional changes in Section 16430 of the Government Code proposed by SB 1330 and AB 2099 to be effective only if SB 1330, or AB 2099, or both, and this bill are chaptered and become effective on January 1, 1979, and this bill is chaptered last.

Ch. 1098 (SB 2220) Petris. Specialist reading teachers.

Present law makes provision for the nomination and designation of specialist teachers in reading.

This bill would authorize the governing board of any elementary school district to appoint an elementary school teacher holding a specialist instruction credential, as defined, and having a minimum of three years teaching experience in an elementary school grade to a specialist teacher position.

This bill would take effect immediately as an urgency statute.

Ch. 1099 (AB 1223) Hughes. State agencies and institutions of public higher education.

Currently, no statutory provision expressly prohibits the use of funds by state agencies or by institutions of public higher education for membership or other participation in private organizations that have discriminatory membership practices.

This bill would expressly prohibit the use of public funds under the control of community college districts or of the California State University and Colleges, whether derived from public or private sources, for membership or financial participation on behalf of the institution or of any individual employed by or associated with the institution, in any private organization whose membership practices are discriminatory on the basis of race, creed, color, sex, religion, or national origin.

The bill would impose similar restrictions with respect to state funds under the control

of an officer or employee of a state agency or the University of California.

Ch. 1100 (AB 3247) Calvo Solar energy systems: loans

Existing law does not require the Public Utilities Commission to investigate the feasibility of alternative methods of providing low-interest long-term financing of solar energy systems for utility customers.

This bill would require that the commission undertake such investigation and report its findings and recommendations to the Legislature on or before January 1, 1980.

Ch. 1101 (AB 3214) Wornum. County water districts: solar energy.

Existing law does not authorize county water districts to purchase and resell solar energy devices for use within the district

This bill would authorize the North Marin County Water District to purchase devices for generation of energy from solar radiation and to resell such devices, upon specified terms and conditions, for use within the district.

Ch. 1102 (AB 2984) Bates. Public utilities: solar energy systems.

Existing law does not restrict the manufacture, lease, sale, or other ownership or control of solar energy systems by electrical or gas corporations subject to the jurisdiction and control of the Public Utilities Commission.

This bill would permit this practice by a gas or electrical corporation when the commission authorizes a program of solar energy development except that no such authorization would be required for any such system owned or controlled for experimental or demonstration purposes as specified The bill would define the phrase "experimental or demonstration purposes". It would specify how a corporation is to apply for authorization and the findings which the commission must make before granting authorization. It would direct the commission to suspend or terminate any such authorization granted whenever it finds that an authorized program of solar energy development no longer meets the requirements for the granting of the authorization. The bill would also define the term "solar energy system" for these purposes.

Ch. 1103 (SB 2085) Greene Drugs: controlled substances.

(1) Existing law requires that prescriptions for controlled substances classified in Schedule II or III which are not narcotic drugs contain, among other things, the name of the person for whom the controlled substance is prescribed, the name and quantity of the controlled substance prescribed, directions for use, date of prescription, and the signature of the prescriber wholly written in ink or indelible pencil in the handwriting of the prescriber.

This bill would require that all drugs classified in Schedule III meet the above requirement.

(2) Existing law requires a prescription to contain a signature of the prescriber, the name and address of the patient, the name and quantity of the drug or device prescribed, directions for use, the date of issue, the name, address, and telephone number of the prescriber, his license classification, and federal registry number, if a controlled substance is prescribed.

This bill would alternatively require that a written order of the prescriber of a controlled substance, except for any Schedule II controlled substance that is a narcotic drug, contain at least the name or signature of the prescriber, the name and address of the patient, the name and quantity of the drug prescribed, directions for use, and the date of issue so long as the additional information required be readily retrievable in the pharmacy

(3) Existing law requires that an oral prescription as soon as practicable be reduced to writing by the pharmacist

This bill would prescribe that the pharmacist need not reduce to writing the address, telephone number, license classification or federal registry number of the prescriber or the address of the patient if such information is readily retrievable in the pharmacy

(4) Existing law permits pursuant to authorization of the prescriber, any employee of the prescriber to orally transmit a prescription for a controlled substance classified in Schedule IV or V if within a reasonable time thereafter the prescriber transmits to the pharmacist filling the prescription written evidence of the employee's authorization,

as specified.

This bill would delete the requirement that the prescriber transmit to the pharmacist filling the prescription written evidence of the employee's authorization.

(5) Existing law permits a prescriber to authorize his employee to orally transmit a prescription to the furnisher if the prescriber gives the furnisher within a reasonable time written evidence of the employee's authorization.

This bill would instead permit a prescriber to authorize his employee on his behalf to orally transmit a prescription without such written evidence.

(6) Existing law prohibits a pharmacist from dispensing any prescription except in a container correctly labeled, as specified, including the name, address, and prescription number of the furnisher.

This bill would, in lieu of the prescription number, permit the pharmacist to use other means of identifying the prescription for such labeling requirement.

(7) Existing law requires a pharmacist to label prescription drugs dispensed by him to disclose specified information.

This bill would, with respect to such labeling requirement, specify an exception for unit dose drug distribution.

This bill would make no appropriation to reimburse local agencies for costs incurred by them under this bill for a specified reason.

Ch. 1104 (SB 1940) Dunlap. Property taxation: assessment: open-space lands.

Under existing law, in assessing certain enforceably restricted open-space lands, other than commercial timberland, the assessor is precluded from considering sales data of comparable properties. Instead, in valuing the property by normal assessment procedures, the assessor must use a specified method which capitalizes the income-producing capabilities of the land

This bill would provide that the parties to an instrument enforceably restricting the land may provide in the instrument that the valuation resulting from the capitalization of income method shall not exceed the valuation that would have resulted by the consideration of sales of otherwise comparable lands.

Ch. 1105 (AB 3178) Craven. Subdivisions: security for performance.

Under existing law, a local agency may require a subdivider to furnish security for the performance of acts or agreements upon which approval of a subdivision or parcel map is conditioned. Various forms of acceptable security are specified by statute.

This bill would include among the types of improvement security which a local agency may require in such cases, a lien upon the property to be subdivided created by a contract between the property owner and the local agency, if the local agency finds that it would not be in the public interest to require the improvements to be installed sooner than 2 years after ~~approval~~ [recordation]* of the ~~final or parcel*~~ map, or other security interests, including security interests in the real property, acceptable to the local agency.

The bill would retain the existing enumerated types of security.

Ch. 1106 (AB 3160) Duffy. Standards for licensure or certification.

Existing constitutional law prohibits the Legislature from delegating legislative functions to private persons or bodies including the power to determine who shall have the right to engage in an otherwise lawful enterprise unless such power is accompanied by safeguards to protect against arbitrary or self-motivated action.

This bill would provide that no healing arts licensing board or examining committee under the Department of Consumer Affairs shall require by regulation that an applicant for licensure or certification meet standards of a private association or professional society unless there is specific statutory authority or such agency specifies standards for such associations or societies through public hearings. Such provisions would be applicable to regulations adopted on or after the effective date of the bill

The bill would authorize the State Department of Health Services to adopt standards for personnel for licensed health facilities by reference to named standard-setting organizations and requires the department to either list the standards of such organization in regulation, retain the requirements of such organization on file for public inspection or have direct statutory authority to use the standards of such organization. Such provisions would be operative on and after January 1, 1981.

Ch. 1107 (AB 3154) W. Thomas. Air pollution: hearing boards.

(1) Currently, each local air pollution control district is authorized to appoint one or more hearing boards consisting of 5 members each. Existing law authorizes a hearing board, with not less than 4 members being present, to rehear any matter which was decided by 3 members.

This bill would also authorize a hearing board, with not less than 4 members present, to rehear any matter which was decided by less than 3 members.

(2) Existing law does not authorize the chairman or any member of a hearing board to hear alone an application for an interim variance or a variance or for modification of a schedule of increments of progress. Existing law authorizes a rehearing by a hearing board if petitioned by a party within 10 days of mailing of the decision to him.

This bill would, in cases to be heard by a hearing board in districts with a population of less than 500,000, authorize the chairman or any member of the board designated by the board to hear alone such an application and, if a member of the public contests a decision made by a single member of the hearing board, the bill would require rehearing of the application by the full hearing board within 10 days of such decision.

(3) Under existing law, emissions meeting specified standards from any source are prohibited for more than 3 minutes in any hour unless excepted.

This bill would add to the exceptions visible emission generating equipment in training sessions conducted by governmental agencies necessary for certifying persons to evaluate visible emissions.

(4) This bill would also incorporate additional changes in Section 41704 of the Health and Safety Code proposed by SB 2198 to become operative only if SB 2198 and this bill are both chaptered and this bill is chaptered last.

Ch. 1108 (AB 3148) Fazio. Reclamation districts.

(1) Existing law authorizes a reclamation district which has adopted plans for the irrigation of district lands to adopt a schedule of rates to be charged for furnishing water for the irrigation of district lands and to include unpaid charges in any operation and maintenance assessment levied by the district.

This bill would permit such schedule of rates to include standby charges to holders of title of land to which water may be made available, whether the water is actually used or not, not to exceed $20 per year for each acre or for a parcel less than one acre, and would make related changes.

(2) Existing law authorizes a reclamation district to issue and sell time warrants based upon, and in anticipation of, the collection of any operation and maintenance assessment, but limits the time warrants which may be issued to mature in any year to the amount of the assessment installment payable in such year and limits the principal amount which may be outstanding at any time to an amount determined by multiplying the number of acres in the district by $5.

This bill would permit time warrants to be issued for more than such amount and with a maturity longer than 5 years if approved by the voters of the district at a special election.

(3) This bill would also generally authorize reclamation districts, in addition to the other powers of such districts, to fix and collect charges and fees, including minimum and standby charges, for the provision of benefits and services, and would specify related matters. The bill would permit such revenue to be used for any district purpose. The bill would also permit such districts, by resolution of the governing board, to provide a procedure for and collect such charges and fees, by way of the tax bills of the county or counties in which such district is located, and would specify related matters.

Ch. 1109 (AB 2955) Keene. Timber taxation.

Existing law provides for the special assessment of timberlands for purposes of property taxation and imposes a yield tax on timber.

This bill would revise the method and procedures for the assessment of timberlands, would prescribe community college districts and school districts apportionments respecting timber yield taxes and would permit specified allocations from the State Timber Tax Reserve Fund.

The bill would take effect immediately as an urgency statute.

Appropriation: yes.

Ch. 1110 (AB 2849) Craven. Courts: San Diego County.

Existing law specifies the number of municipal court judges in the North County Municipal Court District in San Diego County at 6.

This bill would increase the number of municipal court judges in such district to 7 and provide that there shall be 8 judges at such time as the San Diego County Board of Supervisors adopts a resolution finding there are sufficient funds for an eighth judge.

Existing law specifies the salaries of various court employees in San Diego County.

This bill would raise the salary for the clerk-administrative officer.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1111 (SB 1486) Wilson. Superior courts.

Existing law provides for 35 superior court judges in San Diego County.

This bill would increase the number of superior court judges in San Diego County to 40.

The bill would appropriate $300,000 to the Controller for allocation and disbursement to San Diego County for costs of judgeships created by this bill which would be available for disbursement and expenditure, as specified.

Ch. 1112 (AB 2867) Mello. Property taxation.

Existing law requires a redevelopment agency to notify local agencies and the State Board of Equalization of certain changes in the boundaries of a proposed redevelopment project.

This bill would specify the period of time within which such notification must be made.

Under existing law, the State Board of Equalization is authorized to charge a fee for the preparation of certain redevelopment plans and boundary changes.

This bill would authorize the State Board of Equalization to charge a fee for providing certain mapping services.

Under existing law, a possessory interest in certain government land, which is subject to taxation, may be reassessed if, after the lien date, the right to enter the land has been suspended due to misfortune or calamity.

This bill would require the local assessor to provide the last known assessee of such possessory interest with an application for reassessment.

Under existing Private Car Tax Law, the tax resulting from certain estimated and escaped assessments and jeopardy assessments bears interest at the rate of ½% per month.

This bill would increase such interest rate.

This bill makes technical changes to various provisions of statutory law relating to taxation.

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

The bill would also make additional changes in Sections 531.6, 619 and 1605 of the Revenue and Taxation Code, to be operative only if AB 2411, SB 1464, SB 1656 and SB 1752, respectively, are chaptered and this bill is chaptered after such other bills.

Ch. 1113 (AB 2325) McCarthy. Projects: development projects; environmental quality.

(1) Existing law generally requires any public agency that has the principal responsibility for approving a development project to approve or disapprove the project within 1 year from the date on which an application requesting approval has been received and accepted as complete and any other public agency which has responsibility for approving the project to approve or disapprove the project within specified time limits. Such time limits could be extended for a period not to exceed 90 days.

This bill would exclude administrative appeals within a state or local agency or to a state or local agency, the approval or disapproval of a final subdivision map, and district and municipal changes of organization and reorganizations from the application of such provisions. The bill would state the Legislature's finding that the administrative appeals exclusion is declaratory of existing law.

The bill would exempt from the application of such time limits petitions for changes

pursuant to designated provisions of the Water Code. The bill would specify that time limits may be extended only once. In the event the project requires more than 1 approval by the public agency, it would be authorized to establish time limits for submitting information and approval of each request, but not to exceed specified time limits.

The bill would provide that the failure of an applicant to submit complete or adequate information may constitute grounds for disapproving a development project.

(2) Under existing law, with respect to any development project, an application for which has been accepted as complete prior to January 1, 1978, specified deadlines are required to be measured from January 1, 1978.

This bill would, with respect to such application received prior to January 1, 1978, but not determined to be complete as of that date, require a determination that the application is complete or incomplete to be made not later than 60 days after the effective date of this bill.

(3) Under existing law, development project means any project undertaken for the purpose of development.

This bill would further define a development project to include a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. A development project would not include ministerial projects proposed to be carried out or approved by public agencies.

(4) Under existing law, with respect to development projects, "local agency" is defined to include a local agency formation commission.

This bill would delete such provisions.

(5) Under existing law, not later than June 30, 1978, each state agency is required to compile one or more lists which shall specify in detail the information which will be required from any applicant for a development project, and, after a public agency accepts an application as complete, such agency is prohibited to subsequently request of an applicant any new or additional information which, with respect to a state agency, was not specified in such list, or, with respect to a local agency, was not required as part of the application Such information is required to indicate the criteria which such agency will apply to determine the completeness of the application.

This bill would provide that such provisions shall not be construed as requiring an applicant to submit with his initial application the entirety of the information which a public agency may require in order to take final action on such application. The bill would require each state agency, prior to accepting an application, to inform the applicant of any information included in the list which will subsequently be required from the applicant in order to complete final action on such application; and would require each local agency, prior to accepting an application, to inform the applicant of any such information which will subsequently be required.

This bill would authorize the criteria to require sufficient information to permit a lead agency to determine if an environmental impact report or a negative declaration is required to be prepared pursuant to the California Environmental Quality Act, but would prohibit the criteria from requiring the informational equivalent of an environmental impact report.

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

The bill would require a lead agency, prior to determining whether a negative declaration or an environmental impact report is required, to consult with any other public agency which has jurisdiction by law over natural resources affected by the project which are held in trust for the people of the state and to send a notice of its determination that an environmental impact report is required to any such agency, and make conforming changes in such provisions. The bill would permit the notice from the lead agency to any such agency or any responsible agency and information communicated by any responsible agency to the lead agency to be by a procedure equivalent to certified mail, as an alternative to certified mail.

The bill would make nonsubstantive changes in provisions relating to time limits established by local agencies for completing and certifying environmental impact re-

ports and negative declarations for projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use.

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

Ch. 1114 (AB 3821) Hughes. Education· degrees and diplomas.

Current law prohibits a private postsecondary institution or representative of such institution to engage in various activities relating to, among other things, the selling, issuing, obtaining, purchasing, and using of any diploma or degree and makes it a felony for any person, firm, association, partnership, or corporation to willfully violate such provisions.

This bill would make such provisions applicable to any individual, partnership, corporation, association, firm, or public board, agency, or entity and instead would make the violation thereof a misdemeanor.

This bill would make it a misdemeanor for any person to prepare, manufacture, or print, or offer to prepare, manufacture, or print, for a fee or other compensation, any document purporting to be a degree or diploma, as defined, without written authorization to do so from the governing board of the school district, the private school, or the public or private college, university, or other institution of higher learning that issued or reissued the degree or diploma, as the case may be.

This bill would provide for judicial relief from violations of the bill, including the issuance of an injunction.

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 costs to local governmental entities, for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1115 (SB 1721) Marks. Surplus state land. housing.

Present law contains no authorization for the transfer of surplus state lands at less than fair market value to local governmental entities for development of housing for persons and families of low or moderate income.

This bill would authorize the Director of General Services to sell surplus state lands at less than fair market value to local governmental agencies, and would permit such local governmental agencies to lease such land to nonprofit corporations, housing corporations, limited dividend housing corporations, and private developers for use in providing such housing, subject to prescribed conditions. The bill would make provision for the land to be offered for sale at current fair market value to the previous owner if it is not used for the purposes for which it was acquired, nor needed by any other state agency. Such repurchase provision would not be applicable to land to which the state has held title for more than 7 years

It would require a local agency to make certain payments to the state if the agency is determined to be in noncompliance with specified land use requirements.

The bill would require that surplus state land which is suitable for, and for which there are offers for, more than one use, be offered for the use determined to be most appropriate by the Department of General Services. The Department of General Services would be required to consult with the Department of Housing and Community Development, the Department of Parks and Recreation, and the Office of Planning and Research in making such decisions.

This bill would require the Department of Housing and Community Development, in consultation with the Department of General Services and the Office of Planning and Research, to report to the Legislature, as specified

This bill would prescribe that a portion of its provisions shall not be applicable to surplus residential property, as defined, if S.B. 1885 is chaptered, amends and adds specific sections, and becomes effective on January 1, 1979.

This bill would, in addition, incorporate additional changes in Section 11011 1 of the Government Code proposed by S.B. 1723, to be effective only if S.B. 1723 and this bill are both chaptered and become effective on January 1, 1979, and this bill is chaptered last.

Ch. 1116 (AB 3502) Mangers. State property: Fairview State Hospital.

Existing law allows the Director of General Services, with the consent of the state agency concerned, to let any real or personal property belonging to the state for a period not to exceed 5 years, when such letting is not expressly prohibited by law and where the director deems such letting in the best interests of the state.

This bill would allow the director, notwithstanding the above limitations, to let, at a price permitting development of housing, as specified, and for not to exceed 55 years, real property not exceeding 60 acres located within the grounds of the Fairview State Hospital to a person or corporation for the purpose of developing affordable housing for the employees of the hospital. Such lease would be nonassignable and subject to review every five years by the director. The state would be required, if lessee defaults, to take all necessary steps to cure the default, but expenditure of state general funds for operation of the property would be prohibited, except as specified. It would also permit such housing, not to exceed 10% of the units developed, to be utilized by patient-clients of the hospital and, in addition, when such units cannot be filled by employees or transitional patient-clients of the hospital, it would, subject to certain conditions, permit such housing to be utilized by persons employed within the City of Costa Mesa.

Ch. 1117 (AB 1513) Ellis. Swap meets.

Existing law imposes certain recordkeeping and reporting duties upon "secondhand dealers" as defined.

This bill would require the statewide reporting of new or used personal property offered for sale or exchange at swap meets, as defined, except with respect to swap meets involving specifically exempt personal property or transactions.

This bill would require every swap meet vendor, as defined, to report all new or used personal property offered or displayed for sale or exchange on a form, prescribed by the Department of Justice, containing specified information concerning the vendor. It would also require the Attorney General to prepare and distribute to local law enforcement agencies a list of personal property commonly sold at swap meets which constitutes a significant class of stolen goods.

The bill would require every swap meet operator, as defined, to furnish such forms to swap meet vendors and would require completed forms to be submitted to local law enforcement officials, as specified. Local law enforcement officials would be required to forward the original of such forms to the Department of Justice upon its request.

This bill would require swap meet operators to retain copies of completed forms for 1 year and to make such copies available for inspection, upon request, by peace officers, including state police officers if the swap meet is held on state property, or State Board of Equalization representatives. It would require swap meet vendors to make completed copies of the form available for inspection.

This bill would require vendors, upon request, to provide purchasers with written receipts in certain transactions.

This bill would make any violation of its provisions a misdemeanor punishable as specified.

The bill provides that neither an appropriation is made nor an obligation created for any local agency for specified reasons pursuant to this act.

Ch. 1118 (AB 1006) Keene. Fire protection: prescribed burning.

Existing provisions of law authorize the Department of Forestry, with the approval of the Director of Finance, to enter into contracts, of specified content, with the owner or other person having legal control of any property in areas in which the state has primary financial responsibility for preventing and suppressing forest fires. Such contracts may be for watershed management, range improvement, and fish and wildlife habitat improvement and for the burning of any brush, vegetation, or structure for the prevention or suppression of forest fires. Such contracts are made enforceable by lien.

This bill would enact the Wildland Fire Protection and Resources Management Act of 1978, which would, in general, do the following:

(1) Require the department to prepare two model plans for the initial development and implementation of programs, one in northern and one in southern California, for the management and reduction of timber, brush, grass, or other flammable vegetation through prescribed burning and other methods of managing or reducing such wildland fuels. Particular matters to be included in, and the manner of preparation of, the plan would be specified. Planning would not commence until sufficient funds were available

from nonstate sources to meet the costs of one model plan. Neither plan could be implemented or used after January 1, 1983.

(2) Authorize the department to provide and maintain prescribed burn crews for back-up duty in the event of an emergency during prescribed burning operations.

(3) Specify that when the holder of a prescribed burning permit has fully complied with the provisions relating to prescribed burning and the fire escapes, suppression costs incurred by public agencies would not be a debt of the holder of the permit.

(4) Require a certain report on the program be submitted on or before January 1, 1982.

(5) Provide that persons applying for a permit or other entitlement under other specified provisions of law shall not be required to comply with these provisions as a condition to the issuance of such permit or other entitlement.

The bill would appropriate $155,000 to the department for expenditure, without regard to fiscal years, to furnish prescribed burn crews for the programs.

Ch. 1119 (AB 1222) Vasconcellos. Smoking: retail food establishments.

There is no provision of state law which prohibits smoking of tobacco products in retail food production and marketing establishments.

This bill would provide for such a prohibition during the hours the establishment is open to the public.

This bill would exempt areas of an establishment qualifying as restaurants and areas of establishments set aside for employee smoking and not open to the public from such a prohibition.

Ch. 1120 (AB 1625) Fazio. Agricultural preserves.

(1) Existing law includes within the definition of "agricultural preserve" compatible uses as designated by a city or county.

This bill would delete that portion of the definition and would permit land within a scenic highway corridor to be included within a preserve under certain conditions.

(2) Where the boundaries of a preserve are changed, existing law requires notice to adjacent owners.

This bill would require such notice to owners of land under contract within 1 mile of the exterior boundary of the land to be removed from the preserve and would also require such notice to be published.

(3) Existing law requires specified notice be given when a preserve is established.

This bill would require notice as well when a preserve is disestablished, altered or changed.

(4) Existing law permits a county board of supervisors to indemnify a landowner who permits his property to be used for free public recreation.

This bill would so authorize a city council.

(5) Existing law provides that where the initial term of a contract is for 20 years or more, a provision may be included which would automatically extend the term of the contract under certain conditions.

This bill would reduce the initial term necessary for such a contract to 10 years.

(6) Existing law specifies conditions under which suit may be brought to enforce a contract.

This bill would authorize other actions to be brought.

(7) Currently, the board of supervisors of a county or the city council of a city may cancel any contract entered into between a landowner and the city or county, as the case may be, to preserve agricultural land. A fee is charged to make such a cancellation, representing deferred taxes upon cancellation.

This bill would provide for an additional cancellation fee, establish the manner of determining the amount of such additional cancellation fee and provide for a waiver of such additional fee or any portion of it after a finding by the board or council that it would be in the public interest. The bill would establish a special procedure for approval of a petition accompanied by a proposal for a specified alternative use of land.

(8) Existing law provides formulas to be used when assessing land which is enforceably restricted by contract.

This bill would change a portion of such formula. It would also provide for an application fee for a petition to cancel a contract

(9) This bill would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason.

Ch. 1121 (AB 1946) Mello. Pacific Elementary School District· appropriation.

Current law requires under specified circumstances the replacement of nonconforming school buildings under the so-called Field Act.

This bill would appropriate $125,000 from the General Fund to the Pacific Elementary School District for the 1978–79 fiscal year for the purpose of meeting increased construction costs to replace nonconforming buildings. Such amount, plus interest, would be repaid by withholding a prescribed amount from the district's State School Fund apportionment for 10 fiscal years.

This bill would take effect immediately as an urgency statute.

Ch. 1122 (AB 2539) Young. Department of the Youth Authority land: sale.

This bill would authorize the Director of General Services, upon the approval of the Department of the Youth Authority and the State Public Works Board, to sell a portion of a specified parcel of real property at the Department of the Youth Authority in Norwalk to the City of Norwalk for open space purposes for 50% of current market value and to use the remaining portion of the parcel as a buffer zone. The bill would also allow any cost or expense to be reimbursed from the proceeds of such disposition.

This act shall take effect immediately as an urgency statute.

Ch. 1123 (AB 666) Gualco. Local government planning.

Existing law provides that each planning agency shall prepare and each city and county shall adopt a general plan for its physical development and for the development of land outside its boundaries which in the agency's judgment bears relation to its planning.

The bill would enact the Model Integrated Local Planning Act which would require the Director of the Office of Planning and Research to provide for a demonstration project composed of not more than 3 cities and not more than 3 counties selected by the director, upon their application therefor, to develop and test an alternative integrated local planning process. It would direct the office to prepare and submit an evaluation report of specified contents and legislative recommendations to the Legislature on or before January 1, 1983.

The bill would authorize demonstration counties and cities, under specified conditions, to accept federal grant funds available for purposes consistent with the purposes of the bill.

Ch. 1124 (AB 2448) Mori. San Francisco Bay Area Rapid Transit District: smoking.

Existing law authorizes the San Francisco Bay Area Rapid Transit District to maintain a police department and provides that amounts collected from fines and forfeitures for violations of parking or other traffic regulations of the district be transferred to the district treasury and the county general fund.

This bill would make the violation of any ordinance, rule, or regulation of the district relating to smoking in any transit facility owned or operated by the district an infraction punishable by a fine not exceeding $50 and would provide for disposition of such fines in the same manner as other fines and forfeitures.

Ch. 1125 (AB 2384) Mangers. Municipal courts: Orange County.

Existing law authorizes the judges of the West Orange County Judicial District to appoint 1 court commissioner, and specifies the powers and duties thereof.

This bill would increase such number to 2 and would add to the powers and duties thereof the additional powers and duties granted court commissioners in Los Angeles County.

Existing law provides that the appointment of the court commissioner by the judges of the Orange County Harbor Judicial District may only be in lieu of appointing a traffic referee or traffic trial commissioner.

This bill would revise such limitation to be in lieu of appointing a traffic trial commissioner only, and would impose the same limitation with regard to the appointment of a second court commissioner by judges of the West Orange County Judicial District

The bill would incorporate additional amendments to Section 74001.5 of the Government Code proposed by AB 1405, to become operative if both bills are chaptered and this bill is chaptered last.

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

Ch. 1126 (AB 2411) Imbrecht Fiscal procedures.

Existing law provides for the establishment of an overage fund in county treasuries, authorizes county officers to deposit in such fund amounts paid to such officers which exceed, by $1 or less, the amount due the county for any account, and authorize county officers to use such fund to increase the amount tendered to any county officer so as to equal the amount due the county, for any account when a difference in an amount of $1 or less exists

This bill would increase the maximum amounts which county officers may either use or deposit in such fund from $1 to $5.

Under existing law, any county department, officer or employee may refrain from collecting any tax assessment, fee, penalty or cost owing to the county where the amount to be collected is $1 or less.

This bill would authorize such governmental entities to refrain from such collection where the amount to be collected is $5 or less.

If a homeowners' property tax exemption has been incorrectly allowed, existing law authorizes an escape assessment in the amount of such exemption.

This bill would specifically provide for an escape assessment if the property subject to such escape assessment has been transferred or conveyed to a bona fide purchaser for value or to a bona fide encumbrancer.

Existing law requires the county auditor, upon completion of certain duties, to transmit the unsecured property tax roll to the assessor, or to the tax collector, if the duty of making unsecured property tax collections has been transferred to such tax collector

This bill would eliminate the alternative transfer of such roll to the assessor and would require the county auditor to transmit such roll to the tax collector.

Existing law mandates that the tax collector of every county shall mail a county tax bill or copy thereof to each assessee or fee owner of property on the secured roll each year.

This bill would instead require that a tax bill or copy thereof be sent for all property on the secured roll.

Under existing law, any person filing an affidavit of interest may apply to the tax collector to have any parcel separately valued on the current property tax roll for purposes of paying taxes and the tax collector must notify the local planning commission of the jurisdiction in which the property is situated of all applications for separate valuation.

This bill would eliminate the requirement that the tax collector make such notification to the planning commission of such applications for separate valuation.

Existing law establishes procedures for entry of summary judgment for certain delinquent taxes on property on the unsecured property tax roll and provides for interest and certain penalties on such taxes subject to such summary judgment procedure

This bill would also authorize the imposition of a penalty on such delinquent taxes of any amount equal to any bond premium posted or other costs to enforce such summary judgment

Existing law provides for the discharge of accountability of any county department, officer charged with the collection of taxes, interest penalties, fees or money owing the county for any reason if the amount is so small as not to justify the cost of collection.

This bill would authorize the auditor to cancel certain small tax assessments if the amount is so small as not to justify the cost of collection

This bill would make additional changes to Section 2610.5 of the Revenue and Taxation Code which would become operative only if Assembly Bill No. 2085 and this bill are both chaptered.

Ch 1127 (AB 2565) Boatwright. San Francisco Bay Area Rapid Transit District.

Under the San Francisco Bay Area Rapid Transit District Act, a procedure is specified under which a county not included within the San Francisco Bay Area Rapid Transit

District (consisting of the City and County of San Francisco and the Counties of Alameda and Contra Costa) may be annexed thereto.

This bill would require the district to meet its service commitments, as defined, within the boundaries of the district as they existed on January 1, 1971, (within the 3 counties) before the district may expend district funds for extension of services and facilities outside such boundaries. Such a restriction would not preclude (1) rail line extensions to other areas that may be annexed to or affiliated with the district, if the construction of such extensions is financed by other than district funds or (2) improvements to existing district stations and yards.

The bill would define "service commitments" as extension of district services and facilities to the Cities of Antioch, Pittsburg, Pleasanton, Livermore, and Fremont and to the northwest section of the City and County of San Francisco.

The bill would state legislative intent that the district begin to focus its attention on providing direct service to the eastern portion of Contra Costa County.

Ch. 1128 (AB 2593) Alatorre. Community colleges: student representatives: travel expenses.

Existing law specifically delineates the powers, duties, and functions of the Board of Governors of the California Community Colleges, and does not authorize the board of governors to allow any travel expenses to community college students.

This bill would authorize the board of governors to allow actual and necessary traveling expenses to community college students who serve on specified groups and who, as official student representatives, attend specified meetings. This bill would prohibit the board of governors from allowing such traveling expenses to student lobbyists or for student travel out of the state.

This bill would appropriate $7,500 to the board of governors for the 1978–79 fiscal year for such purposes.

Ch. 1129 (AB 2629) Lehman. Milk inspection fees: oleomargarine: margarine.

(1) Existing law authorizes any producer or distributor to file a written protest with the Director of Food and Agriculture as to the reasonableness of any inspection fee which is levied and collected for maintaining an approved milk inspection service, and authorizes the director to hold a hearing on the protest.

This bill deletes the authorization for any producer to file such a protest and, instead, authorizes 10% of the producers within an inspection area to file such a protest. The bill would, generally, require that the director hold a hearing on such a protest. The director would be permitted to deny, postpone or consolidate a hearing under specified conditions.

(2) Chapter 105 of the Statutes of 1978, which takes effect January 1, 1979, generally prohibits certain persons serving any patron or employee any butter substitute unless the patron or employee specifically requests a butter substitute.

This bill would supersede these provisions and would instead provide that a butter substitute shall not be served to a patron in a restaurant unless this information is displayed on the menu, as prescribed.

(3) 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. 1130 (AB 2322) Imbrecht. Health.

Existing law does not require disability insurance policies, self-insured employee welfare benefit plans, or nonprofit hospital service plans to provide home health services. Existing law requires health care service plans to provide home health services.

This bill would require such plans and policies issued, amended or renewed on or after January 1, 1979, to provide benefits for home health services, as specified in this bill, by a licensed home health care agency.

Existing law makes no provision requiring policies of disability insurance to permit the insured, upon referral by a licensed physician and surgeon, to select an occupational therapist to perform the particular services covered under the terms of the policy.

This bill would enact such provision.

Ch. 1131 (SB 2198) Marks. Air pollution: emissions: exceptions.

Under existing law, any emission meeting specified opacity standards from any source is prohibited for more than 3 minutes in any hour unless excepted. Also, under existing law any emission causing injury, detriment, nuisance, or annoyance to, or which endanger the comfort, repose, health, or safety of, any considerable number of persons or to the public, or which causes, or has a tendency to cause, injury or damage to business or property, is prohibited unless excepted.

This bill would add to such exceptions emissions from vessels using steam boilers for emergency boiler shutdowns, for safety reasons, and for specified tests and maneuvering.

The bill would also except until January 1, 1984, vessels using steam boilers during cold boiler light-off operations and while drying wet or green refractory if emissions do not exceed specified amounts for periods aggregating over 15 minutes in one hour.

The bill would also require the State Air Resources Board to conduct a specified study regarding vessel compliance, to conduct a public hearing to consider adoption of, and adopt, a compliance schedule which would require vessels to comply with specified standards on and after January 1, 1984, and to report on such study to the Legislature by January 1, 1983.

This bill would also incorporate additional changes to Section 41704 of the Health and Safety Code proposed by AB 3154, to become operative on the operative date of AB 3154 only if AB 3154 and this bill are both chaptered and this bill is chaptered last.

The bill would take effect immediately as an urgency statute.

Ch. 1132 (SB 1926) Foran. State Contract Act.

Under existing provisions of the State Contract Act, except with respect to unit basis contracts, contracts may not be made exceeding in amount the estimates of costs approved and plans and specifications and estimates of costs may not be approved which require a greater expenditure of money than is appropriated for the specific purpose in the law authorizing the expenditure.

This bill would provide that notwithstanding such provisions an estimate of cost may be approved which includes alternates contemplating additions to, or deletions from, the base bid if certain specified conditions are met.

Ch. 1133 (AB 393) McAlister. Wage garnishment.

Existing law pertaining to execution of judgments provides that a levy of a writ of execution on the earnings of a debtor imposes a continuing duty on the debtor's employer for a basic period of 90 days to withhold and pay over the required amounts to the levying officer. The creditor who caused the garnishment may renew such 90-day period thus permitting 1 creditor to secure an unlimited preference over other creditors.

This bill would provide that a levy of execution upon the earnings of an employee be made in accordance with the provisions of the Employees' Earnings Protection Law, contained in the bill, rather than pursuant to any other judicial procedure, except as to wage assignments for court-ordered child support payments. Specifically, the bill would provide that a levy on earnings be made by service of an earnings withholding order upon the employer of the debtor. It also provides that an order generally would be in effect for no longer than 90 days, at the end of which time the creditor who secured the order would be precluded for 10 days from serving another order based on the same debt with the result that other creditors essentially could obtain priority by serving an order during such 10-day period. The bill also establishes particular procedures to be followed for the issuance of an earnings withholding order.

Existing law requires personal service of documents and notices in wage garnishment cases.

This bill would permit service by registered or certified mail in wage garnishment cases, and would require service by personal delivery only where the return receipt from the employer is not received within 15 days from the date of deposit of the document or notice in the mail.

Under existing law, the maximum amount that may be withheld from an employee's wages pursuant to a garnishment in California is determined by wage garnishment provisions of federal law. Such amount essentially is based upon disposable or after-tax earnings

This bill would provide that the amount to be withheld is to be determined by specific wage garnishment provisions of federal law.

~~Existing law contains no general provision to reimburse or compensate an employer for the employer's services in connection with a wage garnishment case.~~

~~This bill would permit an employer to deduct $2.50 as a charge for the employer's service in complying with the earnings withholding order, not to exceed $2.50 during any month.~~*

The bill would require the Judicial Council to prescribe the form of the applications, notices, claims of exemption, orders, and other required documents which are required thereby, and to adopt rules for the administration of the provisions of the bill

It would also provide that there shall be no reimbursement to local agencies for costs incurred as a result of its enactment for a specified reason.

The bill would become operative July 1, 1979.

Ch. 1134 (SB 1807) Wilson. Courts: appointed counsel.

Existing law provides that in any case in which a defendant is furnished counsel, upon conclusion of the criminal proceedings in the trial court, the court shall, after a hearing, make a determination of the present ability of the defendant to pay all or a portion of the cost of counsel.

This bill would provide instead that during the pendency of any case in which a defendant is provided legal assistance, the court may from time to time, in its discretion, hold hearings to determine the defendant's ability to pay all or a portion of the legal assistance so provided; and that such determination may also be made upon the completion of the defendant's case, and during the period of time that the defendant is on probation; and that the court may, in its discretion, order the defendant to appear before a county officer designated by the court to make an inquiry into the ability of the defendant to pay all or a portion of the legal assistance provided.

Existing law provides that if the court determines that the defendant has the present ability to pay all or a part of the cost, it shall order him to pay the sum to the county, in any installments and in the manner in which it believes reasonable and compatible with his financial ability.

This bill would provide instead that if the court determines that the defendant has the ability to pay all or part of the cost, the court shall set the amount to be reimbursed and order the defendant to pay that sum to the county in the manner in which the court believes reasonable and compatible with the defendant's ability.

Existing law provides that prior to the furnishing of counsel in the trial court, the court shall give notice to the defendant that, upon the conclusion of the criminal proceedings in the trial court, the court shall, after a hearing, make a determination of the present ability of the defendant to pay all or a portion of the cost of counsel; and that the court shall also give notice that, if the court determines that the defendant has such present ability, the court shall order him to pay all or part of such costs.

This bill would provide instead that prior to the furnishing of counsel or legal assistance by the court, the court shall give notice to the defendant that the defendant may be ordered to reimburse the county or defendant's counsel for all or a portion of the cost of legal assistance provided, and that such determination will be made by the court only after a hearing or hearings to determine the ability of the defendant to pay all or part of such costs. The bill would define the terms "legal assistance provided" and "ability to pay" for such purposes.

Existing law provides that in any case in which a party is furnished counsel in other than a criminal proceeding, upon conclusion of the proceedings in the trial court, the court shall make a determination of the present ability of the party to pay all or a portion of the cost of counsel.

This bill would provide instead that in any case in which a party is provided legal assistance, upon conclusion of, or at any time during the proceedings, the court may make a determination of the ability of the party to pay all or a portion of the cost of such legal assistance; and that such determination of ability to pay shall only be made after a hearing conducted as provided above with respect to criminal proceedings.

Ch. 1135. (SB 1878) Presley Reporting of crimes and stolen property.

Current law requires local health officers to report the results of investigations of health and sanitary conditions of jails and other local detention facilities to specified public officers including the Attorney General.

This bill would delete the Attorney General from the public officers to whom such reports must be submitted.

Existing law requires pawnbrokers to make daily reports of secondhand merchandise received in pawn or purchase to local law enforcement officials who are required to make daily reports of such information to the Department of Justice. Each such official is also required to make daily reports to the department of lost, stolen, found, pledged or pawned property received in his office.

This bill would make technical changes with respect to such official's submitting of information of pawnbroker transactions and would require reports of property which has been reported stolen, lost, found, recovered, or under observation to be made to the department in a specified manner other than requiring reports of such property received in the office of the law enforcement official.

Existing law requires each local law enforcement official to submit daily reports to the Department of Justice of certain specified offenses and all felonies committed in the jurisdiction of such official.

This bill would revise the offenses to be reported and the information about such offenses, as specified. The bill would permit the Attorney General to require that the report indicate whether the submitting agency considers the information to be confidential because it was compiled for the purpose of a criminal investigation of suspected criminal activities.

Existing law provides that the Attorney General may make available under specified conditions to law enforcement officials and criminal defense counsel the laboratory facilities and technical experts of the Department of Justice.

This bill would permit the department to charge a fee for the laboratory services it performs.

Existing law requires the coroner to report to the Department of Justice and the latter to report to specified persons as to all deceased persons whose deaths are in classifications requiring inquiry by the coroner

This bill would also require such reports where the coroner is not satisfied with the decedent's identification

This bill would provide that there shall be no reimbursement nor appropriation pursuant to this act for a specified reason

Ch. 1136 (SB 1971) Campbell. Medical transportation vehicles.

Existing law provides for the regulation of passenger stage corporations and charter-party carriers of passengers by the Public Utilities Commission and the operation of such carriers pursuant to a certificate of public convenience and necessity or a permit issued by the commission, but does not specifically exempt medical transportation vehicles from these provisions and requirements.

This bill would specifically exempt from these provisions and requirements medical transportation vehicles, and would state that this exemption is declaratory of preexisting law.

Ch. 1137 (SB 1544) Marks. Small claims courts

Under existing law, if a defendant does not appear at the hearing in the small claims court, as a prerequisite to appeal to the superior court, the defendant is required to file a motion to vacate the judgment within ~~20~~ [30]* days after ~~receipt of actual~~ [the clerk has mailed by first-class mail]* notice of entry of judgment

This bill, in addition, would require that the defendant, as a prerequisite to appeal, appear at any hearing on the motion to vacate the judgment, or submit written justification for not appearing at such hearing and written evidence in support of such motion ~~;[-] would revise the 20/day period within which such motion must be filed by deleting the requirement that notice of entry of judgment be actual notice and requiring, instead, that notice of entry of judgment be mailed by first/class mail and by extending the 20/day period to 30 days;~~

[Existing law provides that if a defendant does not appear at the hearing, and was not properly served with notice of the claim, then he may move to vacate the judgment within 180 days after he knows or should have known that judgment was entered against him]*

[This bill, in addition,]* would affirmatively provide that a defendant who does appear

at the hearing on the motion to vacate the judgment, or has submitted written justification for not appearing and written evidence in support of the motion, may appeal to the Superior Court only as to the denial of the motion to vacate the judgment [but that if the superior court finds the motion to vacate should have been granted, the superior court may hear the defendant's appeal and thus try the action anew without recalendaring the matter] ~~; and would also provide that if the defendant did not appear at the hearing, and was not properly served with notice of the claim, then he or she may move to vacate the judgment within 180 days after he or she discovers or should have discovered that judgment was entered against him or her. The notice of motion would be on forms approved or adopted by the Judicial Council.*~~

Ch. 1138 (SB 1646) Holmdahl. Municipal utility districts: peace officers and reservoirs.

(1) Existing law provides that security officers of a municipal utility district are peace officers whose authority extends to any part of the state as to offenses committed or with probable cause believed to have been committed with respect to persons or property it is the duty of such officer to protect and who may carry and use firearms pursuant to district regulation during a public emergency or to provide security for persons and property at electrical generating, distributing, and transmitting facilities.

This bill would revise such provisions to specify instead that the authority of such peace officers extends generally to any part of the state except that such a peace officer shall be deemed a peace officer only for purposes of his primary duty and shall not act as a peace officer in the enforcement of any other law unless pursuing of an offender, making an arrest for a crime committed or with probable cause believed to have been committed in his presence during the course of his employment, or rendering assistance as a peace officer in making an arrest or acting upon a complaint.

(2) Existing law permits a public agency which owns or operates a reservoir to establish and enforce rules and regulations governing public fishing and other recreational uses of the reservoir, and declares a violation of any such rule or regulation to be a misdemeanor.

This bill would permit a municipal utility district by rule or regulation to provide that the violation of any such regulation of the district shall be an infraction, notwithstanding the provisions making such violation a misdemeanor. It would provide penalties applicable where such violation is made an infraction of a fine of not more than $50 for a first offense, not more than $100 for a second offense within a year, and not more than $250 for a third or subsequent violation within a year.

This bill would provide that there would be no appropriation for allocation and disbursement to local agencies for costs incurred by them pursuant to this act because of a specified reason.

Ch. 1139 (SB 1027) Roberti. Geothermal resources: state lands.

Existing law, the Geothermal Resources Act of 1967, establishes a procedure for obtaining prospecting permits and leases from the State Lands Commission for the extraction and removal of geothermal resources, as defined, from state lands for the production of geothermal energy in commercially valuable quantities and other byproducts incidental thereto.

This bill would change the name of the act to the "Geothermal Resources Act," declare legislative intent concerning development of geothermal resources beneath state lands, revise the procedure and terms for issuance of prospecting permits, authorize the commission to grant nonexclusive geological or geophysical exploration permits for geothermal resources, revise the procedure and terms for the leasing of lands, authorize the commission in leasing lands to prescribe a development program, revise the amounts of rentals and royalties which may be required under prospecting permits and leases, change the terms for renegotiation of such leases, specify terms for renegotiation of prospecting permits in existence prior to January 1, 1979, if they may be converted into leases, and authorize the commission to take geothermal resources in kind in lieu of payment. The bill would permit the owner of the surface of lands sold by the state reserving the geothermal resources thereof to the state to be granted a permit or lease ahead of any other applicant therefor, and in the case of a competitive lease sale, would permit such owner to meet the terms of the highest bid therefor. The bill would also

authorize the commission to enter into agreements, as specified, with the owners of private wells which are draining geothermal resources from state lands, authorize the commission, under specified circumstances, to determine consideration to be received from a permittee or lessee for specified activities for the purpose of reinjecting geothermal resources of the residue thereof, revise the terms under which a permit or lease may be assigned, transferred, or sublet, and authorize the commission to issue a direct heat utilization permit to the first qualified applicant, as specified.

The bill would also provide that, where the surface of state-owned lands used for development of geothermal resources is under the jurisdiction of an agency other than the commission, 50% of the revenue received by the state each fiscal year pursuant to such leases shall be available for appropriation by the Legislature for support of such agency.

The bill would authorize the commission to amend prospecting permits and leases pursuant to the bill.

Ch. 1140 (SB 1234) P. Carpenter. Fuel: taxes: exemption.

(1) Under the Use Fuel Tax Law, a tax is imposed on diesel fuel at the rate of 7¢ per gallon.

However, under the Mills-Hayes Act, a tax is imposed at the rate of only 1¢ per gallon on diesel fuel used by public transit entities, by passenger stage corporations subject to the jurisdiction of the Public Utilities Commission with respect to their motor vehicles exclusively operated in urban or suburban areas or between cities in close proximity for the transportation of persons for hire if the route line does not exceed 50 miles one-way, and by other common carriers operating between fixed termini or over regular routes with at least 98% of their total mileage operated within a single city, except when the diesel fuel is used in chartered services.

This bill would include, in the Mills-Hayes Act, with specified exceptions, any private entity providing transportation services under contract or agreement with a public agency authorized to provide public transportation services so that such an entity would pay a tax of 1¢, and not 7¢, per gallon of diesel fuel.

(2) Under the Motor Vehicle Fuel License Tax Law, a tax is imposed on gasoline at the rate of 7¢ per gallon.

The bill would make a refund of 6¢ per gallon of gasoline used in propelling passenger carrying vehicles to those entities required to pay only a tax rate of 1¢ per gallon on diesel fuel under the Mills-Hayes Act, including, with specified exceptions, those private entities providing transportation services under contracts or agreements with public agencies authorized to provide public transportation services, when such vehicles are used for the transportation of persons for hire, compensation, or profit.

(3) The bill would make an appropriation since refunds would be made from the Motor Vehicle Fuel Account in the Transportation Tax Fund, which account is a continuously appropriated fund.

This bill would take effect immediately as a tax levy and would become operative January 1, 1979.

Ch. 1141 (SB 1305) Alquist. State boards and commissions' compensation.

Existing law provides for compensation or payment of per diem and expenses, or both, of the members of various boards and commissions.

This bill would revise the amounts of per diem and expenses, payable to members of various specified boards and commissions.

In addition, this bill would provide that no public officer or employee shall receive per diem salary compensation for serving on certain boards or commissions on any day when the officer or employee also received compensation for his or her regular public employment.

Ch. 1142 (SB 1634) Alquist. Transportation: transit guideway systems.

Under existing law, the San Francisco Bay Area Rapid Transit District, the Santa Clara County Transit District, and the Southern California Rapid Transit District are subject to the regulations of the Public Utilites Commission relating to safety appliances and procedures and inspection by the commission related thereto.

This bill would subject any public transit guideway planned, acquired, or constructed,

on or after January 1, 1979, to such regulations and inspection.

Ch. 1143 (SB 1665) Cusanovich. Vehicles: records: confidentiality.

Under existing law, various records of the Department of Motor Vehicles are, generally, open to public inspection during business hours. However, effective July 1, 1978, the department may not disclose the home address of certain peace officers, as specified, appearing in the records of the department to any person except a court or law enforcement agency if the peace officer requests confidentiality.

This bill would identify additional categories of peace officers who would be able to request that the department keep their home address confidential and would expand the number of governmental agencies which would have access to such information from department records notwithstanding the peace officer's request for confidentiality.

Ch. 1144 (SB 1644) Dunlap. Open-space land: inheritance tax credit.

Under existing law persons receiving property as a result of death, with some exceptions, must pay a tax under the Inheritance Tax Law.

This bill would provide procedures for persons receiving open-space land subject to state inheritance or federal estate tax where all the property transferred to such persons does not include sufficient money or other liquid assets to pay such tax to offer the open-space land to the state. The bill provides procedures to accept the property and for the donor to be credited with payment of taxes due under the Inheritance Tax Law equal to the fair market value of the property transferred to the state or a local agency, provided, that there be no refund of any excess of such value over the taxes due.

Ch. 1145 (SB 1744) Robbins. Property taxation: condominiums.

Under existing property tax law, tax liens attach to property on the first day of March preceding the fiscal year for which the taxes are levied. Such lien would attach to an entire condominium project prior to the individual units being initially sold.

This bill would permit the initial seller or buyer of an individual unit in a condominium project to request a separate assessment and tax bill on the unit, in which case the property tax due on the individual unit would constitute a lien solely on such unit, and the property taxes due on other units in the condominium project shall not be a lien on a unit on which there has been such separate assessment.

This bill would provide that notwithstanding Sections 2231 and 2234 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason.

Ch. 1146 (SB 1481) Song. Animals: killing of dogs and cats.

Existing law permits the killing of dogs and cats, except under specified conditions, through the use of carbon monoxide gas chambers, nitrogen gas cabinets, or high-altitude decompression chambers

This bill would prohibit the use of high-altitude decompression chambers for such purposes.

Existing law prohibits the practice of veterinary medicine by any person without a license but excepts various acts from such prohibition

The bill would expressly provide that the laws regarding the practice of veterinary medicine do not prohibit the administration of sodium pentobarbitol to specified animals by a trained employee of a public pound or humane society without the presence of a veterinarian

Ch. 1147 (AB 1781) Kapiloff. Clinic licensure.

(1) Present law provides for licensure of defined clinics and vests responsibility for administration thereof with the State Department of Health Services

This bill would repeal and reenact the clinic licensure provisions in substantially revised form, with changes made, among other things, in the services which may be provided by clinics, clinic "projects" subject to health-planning review, licensure fees, the types of clinics which may be licensed, exemptions from such licensure, and the method of licensure, including authorization for temporary licensure in prescribed cases and authorization to require a special permit to provide services designated by the State Department of Health Services, as specified, which would be vested with responsibility for administration of such provisions.

(2) This bill would terminate the existence of the Advisory Committee on Community Clinics and Free Clinics and would provide for appointment by the Director of Health Services of an Advisory Committee on Primary Care Clinics.

(3) Under present law, community clinics performing laboratory work for patients of physicians under contract with, or employed by, the clinic are exempt from additional licensure as a clinical laboratory, if (1) the laboratory work is performed under the supervision of such a physician, and (2) no work is done on referral.

Subject to the same conditions, this bill would exempt all kinds of primary care clinics, as defined by the bill, from licensure as clinical laboratories.

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

Ch. 1148 (SB 238) Holmdahl. Development projects: consolidated meetings and hearings.

Under existing law, in the event that a development project requires approval by more than one public agency, the Office of Planning and Research is required, to the maximum extent feasible, to consolidate for procedural purposes the various hearings which may be required in order to minimize the time required for such hearings.

This bill would delete such provision and, instead, add provisions which would:

(a) Authorize the office to call a conference of parties to resolve questions or mediate disputes arising from permit applications on any proposed development project.

(b) Authorize an applicant for a development project or any state agency with permit authority over the development project to request that the office consolidate public meetings or hearings permitted or required by law or regulation for approval of such development project, and require the office, if so requested, to consolidate meetings and hearings for procedural purposes in such a way as to reduce the time required for approval or denial of the development project to the maximum extent practical. The bill would prescribe the powers and duties of the office, the Director of Planning and Research, and the participating public agencies with respect to such meeting or hearing.

The provisions of the bill [in (b) above relating to consolidated meetings and hearings on development projects]* would remain in effect only until July 1, 1980.

Ch. 1149 (SB 415) Robbins. Victims of crimes.

Existing law does not provide for the use of the print identification computer by the Department of Justice in the identification of suspects

This bill would permit the Department of Justice to use such a computer to assist in the identification of suspects who injure and terrify victims and make such computer capabilities available to local police agencies. It would provide that it is the Legislature's intent to have the computer used initially in conjunction with the Hillside Strangler case and thereafter be available to statewide and local police agencies. This act would appropriate $54,000 to the Department of Justice to carry out the provisions of the act.

This bill would take effect immediately as an urgency statute

Ch. 1150 (SB 1799) Presley. Water systems: quality standards.

Existing law requires a person operating a public water system, as defined, to obtain a permit from the State Department of Health or its successor, the State Department of Health Services Such existing law authorizes local health officers to issue permits for such systems supplying fewer than 200 service connections.

The bill would require local health officers and, in counties which do not have a local health officer, the state department, to enforce the provisions of law relating to such public water systems with fewer than 200 service connections, including issuing permits, except that variances and exemptions granted or revoked by the local health officer would require the approval of the state department, as specified. The local governing body would be authorized to fix fees for such permits, as specified.

The bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason.

Ch. 1151 (SB 1813) Wilson. License revocation: nolo contendere plea.

Existing law does not provide that a plea of nolo contendere constitutes a conviction for purposes of provisions relating to a license or permit revocation.

This bill would provide that a plea of nolo contendere or "no contest" would constitute

a conviction for the purpose of invoking any provision of the Fish and Game Code, or any rule, regulation or order adopted thereunder relating to the revocation of any license or permit.

Ch. 1152 (SB 490) Roberti. Motion pictures: killing, cruelty.

Existing law contains various general and specific prohibitions against killing or injury of, or cruelty to, human beings or animals, and regulates related conduct such as use of animals in medical research, but contains no provision specifically prohibiting the intentional killing of or cruelty to a human being or an animal in the making of a motion picture.

This bill would make it a nuisance to exhibit a motion picture showing such intentional killing or cruelty, as defined, if it actually occurred, in the making of the picture, except as specified, and would provide procedures to enjoin the nuisance.

The bill would also make it a misdemeanor for a producer to wilfully misstate or cause to be misstated specified facts concerning the exemption of a film from the provisions of this bill.

The bill would provide that no appropriation is made nor shall there be any reimbursement of any local agency for a specified reason.

Ch. 1153 (AB 2840) Mello. Cats: capture, possession, or confinement.

Under existing law it is generally unlawful to capture, possess or confine any live game mammal, game bird, or nongame bird taken from the wild, except as provided by the Fish and Game Code or regulations made pursuant thereto. Existing law also specifies maximum punishment for the violation of specified code provisions.

This bill would make it unlawful to possess or confine any live cat (family Felidae), except house cats (Felis domesticus), as specified, and would allow any such cat to be seized by the Department of Fish and Game.

The bill would require the Fish and Game Commission to promulgate regulations permitting the temporary confinement of cats, other than house cats for specified purposes, and would exempt from its provisions zoos, as specified, scientific institutions as determined by the department, and other organizations or individuals, as specified.

The bill would not prohibit continued possession of a cat or its progeny conceived before January 1, 1979 by a person having lawful possession under permit on January 1, 1979, and would provide that the commission may promulgate regulations regarding the possession or confinement of the progeny of such cats conceived after January 1, 1979.

The bill would provide that such cats may be sold, transferred, or disposed of as specified.

The bill would require the department to annually inspect the facilities of each person authorized by permit to possess a cat, other than a house cat, would require the commission to promulgate minimum cage size standards and health inspection requirements, would require the department to make available upon request specified information regarding cats, other than house cats, and would permit the Director of Fish and Game to appoint an advisory committee on cats, other than house cats. The bill would also impose a fine of $2,000 or one year in the county jail, or both, for the violation of specified code provisions and commission regulations.

The bill would create a class 3 domesticated game breeder's license and allow that game breeding activities involving mountain lions may be conducted only under such license.

The bill would make an appropriation by increasing moneys paid into the Fish and Game Preservation Fund which is continuously appropriated, and would specify that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 1154 (AB 3250) Levine. Solar easements.

Existing law specifies that a right of receiving light from or over land may be attached to other land as an easement.

This bill would provide that the right of receiving sunlight upon and over land may be attached to other land as an easement and would define a solar easement and a solar energy system.

This bill would make void and unenforceable any covenant, restriction, or condition

in any deed, contract, security instrument, or other instrument affecting the transfer or sale of, or any interest in real property which purports to restrict or prohibit the installation or use of a solar energy system, as defined in the bill, except as to provisions imposing reasonable limitations, as specified.

This bill would require any instrument creating a solar easement to contain specified information regarding its dimensions, restrictions on the obstruction of sunlight, and the terms or conditions, if any, of its revision or termination.

Existing law authorizes the legislative bodies of cities and counties by ordinance to exercise certain powers regarding land planning and zoning.

This bill would preclude the legislative bodies, including those of chartered cities, from enacting ordinances restricting or prohibiting the use of solar energy systems, except as specified.

Existing law requires tentative subdivision maps to meet specified design requirements and requires the denial of the approval by the legislative body of any tentative or final map not meeting those design requirements.

This bill would require such maps to provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as specified.

This bill would authorize the legislative body, whenever a tentative subdivision map is required by specified provisions of law, to require by ordinance, as a condition of approving a tentative subdivision map, the dedication of easements for the purpose of assuring each subdivision parcel or unit the right to receive sunlight across adjacent parcels or units in the subdivision for which approval is sought for any solar energy system, provided such ordinance contains specified information.

Existing law permits a state personal income tax credit, as specified, for the costs of solar energy systems and energy conservation measures applied in conjunction therewith.

This bill would, with respect to single-family dwellings owned and controlled by the taxpayer, make recording fees and the compensation paid to the owner of burdened property in connection with the acquisition of a solar easement part of a solar energy system and eligible for such tax credit.

This bill would incorporate additional changes in Section 17052.5 of the Revenue and Taxation Code proposed by AB 3623 to be effective only if AB 3623 and this bill are chaptered.

This bill would provide that if any provision of this bill or the application thereof to any person or circumstances is held invalid or unconstitutional, the remaining provisions of the bill shall not be affected, but shall remain in full force and effect, and to this end the provisions of this bill are severable.

Ch. 1155 (AB 3324) Wornum. Energy resources: solar energy reports.

Under the existing law, the State Energy Resources Conservation and Development Commission is required, among other things, to develop and coordinate a program of research and development in connection with energy resources. The commission is required to transmit, biennially, to the Governor and the Legislature a comprehensive report, which is required to include various designated information, designed to identify emerging trends related to energy supply, demand, and conservation.

This bill would, in addition, require the commission to develop and transmit to the Governor and the Legislature, not later than January 1, 1980, a plan for the maximum feasible solar implementation in this state by the year 1990, and to also develop a program on the use of solar energy in this state, including various designated factors, and transmit it to the Governor and the Legislature, initially, not later than January 1, 1980, and thereafter include it in a designated commission's biennial report of the commission to the Governor and the Legislature.

Ch. 1156 (AB 3539) Mello. Energy surveys.

Existing law requires the State Energy Resources Conservation and Development Commission to conduct an ongoing assessment of the opportunities and constraints presented by all forms of energy, to continuously carry out studies, research projects, data collection, and other activities required to assess the nature, extent, and distribution of energy resources to meet the needs of the state, and to submit to the Public Utilities Commission and to any publicly owned electric utility, recommendations designed to

reduce wasteful, unnecessary, or uneconomic energy consumption resulting from certain practices.

This bill would require the State Energy Resources Conservation and Development Commission to undertake a study in order to develop a program, including specified elements, to promote and increase the use of energy surveys, as defined, and to ensure the quality and cost effectiveness of energy surveys to the public. The commission would be required to submit such study and program to the Governor and to the Legislature not later than December 31, 1979.

Ch. 1157 (AB 2397) Torres. Juveniles.

Existing law provides a comprehensive procedure relating to minors who are adjudged dependent children or wards of the juvenile court.

This bill would (1) require the Youth Authority to develop guidelines for the operation and maintenance of designated nonsecure placement facilities for juveniles; and (2) provide that certain functions may be performed by probation volunteers, as defined, as well as by probation aides.

It would also state that there are no reimbursable costs mandated to local government by the bill.

It would take effect immediately as an urgency statute.

Ch. 1158 (AB 79) Brown. Charters: city and county: procedures.

Under existing law, a city or city and county is authorized to enact charters or revise existing charters in accordance with certain specified procedures. Such procedure includes the formation of a charter commission, composed of commissioners elected by the registered electors of such city or city and county.

Existing law does not prescribe a time by which a charter commission is required to complete a proposed or revised charter and submit such charter to the electors of the city or city and county or prescribe when such a commission is abolished.

This bill would require a commission established for a city and county prior to January 1, 1979, to complete a proposed or revised charter and submit such charter to the electors of such city and county on or before December 31, 1980, and any such commission established on or after January 1, 1979, to do so within 2 years of the date of the election of the commission, and would abolish the commission as of such date.

This bill would also permit a charter commission to submit portions of the proposed or revised charter to the electors periodically.

This bill would provide that there shall be no reimbursement or appropriation pursuant to this bill for the duties, obligations, or responsibilities imposed on local government by the bill for a specified reason.

Ch. 1159 (AB 3623) Hart. Solar energy and antipollution facilities.

Existing State Personal Income Tax Law and Bank and Corporation Tax Law authorize every taxpayer to deduct from such taxes a credit of an amount equal to 55% of the acquisition cost of a solar energy system, within specified limits, including certain energy conservation measures in conjunction with the system.

This bill would change the maximum amount of the credit which may be deducted in certain circumstances, revise provisions for the administration of such credit, and revise the definition of a solar energy system, for such purposes.

This bill would take effect immediately as a tax levy and would remain in effect until January 1, 1981, and as of such date, would be repealed, unless a later enacted statute deletes or extends such date.

This bill would incorporate additionl changes in Section 17052.5 of the Revenue and Taxation Code proposed by Assembly Bill 3250 to be effective only if Assembly Bill 3250 and this bill are chaptered.

Ch. 1160 (AB 3744) M. Waters. Private postsecondary educational institutions.

Existing law requires private postsecondary institutions to secure authorization to operate and to issue diplomas and degrees from the Superintendent of Public Instruction according to a prescribed procedure.

This bill would redefine certain terms used in connection with such procedure and would make related clarifying technical changes. This bill would also broaden the crimi-

nal liability of such private postsecondary institutions and would narrow the reporting requirement imposed on certain accredited institutions.

This bill would incorporate additional changes in Sec. 94304, Ed. C., proposed by AB 2020, to be operative only if this bill and AB 2020 are both chaptered, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch. 1161 (AB 1647) Mori. Business and professions.

Existing law provides for licensing and regulation of various businesses and professions.

This bill would make certain technical and conforming changes necessitated by the enactment of other statutes and would also make certain clarifying changes.

Ch. 1162 (SB 156) Presley. Air pollution: motor vehicles: inspection.

(1) Under existing law, the Department of Consumer Affairs, with the cooperation of the State Air Resources Board and the Department of the California Highway Patrol, is required to implement during the period from 1975 to 1978, inclusive, and to administer a program for the mandatory periodic exhaust emission inspection of motor vehicles registered in those portions of the Counties of Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, and Ventura within the South Coast Air Basin.

Under such existing law, fees are imposed for the inspection of motor vehicles under the mandatory exhaust emission inspection program.

The bill would authorize the Department of Consumer Affairs to request the Department of Motor Vehicles, and in such a case the department would be required, to impose a fee at the time of registration of the motor vehicle, which fees are sufficient to finance the operation of the above inspection program, as specified.

(2) Under existing law, upon authorization by statute, the exhaust emission inspection is not required of a motor vehicle previously registered in another state until subsequent to January 1, 1981

The bill would require, subsequent to January 1, 1979, such an inspection of such motor vehicles.

(3) Under existing law, a motor vehicle, subject to the mandatory emission inspection program, is not required to be reinspected prior to registration if the required maintenance or repair is performed by a licensed installer.

The bill would make the above provisions applicable only where the licensed installer performed the work at a licensed station.

(4) Under existing law, the Department of Consumer Affairs is required to authorize the owner of a fleet of 10 or more vehicles to conduct his or her own inspection utilizing his or her own facilities, or personnel, or both.

This bill would authorize the department to allow such an owner to implement and conduct these inspections of fleet vehicles and to conduct such inspections through a designated representative who shall be deemed to have consented to provide whatever access, information or cooperation reasonably necessary to carry out the purposes of the program. In the case of a vehicle dealer, any authorization to conduct inspections shall terminate upon implementation of the renewal of registration phase of the program.

(5) Under existing law, the Department of Consumer Affairs is authorized to enter into a contract with public or private entities to design, implement, or operate the inspection program.

The bill would transfer such authority to the state board.

(6) Existing law requires the department to waive the certificate of compliance requirements and issue a certificate of waiver for a motor vehicle, subject to the mandatory emission inspection program, which fails reinspection after receiving a low-emission tuneup performed to the specifications of the department if a licensed installer estimates that further maintenance and repair exceeding a specified amount is needed.

The bill would require the issuance of such certificate of waiver if the vehicle has all emission control equipment and devices required by state and federal law installed and functioning properly and has failed reinspection after receiving a low-emission tuneup performed to specifications of the department, if a licensed installer at a licensed station estimates that further maintenance and repair needed will exceed maximum repair costs established by the Department of Consumer Affairs, as specified.

(7) The bill would require fees for various licenses and certificates issued by the state board under this bill to be deposited in the Vehicle Inspection Fund which would be available for support of the department when appropriated by the Legislature.

(8) The bill would also specify that vehicle dealers need not include in the advertised price of a vehicle the fee charged by the state for the issuance of the certificate of compliance or certificate of waiver.

(9) The bill would make other related changes.

(10) The bill would make additional changes in Section 11713.1 of the Vehicle Code, proposed by Assembly Bill No. 3391, to be operative only if this bill and Assembly Bill No. 3391 are both chaptered and effective January 1, 1979, and this bill is chaptered after Assembly Bill No. 3391.

(11) The bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this bill.

Ch. 1163 (SB 1272) Robbins. California State University and Colleges: appropriation.

This bill would reappropriate up to $83,000 of the unexpended balance from Item 324 of the Budget Act of 1977 to the Trustees of the California State University and Colleges for specified energy systems at California State University, Northridge, subject to the approval of the State Public Works Board.

This bill would take effect immediately as an urgency statute.

Ch. 1164 (AB 3586) Nestande. Crimes: bookmaking: punishment.

Under existing law, prohibited activities known as bookmaking or pool selling and other specified activities relating to gaming are punishable alternatively by imprisonment in a county jail or a state prison, and probation may be granted.

This bill would, in the absence of state imprisonment, impose certain minimum periods of county jail imprisonment or a fine, or both. The bill would also require, in the case of a defendant who has previously been convicted of such offenses, that if probation is granted, the defendant, as a condition of probation, shall pay a minimum fine, as specified, or be imprisoned in the county jail. The bill would preclude the court from absolving such a person from paying the fine or being imprisoned, and would prohibit the court from striking or dismissing alleged prior convictions, except as specified.

Ch. 1165 (AB 3670) Berman. Civil actions: malpractice.

Under existing law, a civil action is commenced by filing a complaint with the court. The clerk is required to file the complaint upon payment of specified fees.

This bill would prohibit the filing of the complaint in an action relating to the malpractice of a physician and surgeon or dentist unless it is accompanied by a certificate under oath by the plaintiff's attorney that he has reviewed the case, has consulted with a physician and surgeon or dentist whom he reasonably believes is knowledgeable in the relevant specialty, and has concluded there is reasonable and substantial meritorious cause for filing the action. If such consultation cannot be obtained because of a statute of limitations problem, the attorney may file a certificate stating such problem, and the certificate involving the consultation with a physician and surgeon would have to be filed within 60 days after filing the complaint. It would also provide if the certificate is not filed within 60 days, the complaint must be dismissed and the sanctions provided by the bill shall not be applicable. These requirements would be inapplicable if no physician or dentist would agree to a consultation, as specified. The time for filing the certificate would be extended if the defendant fails to produce records requested by the plaintiff, as specified.

The bill would provide that the filing of the certificate would not be required if the trial judge gives jury instructions on res ipsa loquitur or failure to warn or both.

The bill would provide that the consultation between the attorney and physician or dentist is privileged except as specified.

A violation of the bill's provisions may constitute unprofessional conduct.

These provisions would remain in effect until January 1, 1984, at which time they would be repealed.

Ch. 1166 (AB 2355) Imbrecht. Attempts: punishment.

Under existing law, first degree murder is punishable by death or life imprisonment; second degree murder is punishable by 5, 6, or 7 years in prison; attempted first degree murder is punishable by 5, 6, or 7 years under provisions generally applicable to attempts; attempt to kill, or assault upon, specified executive and judicial officials is specifically made punishable by 3, 4, or 5 years in prison; attempted second degree murder is punishable by one-half the term applicable to completed second degree murder, or 2½, 3, or 3½ years under provisions generally applicable to attempts; and assault with intent to commit murder is specifically made punishable by 2, 3, or 4 years in prison.

This would specifically make attempted second degree murder punishable by 3, 4, or 5 years in prison and would further specify that if any crime is divided into degrees, an attempt to commit the crime may be of any such degree. The bill would make related changes.

This bill also makes additional changes proposed by SB 709, to be operative only if SB 709 and this bill are both chaptered and become effective on January 1, 1979, and this bill is chaptered after SB 709.

Ch. 1167 (SB 2039) Holmdahl. Career criminals: apprehension.

Existing law contains provisions relative to increased efforts in the prosecution of persons who meet certain criteria as career criminals.

This bill would make additional provisions relative to increased efforts to apprehend persons defined for such purposes as career criminals.

The program would be administered through the Office of Criminal Justice Planning and funded by federal moneys made available for its purposes.

Ch. 1168 (AB 3641) Hart. Juvenile court law.

Existing law requires that separate segregated facilities be provided by the board of supervisors in each county in juvenile hall or elsewhere for the custody and detention of minors within the jurisdiction of the juvenile court who may be adjudged dependent children of the court for the purpose of preventing direct contact or personal association of such persons with specified minors who may be adjudged wards of the juvenile court.

This bill would require such facilities to be nonsecure as well as separate and segregated, except as to minors alleged or adjudged to be dependent children on the basis of their physical danger to the public because of a mental or physical deficiency, disorder, or abnormality.

This bill would make certain additional conforming changes.

This 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.

Ch. 1169 (AB 1256) Mangers. Certificated school employees: leaves of absence.

Existing law provides that a teacher shall receive full credit for time during which he or she serves as an elected officer of any local, state or national educational organization.

This bill would repeal such provision and would, instead, require the governing boards of school districts and county superintendents of schools to grant to any certificated employee, upon request, a leave of absence without loss of compensation for the purpose of enabling such employee to serve as an elected officer of any statewide public employee organization, or national organization with which such statewide organization is affiliated, or of any local organization of a school district having at least 50,000 employees which is affiliated with both a statewide organization and national organization. The bill would also require that the school district or county superintendent of schools be reimbursed by the employee organization of which the employee is an elected officer for all compensation paid the employee as a result of the leave of absence.

Ch. 1170 (AB 2545) Perino. School and miscellaneous members: mandatory retirement: increased allowances for retired members.

(1) Existing provisions of the Public Employees' Retirement Law permit miscellaneous members and school members to continue in employment irrespective of age as regular retirement system members upon certification of the member's competence in employment by the employing agency pursuant to rules and regulations adopted by each governing board or employing agency, and permits contracting agencies to elect to become subject to such provisions. On January 1, 1979, no public pension and retirement plan may require any member to retire prior to age 70.

This bill would provide that every school member and miscellaneous member employed by a school district or superintendent of schools would not be required to retire prior to age 70.

(2) Existing Public Employees' Retirement Law generally limits school members and local miscellaneous members employed by school districts to a 2% per year annual cost-of-living adjustment.

This bill would authorize an increase in the allowances paid with respect to certain school members and local members employed by school districts or a county superintendent of schools and with respect to school members of independent data-processing centers, as specified, a further increase in the allowances paid with respect to such members who retired or died prior to January 1, 1974, and another increase in the allowances paid with respect to such members who retired or died prior to July 1, 1974. The increases would be applied to the allowances payable on January 1, 1979, and would be included in allowances for purposes of subsequent annual cost-of-living adjustments. In addition to the allowances payable on January 1, 1979, the bill would require the payment of an additional one-time payment, equal to 18 times the monthly increase, if any, provided under the bill with respect to such members.

The bill would require that the contribution of employers to the retirement fund, with respect to such members, be increased by a sum equal to 0.308% of the compensation paid to such members.

The bill would appropriate $2,550,000 to the State Controller to reimburse school districts for their cost.

The bill would take effect immediately as an urgency statute.

Ch. 1171 (AB 2418) Perino. Certificated employees.

Under existing law, if a probationary employee is employed by a school district with an average daily attendance of less than 250 pupils which merges with another district with an average daily attendance of over 250 pupils, then the employee's regular 3-year probationary period is required to be served after the effective date of the merger, although the governing board of such new district is authorized to grant permanent status to a probationary employee who has served 3 consecutive years in a certificated position in any of the school districts prior to the merger.

This bill would, instead, require, with respect to unionizations, unifications, unitings, or consolidations that become effective on or after January 1, 1979, that the employee's probationary period be deemed to have commenced at the beginning of the employee's first complete year of consecutive employment, and that an employee who has been employed for 3 or more complete consecutive years in a district prior to its merger with another district be a permanent employee immediately upon employment in a position requiring certification qualifications.

Ch. 1172 (AB 2401) Young. School employees. dismissal procedures.

Existing law authorizes an employee who has received notice of the governing board's intention to dismiss him or her to demand a hearing which shall be conducted according to specified Government Code provisions before the Commission on Professional Competence.

This bill would clarify that the commission is limited in its disposition of the case to dismissing the employee or not dismissing the employee, with no option of other alternative sanctions

This bill would also authorize commission members serving during the summer recess or vacation periods to be paid proportionately to the salary of the current or immediately preceding contract period, whichever is greater.

Ch 1173 (AB 2443) Antonovich. Public safety officers: serving on school boards.

Existing law provides that except as otherwise provided by law, or whenever on duty or in uniform, no public safety officer shall be prohibited from engaging in political activity.

This bill would, in addition, provide that no public safety officer shall be prohibited from seeking election to, or serving as a member of, the governing board of a school district.

Ch. 1174 (AB 2696) Tucker. Public safety officers.

Existing law provides various rights for public safety officers under investigation with respect to the time of interrogation, nature of the investigation, length of the interrogating session, transcription of the rights of such public safety officers with regard to discrimination and discipline. Public safety officer is defined to include specified sheriffs, policemen, marshals, and constables, and specified members of the California Highway Patrol and the California State Police Division.

This bill would include as public safety officers for such purposes, correctional officers employed by the State Department of Corrections.

Ch. 1175 (SB 1513) Johnson. Public safety officers.

Existing law provides various rights for public safety officers under investigation with respect to the time of interrogation, nature of the investigation, length of the interrogating session, transcription of the interrogation, and representation, and specifies other rights of such public safety officers with regard to discrimination and discipline. Public safety officer is defined to include specified sheriffs, policemen, marshals, and constables, including peace officers who are employees of a charter city or county and specified members of the California Highway Patrol and the California State Police Division.

This bill would, in addition, include as public safety officers for such purposes all persons employed by the State of California and designated by law as peace officers.

Ch. 1176 (AB 3076) Fenton. State Teachers' Retirement System: disability allowance.

(1) Existing State Teachers' Retirement Law authorizes a member to apply for a disability allowance if the member has 5 years or more of credited service and meets specified conditions.

This bill would add a requirement that at least 4 years of credited service be for actual service performed for the member's employer in order to apply for a disability allowance, except a disability allowance due because of an on-the-job injury or disease.

(2) Existing law requires that a member with a disabling impairment amenable to treatment be deemed to be under disability if undergoing prescribed treatment.

This bill would require that a person be deemed to be under disability if additional training or a rehabilitation program may allow the member to perform in a comparable position or return to his original position.

(3) Existing law prescribes conditions for the payment of disability allowances to members.

This bill would authorize the Teachers' Retirement Board to limit the payment of a disability allowance to a period of 2 years in cases of potential physical or vocational rehabilitation or controlled substance abuse.

(4) Existing law terminates a member disability allowance if earnings in any 1 month are equal to or exceed 66⅔% of the compensation upon which the disability allowance was based.

This bill would delete such existing law and, instead, would terminate a disability allowance to a member if the average earnings for any continuous 6-month period are equal to or exceed 66⅔% of final compensation upon which the disability allowance was based, and would authorize reinstatement of the disability allowance if earnings fall below 66⅔% of final compensation

Ch. 1177 (AB 3618) Craven Public Employees' Retirement System: contributions

Existing Public Employees' Retirement Law permits all contracting agencies on and after July 1, 1978, to reduce a member's contributions by an amount which does not exceed one-half of the normal member contributions

This bill would revise such provisions to permit all contracting agencies to eliminate or reduce by a fraction the normal contributions otherwise required of a member.

The bill would take effect immediately as an urgency statute.

Ch 1178 (SB 1726) Campbell. Governmental reorganization· firemen

Under present law, whenever a fire protection district or city fire department is dissolved or the area it serves is decreased by a consolidation, merger, incorporation, or annexation, the fire protection district or city fire department taking over its duties must give first choice for the positions to be filled to firemen employed by the dissolved or decreased district or department. Present law requires that, as nearly as possible, such

employees who are hired shall be given positions of rank comparable to their former positions.

This bill would provide that such a consolidation, merger, incorporation, or annexation shall not impair the seniority or other employment rights of the employees of the district or department taking over the duties of the dissolved or decreased district or department.

Ch. 1179 (SB 2211) Holden. Schools: certificated employees.

Under existing law, it is against the law to discriminate against a person in employment because of the person's race or color, among other things.

This bill would express the legislative declaration that it is contrary to the interests of this state for any school district governing board to adhere to a strict ethnic ratio in the assignment of certificated employees of the district.

Ch. 1180 (AB 2582) Fenton. Public employee retirement and health benefits.

(1) The Public Employees' Retirement Law provides certain retroactive retirement benefits for state safety members who retired between January 1 and September 26, 1977, but did not provide such benefits for members who died during this time.

This bill would extend these provisions to the beneficiaries of such members who have died.

(2) Existing law requires the Board of Administration of the Public Employees' Retirement System to keep such records and accounts as may be necessary to show the total accumulated contributions in the system.

This bill would revise this provision to instead require the board to keep such records and accounts as will allow it to compute these contributions.

(3) Existing law specifies that, generally, any person employed by the University of California on and after October 1, 1973, is excluded from membership in the Public Employees' Retirement System.

This bill would change that date to on and after October 1, 1963.

(4) Various provisions of the Public Employees' Retirement Law prescribe rates of contribution by employers for the separate classifications of membership in the system.

This bill would combine and consolidate certain of these provisions, deleting the provisions thereby rendered obsolete or duplicative.

(5) Existing law sets the state's contributions to the Public Employees' Retirement Fund with respect to state miscellaneous members at 14.85% of a member's compensation through June 1978, 15.85% during fiscal year 1978–79, and 17.41% thereafter.

This bill would increase the state's rate of contribution on behalf of state miscellaneous members to 16.85% during fiscal year 1978–79 and 19.006% thereafter, and would also increase the employer contribution rate for the state funded portion of the University of California Retirement System by 1.5% of payroll. The bill would specifically appropriate a total of $31,400,000 for the 1978–79 fiscal year to fund these increases.

(6) Existing law allows a person entitled to benefits under the Public Employees' Retirement System to request payments to be mailed to a bank, savings and loan association, or credit union in this state.

This bill would delete the requirement that any such institution must be located in this state.

(7) Existing law prescribes various provisions regarding service retirement for local safety members of the Public Employees' Retirement System.

This bill would revise the computation factors with respect to certain local safety members who retire prior to age 60.

(8) Existing law contains provisions validating all acts of the state and every other public agency pursuant to the Public Employees' Retirement Law for inclusion of employees in the federal system on or prior to June 20, 1973.

This bill would repeal and reenact this provision, thereby making it effective as to all such actions taken on or prior to the effective date of this bill.

(9) This bill would also revise, consolidate, and delete various provisions of the Public Employees' Retirement Law for the purpose of eliminating obsolete and superseded matters, correcting erroneous cross-references, and making other related and corresponding changes. The bill would also delete certain inoperative cost-of-living provisions.

(10) Existing law provides that the provisions governing health benefits for public employees may be cited as the "Meyers-Geddes State Employees' Medical and Hospital Care Act."

This bill would rename these provisions the "Public Employees' Medical and Hospital Care Act" and would make other technical and clarifying changes.

(11) This 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 a specified reason.

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

Ch. 1181 (AB 3304) Calvo. California Forest Improvement Act of 1978.

(1) Existing law does not provide for a comprehensive program of agreements, grants, loans, and technical assistance for forest improvement.

This bill would authorize the Director of Forestry to enter into cost-sharing agreements with eligible landowners, as defined, pursuant to which the landowner will undertake forest improvement work, as defined; authorize the director to make a grant, as specified, to a forest landowner who has entered into an undue hardship agreement with the Controller for the payment of inheritance taxes; authorize the director to make loans for forest resource improvement work to cover all or part of the landowner's cost share payment under a forest improvement work agreement; require a landowner, in order to be eligible to participate in such agreements and loans, to, among other things, submit a long-term forest and land management plan; require the director to work cooperatively with other public agencies to encourage forest resource improvement work, and authorize the director to provide technical assistance, personnel, seed and seedlings, and equipment; authorize the Department of Forestry to collect or contract for supplies of seed and seedling production and take other specified actions to increase the availability of seed and planting stock; require forest resource improvement regulations and guidelines to be submitted by the director to the State Board of Forestry for review and approval; and require the director to submit a report to the board and the Legislature by December 31, 1980, and by December 31 annually thereafter, concerning progress made to implement such provisions. The bill would provide for the appointment of a Forest Improvement Committee by the State Board of Forestry to study forest land management and report to the board and director by June 30, 1980, on which date the committee would expire.

(2) Existing law does not provide for a comprehensive program governing urban forestry.

This bill would enact the California Urban Forestry Act of 1978 under which the department would be required to provide technical assistance to urban areas with respect to urban forestry, as defined, and the director would be authorized to make grants to cities, counties, districts, and nonprofit organizations for specified urban forestry purposes in accordance with guidelines required to be established by the board by December 31, 1979. The director would be authorized to enter into agreements and contracts with local agencies having established and operating urban forestry programs.

(3) Existing law does not specifically authorize the department to conduct surveys, studies, and research concerning the utilization of wood wastes and forest growth for thermal processes or to provide assistance with respect to the utilization of wood for energy production.

This bill would so specifically provide.

(4) The bill would provide that none of the foregoing provisions shall become operative, and activities shall be carried out pursuant to such provisions only in the event, and to the extent, that funding is made available for such activities by the federal government, private institutions or organizations, or any source other than the State General Fund.

(5) The bill would create the Forest Resources Development Fund, authorize the director to accept grants and donations, require any funds received to be deposited in the fund, provide that the fund shall be the depository of all revenue derived from the repayment of or interest received on forest resource improvement loans, and continuously appropriate such moneys for the purposes of the foregoing provisions.

(6) Existing law authorizes the payment of inheritance taxes subsequent to disposition of the estate under an agreement with the Controller when the payment of taxes prior

to distribution would result in undue hardship to the estate, including hardship resulting from taxes imposed on qualified family property.

This bill would define qualified family property for such purposes to include a timber-growing enterprise.

(7) 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.

This bill would also entitle such taxpayer to a deduction with the amortization of the amortizable basis of any forest land improvement, as defined.

(8) The bill would also revise provisions of the Z'berg-Nejedly Forest Practice Act of 1973, relating to the criteria for determining countable trees, resource conservation standards which define minimum acceptable stocking, and regulations of the board with respect to standardized sampling procedures for reports of stocking which are required to be filed within 5 years after completion of timber operations on an area covered by a timber harvesting plan.

Ch. 1182 (AB 2563) Gualco. Sales and use taxes: chiropractor exemption.

Existing California State and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax. Medicines, as defined, which are prescribed or furnished by licensed physicians and surgeons, podiatrists, and dentists are exempted from tax.

This bill would provide that a licensed chiropractor is a consumer of and not a retailer of orthotic devices, vitamins, minerals, and dietary supplements, which are furnished by him in the performance of professional services.

Moreover, counties, cities, and transit and rapid transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated in the local taxes and Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not transit or rapid transit districts, for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that there shall be no reimbursement of state-mandated local costs for specified reasons.

This bill would take effect immediately as a tax levy and would become operative on the first day of the first calendar quarter more than 25 days after its effective date

Ch. 1183 (AB 2184) Ingalls. Unclaimed property.

Existing law authorizes a service charge to be deducted by the State Controller on claims made against property in a decedent's estate which has escheated to the state.

This bill would delete such authorization. It would also delete obsolete references to the School Land Fund, which was previously abolished by statute.

Existing law requires the State Controller to designate by regulation each state that does not provide by law for the escheat of unclaimed or abandoned intangible property.

This bill would delete such requirement.

This bill would also make various technical and conforming changes related to previously enacted legislation.

Ch. 1184 (AB 2267) Lanterman Unclaimed property.

Existing law requires the State Controller to cause a notice of names of persons appearing to be owners of unclaimed property to be published once each week for 2 successive weeks except that the State Controller is not required to publish in such notice items of less than $25.

This bill would increase such monetary amount to $50.

Existing law requires the State Controller to cause notice to be published of the names of persons, including decedents, appearing to be owners of unclaimed property which has escheated to the state and to mail notice to each person who appears to be entitled to such property of the value of $25 or more.

This bill, in addition, would require the State Controller to establish and maintain a procedure to locate the owners of unclaimed property received pursuant to the law pertaining to unclaimed property, and would appropriate such funds as are necessary from the Unclaimed Property Fund for payment of document or information fees for

such purposes. The bill would also authorize the Franchise Tax Board to provide information to the State Controller.

The bill also would declare the intention of the Legislature that any additional staff personnel required by the State Controller to implement the provisions thereof shall be funded through the savings in advertising costs realized as a result of reducing the instances in which the State Controller is required to publish a specified notice

Ch. 1185 (AB 3248) Chacon. Housing: discrimination and bidding standards.

(1) Existing law requires the Office of Noise Control to adopt rules and regulations to establish minimum noise insulation standards for specified buildings other than detached single-family dwellings. Existing law also requires the governing body of specified local public entities to adopt ordinances or regulations imposing the same requirements as those adopted by the Office of Noise Control, and authorizes such public entities to make changes or modifications of such requirements which are reasonably necessary because of local conditions, as specified.

This bill would also authorize the governing body of such local public entities to make additions to such requirements which are reasonably necessary because of local conditions, as specified, including imposition of noise insulation standards on a case by case basis on new single-family detached dwellings if certain determinations are made by such governing body.

(2) Currently, the State Housing Law generally requires that housing conform with certain uniform industry codes, except that the Department of Housing and Community Development may approve alternative rules and regulations that are at least the equivalent in quality, strength, effectiveness, fire resistance, durability, safety, and for the protection of life and health. Moreover, the building department of any city or county may approve alternative construction to that authorized by the State Housing Law if it is at least the equivalent in quality, strength, effectiveness, fire resistance, durability, safety, and for the protection of safety and health.

This bill would change the qualifications of both of the above described alternatives to performance, safety, and for the protection of life and health.

(3) The existing provisions of the so-called Rumford Fair Housing Act make the practice of discrimination because of race, color, religion, sex, marital status, national origin, or ancestry in housing accommodations unlawful. The Unruh Civil Rights Act has been construed by the courts to make arbitrary discrimination of any kind unlawful in the letting of any rental housing accomodations which constitute a business establishment within the meaning of such act.

AB 1032 would, if enacted, make it unlawful to commit specified acts constituting discrimination in connection with the sale or rental of housing because the buyer or tenant or prospective buyer or tenant is a student and subject violators to civil penalties. The bill would exempt from its application prescribed types of housing, including, among others, any dormitory designed exclusively for the use of single or unmarried students which is owned and operated by public or private college or university.

This bill would amend such provisions of AB 1032, if it is chaptered first, to instead exempt any housing accommodation, leased, owned, or operated by any public or private postsecondary educational institution, which is reserved primarily for either single or married students or for students with minor dependents who live with them.

Ch. 1186 (SB 1730) Presley. Riots in places of confinement.

Existing law defines a riot to include disturbing the peace and other acts committed by 2 or more persons acting together and without authority of law Participation in a riot is punishable by a fine not exceeding $1,000 or imprisonment in a county jail not exceeding a year, or by both.

This bill would, with respect to riots, provide that disturbing the public peace may occur in any place of confinement and would define a place of confinement to mean any state prison, county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp.

Existing law provides that any person who willfully and intentionally breaks down, pulls down, or otherwise destroys or injures any jail or prison is punishable by a fine not exceeding $10,000, and by imprisonment in the state prison unless the damage or injury to any jail property is determined to be $200 or less in which case the person is guilty

of a misdemeanor.

This bill would make the same penalties applicable to such destruction or injury to any public property in any jail or prison.

The bill would specify that there shall be no reimbursement or appropriation pursuant to this act for a specified reason.

Ch. 1187 (AB 3622) Levine. Taxation: inheritance taxes.

Existing Inheritance Tax Law provides a credit for previously taxed property.

This bill would correct an error in that provision

Ch. 1188 (AB 3669) Boatwright. Property tax assessments.

Existing law requires local property tax assessors to assess taxable property pursuant to constitutional and statutory law.

This bill would require an assessor who believes a constitutional provision or statute to be invalid, and as a result thereof, concludes that property should be assessed in a manner contrary to such provision, or the assessor proposes to adopt an interpretation of such provision that would result in a denial of a property tax exemption to at least 5 assessees in that county, in lieu of making such assessment, to bring an action for declaratory relief against the State Board of Equalization.

This bill would take effect immediately as an urgency statute.

Ch. 1189 (AB 3487) Antonovich. Auto theft: reimbursement.

Under existing law, the court, in sentencing a person convicted of a felony, may require as a condition of probation that restitution be made to the victim.

This bill would require that, except as otherwise provided, no person convicted of specified theft offenses involving an automobile or other vehicle may be granted probation when any pecuniary loss was sustained by the owner of the automobile or vehicle or his assignee unless such owner or assignee is reimbursed for the loss by the defendant or restitution is ordered as a condition of probation. The court would be required to order restitution as a condition of probation and to revoke probation upon nonpayment unless it finds at the revocation hearing that the defendant does not have the ability to pay. If restitution is ordered as a condition of probation the court would be required to establish a schedule of not to exceed 10 years for reimbursement. If full restitution is made within such period, the period of probation shall be refixed by the court. Payments would be made to the owner through the county probation officer. The defendant's driver's license may also be suspended up to 120 days.

This bill would provide that there shall be no reimbursement or appropriation made by this bill for a specified reason.

Ch. 1190 (SB 2001) B. Greene. Fair employment practices: medical condition.

Existing law prohibits discrimination in employment on the basis of, among other things, medical condition, as defined, but specifies that an employer is not prohibited from refusing to hire or discharging an employee who, because of his medical condition, is unable to perform his duties, or would endanger the health and safety of himself or others. However, employers may request information regarding physical fitness or medical condition of applicants if such information is directly related and pertinent to the position the applicant is applying for.

This bill would, in addition, permit an employer to request information regarding physical condition and medical history and would also permit an employer to request information regarding all such matters if such information request is directly related to a determination of whether the applicant would endanger his or her health or safety or that of others.

Existing law requires private employers in this state to permit any employee who so desires and can demonstrate the ability to do so, to continue in employment beyond the normal retirement date.

This bill would specify that such provision not be construed to prohibit compulsory retirement of any employee between 65 and 70 years of age who meets specified requirements.

Ch. 1191 (SB 1826) Wilson. Public Employees' Retirement System; State Teachers' Retirement System: membership: credit unions.

Existing Public Employees' Retirement Law defines various organizations and corporations as public agencies for purposes of contracting for membership in the Public Employees' Retirement System. Included as such a public agency is any credit union with a membership of over 10,000 and $15,000,000 in assets and incorporated under provisions of the Financial Code and 95% of whose membership is limited to state employees and their immediate families, and employees of any such credit union.

This bill would revise such provisions to include, as such a public agency, any credit union, regardless of size of membership or amount of assets, incorporated under either the Financial Code or pursuant to federal law, with 95% of its membership limited to employees who are members, or retired members, of the Public Employees' Retirement System or the State Teachers' Retirement System and their immediate families, and employees of any such credit union (rather than state employees).

Ch. 1192 (AB 3555) Cline. Synthetic fuels: biomass conversion.

Under existing law, the State Solid Waste Management Board is required to determine the economic feasibility of developing a research and demonstration project which would further the development of the concept of conversion of agricultural wastes to synthetic fuel, and, upon determining economic feasibility, to undertake the construction and field demonstration of a system for such conversion.

This bill would declare that it is this state's policy to foster development of a synthetic fuels industry capable of providing fuels by encouraging the utilization of biomass feed-stock, construction of facilities for conversion of biomass into readily usable fuels, development of markets and technologies capable of utilizing such fuels, and appropriate taxes and other prescribed governmental action to aid in establishing a synthetic fuels industry in the private sector in the next decade.

The bill would not alter or supersede (1) existing policies or priorities established pursuant to another statute or (2) the discretionary authority of any public agency carrying out its duties and responsibilities required of such agency by law.

Ch. 1193 (AB 2664) Fenton. Peace officers.

Under existing law, except as to small police departments during the year 1975, any sheriff, undersheriff, or deputy sheriff of a county, any policeman of a city, and any policeman of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, for the purposes of the prevention and detection of crime and the general enforcement of the criminal laws of this state, is required to successfully complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

This bill would delete such obsolete provisions relative to the year 1975, and for the purpose of standardizing the remaining training requirements, would require the commission to develop a training proficiency testing program which enables (1) comparisons between presenters of such training and (2) development of a data base for subsequent programs. Approved providers of such training would administer the standardized examination to all graduates.

The bill would appropriate $48,646 from the Peace Officer Training Fund for the period January 1 to July 1, 1979, and require annual requesting of funds thereafter.

This bill would incorporate additional changes in Section 832.3 of the Penal Code proposed by SB 1126 to be operative only if SB 1126 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

The bill would become operative July 1, 1979

Ch 1194 (AB 2915) Kapiloff. Peace officers training.

Existing law provides a 12-month period after which a person employed after a specified date may not exercise the powers of a peace officer without having specified training

This bill would delete the provisions limiting the requirement only to persons employed after a specified date, and would substitute a 90-day period for such 12-month period, except as specified.

Ch. 1195 (SB 1950) Russell. State agencies: volunteers.

Existing law contains no express provision directing state agencies to take specified actions to encourage volunteerism.

This bill would enact the California State Government Volunteers Act which would authorize and require state agencies to take specified actions, respectively, to maximize the involvement of volunteers, as defined, in state government.

It would create, in the Office of the Governor, the Office for Citizen Initiative and Voluntary Action, which would encourage citizen volunteers in state government, and specify its duties.

It would also create a Public Employee Review Committee, which would serve as an advisory body to the office.

This bill would provide that its provisions shall continue in existence until December 31, 1981.

Ch. 1196 (SB 1828) Dunlap. Municipal courts: Sacramento.

Existing law provides for 14 judges of the municipal court in Sacramento.

This bill would increase the number of municipal court judges in Sacramento to 15.

The bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code, no appropriation is made by the bill and the state shall not reimburse any local agency for any costs incurred by it under the bill.

Ch. 1197 (AB 3143) Keysor. Election precincts.

(1) Under existing law, each county clerk is required to make available to the Legislature or any appropriate committee of the Legislature, in connection with the reapportionment of legislative districts, among other things, lists showing the election returns for each precinct in the county at the last 3 statewide elections prior to reapportionment.

This bill would require county clerks to furnish such lists based on the last 4 statewide elections, rather than the last 3 statewide elections.

The bill would also require county clerks to identify precincts according to their census tract or enumeration district

(2) Under existing law the county clerk is required to furnish to certain political party committees, without charge therefor, no more than 2 copies of the printed indexes of registration for the primary and general elections. However, in counties with a population of 5,000,000 or less, a county clerk must furnish 4 copies of printed indexes.

This bill would delete the provision applicable only to counties with a population of 5,000,000 or less.

(3) Existing law states that, to the extent possible, precinct boundaries should not cross census tract lines.

This bill would provide that such boundaries should also not cross enumeration district lines.

(4) Existing law requires that the minimum number of copies of the printed precinct index must be 40.

This bill would delete such minimum requirement.

Ch 1198 (SB 1908) Song. Coroners: subpoena power.

Currently, a county coroner is authorized to issue subpoenas for witnesses. Also, in connection with the coroner's conduct of an inquest, a coroner is empowered to issue subpoenas duces tecum to require a doctor or the custodian of records of a hospital, nursing home, or health care facility to produce any books, medical records, or other documents concerning the decedent's mental or physical condition.

This bill would remove the express enumeration of things which a coroner could require a witness to produce, and would, instead, permit a coroner to subpoena witnesses and to require the witness to produce books, records, documents, or other things under the control of the witness.

The bill would prohibit any books, records, documents, or other things, subpoenaed by the coroner from a law enforcement agency, from being made a part of the record of a coroner's inquest without the written consent of such agency in cases where the inquest pertains to a death caused by a police officer.

Ch 1199 (AB 2097) Bane. Medical assistance: voluntary.

Existing law exempts any person licensed pursuant to the Medical Practice Act, who in good faith renders emergency care at the scene of the emergency, from liability for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

This bill would exempt any physician and surgeon, who in good faith and without compensation renders voluntary emergency medical assistance to a participant in a high school or community college athletic event or contest for an injury suffered in the course of such event or contest, from liability for any civil damages as a result of any acts or omissions not constituting gross negligence by such licensee in rendering such voluntary medical assistance at the site of the event or contest, or during transportation to a health care facility.

The bill would take effect immediately as an urgency statute.

Ch. 1200 (AB 3103) Kapiloff. Beach erosion control: La Playa.

Under existing law the Department of Boating and Waterways is authorized to construct works for beach erosion control and stabilization of beaches and shoreline areas, to the extent that funds are available therefor, and to cooperate by contract or otherwise with federal, state, and local agencies, upon such terms and conditions and in such manner as will be for the best interests of the state.

This bill would appropriate $75,000, or so much thereof as may be necessary, from the General Fund to the department for disbursement pursuant to a contract with the City of San Diego or the San Diego Unified Port District, or both, for the purpose of funding up to 50% of the initial cost of restoring the beach at La Playa in San Diego Bay, subject to the agreement of the district to assume responsibility thereafter for the operation and maintenance of such beach including future sand replenishment.

Ch. 1201 (SB 1437) D. Carpenter. Death investigations: property of deceased.

Existing law makes it unlawful for any person to search for or remove property, as specified, from a deceased person or such person's premises prior to the arrival of the coroner or without the coroner's permission.

This bill would permit a peace officer, as defined, to search the person of the deceased or property on or about such person, whose death is due to a traffic accident, for an anatomical donor card indicating whether such person is an anatomical donor, as specified. It would also require a peace officer who finds such a card, to immediately furnish such information to the coroner.

This bill also makes other nonsubstantive corrections, as specified.

Ch. 1202 (SB 1719) Greene. Nursery stock: licenses. labeling.

Under existing law, it is unlawful for any person, with specified exceptions, to sell any plant for planting, propagation, or ornamentation unless such person holds a valid license for the fiscal year issued as prescribed.

This bill would specify that plants for ornamentation shall include cut flowers and cut greens, would provide for issuance of licenses for specified licensing periods, rather than for the fiscal year, would increase maximum license fees which may be established by the Director of Food and Agriculture, as specified, would revise the dates for payment of license renewal fees, and would make related changes. The bill would authorize the director to exempt a person whose license has been forfeited for failure to renew on time from payment of the restoration fee where such failure was for reasons beyond the licensee's control. The bill would also prohibit the director from refunding specified amounts of the minimum license fee.

Existing law requires that nursery stock be labeled with its correct name and grade size, as specified, when it is sold.

This bill would suspend such provisions until January 1, 1982, and would require that the Director of Food and Agriculture adopt regulations regarding the labeling of nursery stock until that time.

Ch. 1203 (SB 2222) Foran. Home Protection Insurance.

Existing law makes no provision for the regulation of persons engaging in the sale of home maintenance service contracts.

This bill would provide for the regulation of such persons, subject to specified provisions of the Insurance Code. Specifically it would (1) permit persons licensed as real estate brokers but not as insurers to recommend, solicit, negotiate or affect home protec-

tion contracts; (2) validate the issuance of securities prior to December 1, 1978, by home protection companies exempt from the Corporate Securities Law of 1968; (3) permit the Insurance Commissioner to adopt reasonable regulations to implement provisions relating to approval of name prior to issuance of a home protection policy; (4) define insolvency of a home protection company whenever provision for its liabilities and for reinsurance of all outstanding risks would reduce net worth below 50% of specified minimum net worth requirements; (5) exempt from regulation entities participating in any investment by a home protection company in its subsidiary or affiliate or any debt or security instruments thereof; (6) exempt from licensure employees, not paid on a commission basis, of a home protection company; (7) make specified regulatory provisions of the Insurance Code applicable to home protection contracts and home protection companies; (8) provide for the issuance of a license by the Department of Insurance for persons selling home protection contracts with specified exception; (9) specify minimum net worth requirements for a home protection company; (10) specify provisions that a home protection contract shall contain; and (11) declare legislative intent.

This bill would take effect immediately as an urgency statute.

Ch. 1204 (AB 2559) Dixon. Certificated employees.

Existing law provides that authorization for teaching credentials be of four kinds, one of which is the credential for "single subject instruction," referring to the practice of assigning teachers and students to specified subject matter courses.

This bill would authorize the holder of a single subject instruction credential to become eligible to teach another subject commonly taught in grades 7 to 12 after completion of 20 semester hours of coursework or 10 semester hours of upper division coursework in that subject.

Ch. 1205 (SB 1790) Campbell. Medicine: nutrition.

Existing law specifies various practices a person may not accomplish without a physician's and surgeon's certificate or a certificate to practice podiatry. A violation of such provision constitutes a misdemeanor.

This bill would provide that such prohibition does not prohibit a person from providing nutritional advice or giving advice concerning proper nutrition, as defined. A person in commercial practice who gives or provides such advice would be required to post a specified statement of notice of a specified size in his or her place of business.

Ch. 1206 (SB 1954) Russell. State Teachers' Retirement System: funding study.

Existing law requires the state to contribute $135,000,000 annually to the Teachers' Retirement Fund for a period of 30 years which began July 1, 1972.

The bill would require the Teachers' Retirement Board to conduct an actuarial study of state, school district and other employing agencies, and employee member contribution levels in effect on June 30, 1972.

Ch. 1207 (SB 1656) Sieroty. Taxation: property taxation.

Under existing law all property subject to general property taxation is annually assessed at 25% of its full cash value.

This bill would require such assessments be at full cash value for the 1981–82 fiscal year and fiscal years thereafter and would require local agencies to adjust their property tax rates so that they will receive no additional revenue by reason of the change in the method of assessment

The bill would make related and conforming changes.

The bill would also make additional changes in Section 205 5 of the Revenue and Taxation Code, to be operative only if AB 2871 and AB 955 respectively, are chaptered and this bill is chaptered after such other bills.

The bill would also make additional changes in Section 619 of the Revenue and Taxation Code, to be operative only if SB 2241 is chaptered and this bill is chaptered after SB 2241.

The bill would also make additional changes in Section 2054 of the Revenue and Taxation Code, to be operative only if AB 2463 is, chaptered and this bill is chaptered after AB 2463.

The bill would not become operative unless S.C.A. 60 is approved by the voters.

Ch. 1208 (SB 2105) Stull. Psychologists.

Existing law defines the practice of psychology as the rendering of specified psychological services for a fee, as defined.

This bill would revise the definition of a "fee" for such purposes.

Existing law exempts specified members of other professional groups from the provisions of the Psychology Licensing Law provided they do not hold themselves out to the public by the use of specified words incorporating "psychology" or forms of "psychology," as specified

The bill would delete a provision authorizing a duly ordained member of the clergy to offer proof of submitting specified information to the federal government as proof of his status for exemption from the law.

Existing law authorizes the employment of a psychological assistant, who meets specified requirements, by a psychologist, physician and surgeon or clinic, as specified.

This bill would authorize a medical corporation to employ such an assistant. It would require an assistant to complete all requirements for a master's degree, as specified, within 4 years.

Existing law provides that a contract clinic or psychological corporation may not employ more than 3 psychological assistants for each full-time staff psychologist.

This bill would revise such provision by prohibiting the employment of more than one such assistant for each full-time staff psychiatrist by a contract clinic.

Existing law requires an applicant for a license as a psychologist to meet specified requirements including, among other things, being at least 18 years of age, having an earned doctorate degree from the University of California, Stanford University, the University of Southern California or from an accredited or approved college, having specified supervised professional experience, and having not failed an examination, as specified, within the preceding 6 months.

This bill would delete the 18 year-old requirement and the specified named universities and would revise the examination requirement by requiring such an applicant to take and pass an examination, as specified.

Existing law authorizes the Psychology Examining Committee to adopt rules of professional conduct for psychologist.

This bill would require the committee to adopt such rules and would require the periodic evaluation of such rules.

The bill would also require psychologists to post a sign relating to the filing of questions or complaints relating to the practice of psychology with the Department of Consumer Affairs.

Existing law requires all meetings of the Psychology Examining Committee to be open and public except for executive sessions, as specified.

This bill would delete such provision.

Existing law requires the Board of Medical Quality Assurance and the Psychology Examining Committee to each year transmit to the Governor full reports of their activities under the Psychology Licensing Law.

This bill would delete such provision.

Existing law authorizes the Psychology Examining Committee to examine applicants for a psychology license by either written or oral examination or by both. The committee has adopted a regulation which provides that if both a written and oral examination is used the applicant must receive a score of 75% in each examination. The law does not authorize the committee to utilize a uniform examination system.

This bill would authorize the committee to conduct examinations under a uniform examination system and would authorize the committee to appoint commissioners to give the whole or any part of any examination.

Existing law specifies the fees to be set by the Psychology Examining Committee for licenses regulated by such committee.

This bill would increase the maximum amount for such fees and would make such fees subject to the review and approval of the Board of Medical Quality Assurance. It would provide that certain licensees working for the military or specified public service entities would be exempt from payment of the renewal fee, as specified.

Existing law specifies the grounds for the denial, suspension or revocation of a psychologist's license.

This bill would add that such grounds shall apply to any registration as well as any

license and would add to such grounds the fraudulent or negligent misrepresenting of the type or status of the license or registration actually held, would delete the term "willfull" from the ground, specifying that the willfull violation of specified provisions constitutes such grounds and adds that specified disciplinary action by another state shall constitute grounds for such denial, suspension or revocation.

Existing law provides that such licenses expire on the last day of February of each even-numbered year if not renewed.

This bill would provide for expiration of such licenses on the birth date of the licensee during the second year of a 2-year term and requires the Psychology Examining Committee to establish procedures for the birth date renewal program.

Existing law does not provide for action to be taken against a psychologist or psychological assistant due to mental illness.

This bill would authorize the Psychology Examining Committee to take such action, as specified.

Existing law specifies the requirements for the use of a name by a psychological corporation and requires a permit to use any name other than the name stated in the corporations articles of incorporation and provides for the payment of a reasonable fee for the issuance of such a permit.

This bill would revise such provision by restricting the use of a name by such corporation, as specified, and would establish fixed maximum fees to be charged for such permits.

The bill also makes related changes and other technical changes in the Psychology Licensing Law.

Ch. 1209 (AB 2902) Mori. Taxation: assessments.

Under existing law, penalties are frequently specified for failure on the part of a taxpayer to provide information relating to the assessment of property for purposes of property taxation.

This bill would specify a penalty for owners of certain aircraft who neglect to file statements after being requested to do so by the assessor Provision would be made to abate such penalty if the failure to file is due to reasonable cause and not due to willful neglect.

The bill would also make clarifying changes with respect to certain penalties under the Private Car Tax Law and would specify that certain petitions for reassessments under such law must be in writing.

The bill would also change the title of the Private Car Tax Law to Private Railroad Car Tax Law and would make conforming changes.

Ch. 1210 (AB 2442) Chacon. Vehicles: speed traps.

Existing law defines a "speed trap" to include, among other things, a section of highway where radar or other electronic devices are used to measure the speed of moving objects and which has a prima facie speed limit not justified by an engineering and traffic survey conducted within a specified period prior to an alleged violation.

This bill would provide that speed trap provisions do not apply to local streets and roads and would define local streets and roads for purposes of the bill. This provision would remain in effect only until December 31, 1981.

Ch. 1211 (SB 472) Holmdahl Sales and use taxes.

Existing law does not create any presumption that a retailer may add sales tax reimbursement to the sales price of tangible personal property sold at retail.

This bill would establish a rebuttable presumption that such reimbursement may be added to such price, for purposes of interpreting contracts, in specified circumstances.

Existing provisions of the California Sales and Use Tax Law impose a sales tax on the seller or lessor of tangible personal property, based on the gross receipts from such sale or lease, and specifies that the sales tax shall be collected by the retailer from the consumer insofar as it can be done.

This bill would repeal provisions specifying that the retailer shall collect such sales tax from the consumer and would make other conforming changes.

The bill also makes additional changes in Sections 6006 and 6010, Revenue and Taxation Code, proposed by SB 1036, to be operative only if SB 1036 and this bill are both chaptered and this bill is chaptered after SB 1036.

Ch. 1212 (SB 2162) Roberti. Civil rights.

Under existing law, a person who violates the Unruh Civil Rights Act, provisions regarding the freedom of persons from violence in a labor dispute, and provisions prohibiting business establishments from discriminating against, boycotting or blacklisting, or refusing to conduct business with any person on account of race, creed, religion, national origin or sex, ~~are~~ [is]* subject to civil liability, in actions brought by individuals whose rights have been denied or by the Attorney General.

This bill would, in addition permit such actions to be brought by any district attorney ; ~~county counsel,~~* or city attorney.

Ch. 1213 (SB 1082) Marks. State agencies.

Existing law contains no express provision requiring state agencies responsible for a new program or regulatory action pursuant to the enactment of a statute to issue a summary of actions taken to implement the statute to the author of the statute, and the policy committees of the Legislature that considered the statute, within 6 months of the operative date, or the effective date, whichever is later, of the statute.

This bill would enact such a requirement and, in addition, if the statute has been considered by the fiscal committee of either house of the Legislature, require such summary to be issued to the Joint Legislative Budget Committee and to the fiscal committee of each house that considered the statute.

This bill would also specify that the costs incurred by state agencies in complying with the provisions of this bill shall be paid for from their normal operating budgets.

Ch. 1214 (AB 3518) Brown. Postsecondary education: need-based student grants.

Existing law requires that applications for need-based student grants funded by the state or a public postsecondary educational institution for the 1978–79 academic year be considered in light of the resources of the applicant's parents unless the applicant is self-supporting according to one of several definitions.

This bill would provide that an applicant who is 30 years old or older shall not be required to have his application considered in light of the resources of his or her parents, unless there is substantial evidence of parental support.

This bill would make such application requirements effective for grants awarded subsequent to the 1978–79 academic year. This bill would also require the Student Aid Commission to report to the Legislature on what changes are necessary to conform these application provisions to future federal regulations defining financial independence of students.

This bill would take effect immediately as an urgency statute.

Ch. 1215 (AB 2621) Knox. Postsecondary education: student aid: Cal grants.

Under current law, the Student Aid Commission administers various student aid programs, including the Cal Grant program. Cal Grant awards may be for tuition and student fees or for tuition, student fees, and subsistence costs.

This bill would require the commission to recommend annual adjustments to such awards to be included in the Budget Bill, such adjustments to be based upon specified factors and the first such recommendation to be made for the 1980–81 fiscal year.

This bill would also prescribe a formula for the distribution of specified federal funds received which are in excess of the amounts received in the 1978–1979 fiscal year, and would authorize the Student Aid Commission to recommend variations from such formula under specified circumstances.

Ch. 1216 (AB 3038) Vasconcellos. Postsecondary education: financial aid.

Existing law provides for 23,062 new Cal Grants for the 1977–78 fiscal year and each year thereafter, subject to specified conditions, and provides for the allocation of 6,825 awards for the 1977–78 fiscal year and each year thereafter, to be used for tuition, student fees, and subsistence costs.

This bill would increase to 23,812 the total number of new grants for the 1978–79 fiscal year and would increase to 23,062 new awards for each fiscal year thereafter, subject to specified conditions. This bill would also provide for the allocation of 7,575 awards for the 1978–79 fiscal year, subject to a specified condition, and would provide for the allocation of 6,825 awards for each fiscal year thereafter, to be used for tuition, student fees, and subsistence costs.

This bill would appropriate $602,142 to the Student Aid Commission for the 1978–79

fiscal year to carry out the purposes of the bill.

This bill would take effect immediately as an urgency statute.

Ch. 1217 (SB 2005) Dunlap. Postsecondary education: standardized tests.

Existing law does not regulate the activities of testing services which prepare and administer standardized tests for various purposes related to education.

This bill would require such testing services, defined generally as test sponsors, to make various reports to the California Postsecondary Education Commission regarding the administration and use of standardized tests to California inhabitants. Such reports would relate to both the operation and charges for the services. Such material would be subject to disclosure under the California Public Records Act. Test sponsors would also be required to file copies of specified test questions and answers with the commission.

This bill would require test sponsors to file certain information sufficient to describe the psychometric quality of the test.

This bill would require test sponsors to notify California test subjects regarding the purposes of the test, the subject matter of the test, the manner in which the test is scored, the manner in which the test scores will be recorded, the basis upon which scores will be made available, and a sample of test items.

This bill would make any test sponsor who intentionally violates the bill liable for a civil penalty of not to exceed $750 for each violation.

This bill would incorporate additional changes in Section 6254 of the Government Code proposed by Assembly Bill No. 1091, to be operative on the operative date of Assembly Bill No. 1091 only if Assembly Bill No. 1091 and this bill are both chaptered and become effective on January 1, 1979, and this bill is chaptered last.

Ch. 1218 (AB 3693) Levine. Term of imprisonment.

Existing law authorizes the deduction of 1 day's time as credit when it appears by the record that a prisoner has satisfactory work performance or good behavior, for each ⅙ of a month of confinement or commitment in a county or city jail, industrial farm, or road camp, if such confinement or commitment is for specified reasons.

This bill would require such credit for each 6-day period rather than ⅙ of a month, unless it appears from the record that the prisoner does not have such satisfactory work performance or good behavior.

The bill would provide that it shall not be construed to require the assignment of labor to a prisoner under specified conditions.

Ch. 1219 (AB 1581) Hallett. State employment relations.

Existing law does not require the state to allow representatives of employee organizations representing employees of the California State University and Colleges reasonable time off during work hours without loss of compensation or other benefits to attend meetings of the Trustees of the California State University and Colleges, or a committee thereof.

This bill would require the state to permit up to 3 such representatives from each such employee organization such time off during work hours to attend and make oral presentations at such meetings held during the working hours of such employees if a matter affecting conditions of employment is scheduled for consideration, and the employee representatives are named in a request submitted to the trustees in advance as employee representatives who will make an oral presentation at such meeting.

This bill would add Section 3569.5 to the Government Code to be operative if Assembly Bill No. 1091 and this bill are both chaptered and become effective on or before January 1, 1979.

Ch. 1220 (AB 3477) Lanterman. Schools: pupils: health services: special education.

(1) Under existing law, school districts are authorized to provide certain health services to pupils, including the administration of medicine.

This bill would authorize school districts to provide specialized physical health care services, such as catheterization or gavage feeding, to individuals with exceptional needs who need such care. This bill would specify which personnel would be authorized to provide such care.

This bill would also require the State Department of Education and the State Department of Health Services, jointly, to develop regulations necessary to implement these provisions.

(2) Existing law requires school districts and county superintendents of schools to provide special education programs for individuals with exceptional needs and for mentally retarded pupils.

This bill would make clear that the county superintendents of schools who maintain schools in juvenile halls, or juvenile homes, ranches or camps are required to provide such programs in such schools.

(3) Existing law requires school districts and county superintendents of schools to provide special education programs for educationally handicapped pupils and requires a school district or county superintendent of schools, maintaining a school in a juvenile hall or juvenile home, ranch or camp, to provide such programs in such schools with the approval of the county board of education.

This bill would eliminate the requirement for such approval and would recast the provisions for administering such programs.

(4) Existing state statutes authorize school districts and county superintendents of schools to provide special education programs for physically handicapped pupils.

This bill would require that such programs be provided and would require the county superintendents of schools who maintain schools in juvenile halls, or juvenile homes, ranches or camps to provide such programs in such schools.

(5) This bill would also make related changes.

(6) This bill would specify that it does not make an appropriation or create an obligation to reimburse school districts for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1221 (AB 3677) Egeland. Health facilities.

Currently, no person or public or private entity is authorized to operate a health facility in this state without first obtaining a license from the State Department of Health Services. State law requires classification of health facilities and beds thereof for purposes of licensure and health planning review.

This bill would redefine the term "intermediate care facility" for purposes of such licensing. This bill would create a new bed classification known as "intermediate care-developmental disabilities" and would rename the present "intermediate care" bed classification as "intermediate care-other."

This bill would exempt skilled nursing and intermediate care facilities meeting prescribed criteria that were at any time prior to July 18, 1977, surveyed under the federal ICF/MR program, from being required to obtain a certificate of need, change in license category, or change in bed classification in order to use prescribed beds for the provision of intermediate care for the developmentally disabled.

However, upon expiration of such exemption due to change of ownership, as prescribed, the bill would allow the applicant for relicensure to elect whether to reclassify the beds so exempted in the intermediate care-developmental disabilities classification.

This bill would also incorporate changes in Sections 1250 and 1250.1 of the Health and Safety Code proposed by AB 2540, to be operative January 1, 1979, only if both this bill and AB 2540 are chaptered, amend such sections, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch. 1222 (AB 3280) Fenton. Occupational safety and health: permit requirements.

Existing law requires an employer to obtain a permit from the Division of Industrial Safety for specified employments or places of employment which by their nature involve a substantial risk of injury. An employer whose permit is revoked may appeal the revocation to the Director of Industrial Safety.

This bill would provide that the filing of an appeal to the director from a permit revocation by the division shall not stay the revocation, but would permit the director to issue an order staying the revocation while the appeal is pending.

This bill would also permit the division to apply to the superior court for an injunction restraining an employer from engaging in activity for which a permit is required.

Ch. 1223 (AB 3281) Fenton. Elevator, tank, and boiler inspections.

Existing law permits the Division of Industrial Safety in the Department of Industrial Relations to collect fees to a specified maximum for inspection of elevators, tanks, and boilers.

This bill would increase such maximum fees until January 1, 1981, and as of such date would return the maximum fees to the amount now specified in existing law.

This bill would require the Legislative Analyst to submit a specified report relating to the cost-effectiveness of such inspections not later than January 1, 1980.

This bill would also specify that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason.

Ch. 1224 (AB 3284) Fenton. Occupational safety and health: Bureau of Investigations.

Existing law requires the Bureau of Investigations in the Division of Industrial Safety to, among other things, direct accident investigations involving violations of standards, orders, or special orders in which there is serious injury to 5 or more employees or death, and requires the bureau to refer the results of such investigation to the city attorney or district attorney having jurisdiction for appropriate action.

This bill would require such referral by the bureau to the city attorney or district attorney in such cases unless the bureau determines that there is legally insufficient evidence of a violation of the law.

Ch. 1225 (AB 2491) Antonovich. Child abuse and neglect.

Existing law makes certain provisions respecting training of peace officers and other professional personnel in the handling of sexual assault cases.

This bill would make similar provisions relative to handling of child abuse and neglect cases by peace officers, doctors, nurses, and school personnel, to be administered as specified by the Commission on Peace Officer Standards and Training, the State Office of Child Abuse Prevention, the Department of Education, and other specified state agencies.

The bill would provide that there are no new duties, obligations, or responsibilities imposed on local government by the bill that require the reimbursement of such agencies.

Ch. 1226 (AB 2540) Brown. General acute care/rehabilitation hospitals.

Present law defines and provides for licensure of various different types of health facilities.

This bill would add a new category of licensure for general acute care/rehabilitation hospitals, as defined by the bill, and would make related conforming changes, as well as deleting some obsolete provisions.

This bill would also incorporate the changes in Sections 1250 and 1250.1 of the Health and Safety Code proposed by AB 3677, to be operative only if both this bill and AB 3677 are chaptered, amend such sections, and this bill is chaptered last.

Ch. 1227 (AB 2461) Lanterman. Developmentally disabled adults: habilitation services—appropriation.

The Lanterman Developmental Disability Services Act requires the State Department of Developmental Services to contract with appropriate agencies for the establishment of regional centers which perform or cause to be performed specified services for developmentally disabled persons, including work activity and vocational training.

This bill would appropriate $2,500,000 to the State Department of Rehabilitation for the purchase in fiscal year 1978–79 of habilitation services for developmentally disabled adults enrolled in community-based sheltered workshops and work activity centers, whose habilitation services are not funded or only partially funded for the period from the effective date of this act through June 1979, as specified, and would require a related report to the Legislature.

This bill would take effect immediately as an urgency statute.

Ch. 1228 (AB 1339) Egeland. County mental health expenditures.

Present law specifies that it is the intent of the Legislature that special consideration be given to children's services in funding county Short-Doyle plans to expand existing programs or establish new programs and authorizes services for children to be developed without regard to the prescribed order of priority for allocating funds for new and expanded mental health programs.

This bill would require, after July 1, 1979, each county to allocate, for services to persons under 18, 50% of the amount of any budget augmentation for new or expanded mental health programs until the amount expended for mental health services to persons under 18 equals not less than 25% of its gross budget for mental health or the percentage of persons under age 18 in the county's total population, whichever is less. It would require this minimum ratio, once achieved, to be maintained continuously thereafter. The requirement would not apply where it is determined in a specified manner that the need for new or expanded services to persons under age 18 does not exist or is less than the need for adult services.

Ch 1229 (AB 3716) Lanterman Short-Doyle Act: community mental health programs: financing.

The existing Short-Doyle Act provides for reimbursement by the State Department of Mental Health of a county, by monthly allocations, for certain mental health services provided by various facilities pursuant to the approved county Short-Doyle Plan, as specified.

This bill would: require the establishment and maintenance of a revolving loan fund for allocation to county Short-Doyle programs to pay, pending determination of a client's eligibility for Supplemental Security Income and California Medical Assistance program benefits, the costs of care and treatment of the clients in a skilled nursing facility, an intermediate care facility, or a community care facility; and authorize the department, upon a person receiving SSI, to require repayment to the revolving loan fund.

Ch. 1230 (AB 2207) Egeland. Community mental health facilities: loan insurance.

Existing statutes contain the California Health Facility Construction Loan Insurance Law which was enacted under Section 4 of Article XVI of the California Constitution, an exception to certain constitutional prohibitions, and which is financed by the Health Facility Construction Loan Fund, a continuously appropriated fund, but make no specific provision for financing community mental health facility loan insurance.

This bill would: add to the above law, the Community Mental Health Facilities Loan Insurance Law which makes special provision for determining loan insurance eligibility under the California Health Facility Construction Loan Insurance Law of community mental health facilities approved in county Short-Doyle plans, including: (1) exemptions from certain approval requirements; (2) insurance of loans under $300,000, equal to the total construction cost, (3) authorized provision by the State Department of Mental Health or the local mental health program of specified fees, premiums, and other payments required by the law; (4) insurance of loans to proprietary corporations for facilities leased to a local mental health program, except as in (2) and (3); (5) insurance of loans for the purchase of existing buildings; and (6) loan insurance priority for loans under $300,000 to a single facility.

This bill would limit the total amount of loans which may be insured under it to $15,000,000

This bill would prohibit any such loan insurance for purposes of providing psychiatric inpatient services in an acute psychiatric hospital or a general acute care hospital.

This bill would also require review and comment by the Legislative Analyst, as specified.

An existing statutory provision relating to state reimbursement under the Short-Doyle Act of community mental health program expenditures: (1) specifies various expenditure categories which are subject to state payment; and (2) prohibits state payment for initial capital improvements and remodeling and for the purchase or construction of buildings, with specified exceptions.

This bill would: (a) add to item (1) above, the lease of facilities where there is no intention to, or option to, purchase; and (b) add to the exceptions to item (b) above, expenditures made pursuant to the Community Mental Health Facilities Loan Insurance Law

Ch. 1231 (AB 3423) Egeland. Developmentally disabled: rates.

Under existing law, the State Department of Health or its successor submits to the Legislature suggested rates to be paid providers of community living facilities for the developmentally disabled, which become effective subject to the appropriation of funds for that purpose.

This bill would permit the fixing of higher rates for developmentally disabled persons who are also mentally disordered and would require the State Department of Mental Health to establish criteria upon which the higher rates may be fixed. Such higher rates would be authorized when requested by the director of the regional center and approved by the Director of the Department of Developmental Services.

Ch. 1232 (AB 3274) Torres. Developmentally disabled persons: community living continuums.

Existing statutes do not provide for community living continuums for developmentally disabled persons.

This bill would: authorize the State Department of Developmental Services to designate one or more designated agencies to implement, throughout the state, community living continuums for developmentally disabled persons, as specified; prescribe various duties and powers; authorize recommendations by area boards; authorize 90-day advance state funding and periodic advance state payments, as specified; authorize establishment of community living continuums, as specified; provide for evaluation, training, specific goals and objectives; require annual and other related reports to the Legislature; authorize preparation by the department, in cooperation with the state council, of a plan, as specified; provide for allocations for community living arrangements (giving high priority to programs which may be in continuums) from the Program Development Fund, a continuously appropriated fund; require the state director to initiate and monitor interagency performance agreements with specified state agencies, as specified.

This bill would also appropriate $25,000 for the purposes of this act.

Ch. 1233 (AB 3052) Bates. Mental health: community residential treatment system.

Existing statutes do not provide for a community mental health residential treatment system.

This bill would express various legislative findings and declarations and intents.

This bill would authorize the counties to implement the community residential treatment system, as specified, with county allocations or, as new moneys become available, by applying for state funds. This bill would specify, for applicant counties, eligibility criteria, including facilities, staffing patterns, program, and coordination, as specified. This bill would require demonstrated preexisting satisfactory applicant capability in elements of crisis units and case management systems, as specified. This bill would specify as system program elements: short-term crisis residential programs, long-term residential treatment programs, transitional residential programs, semisupervised, independent, but structured living arrangements, noninstitutional rehabilitationally focused day treatment programs, and socialization centers. This bill would provide for coordination, evaluation, surveys, and licensing and related reports, and would require requesting counties to incorporate the approved system program into the county Short-Doyle program. The bill would require appointment of an advisory committee to screen applications.

This bill would appropriate $3,000,000 for the purposes of this act.

Ch. 1234 (SB 1496) Gregorio. Mental health: nonhospital psychiatric care.

Existing statutes classify health facilities into 5 categories.

This bill would add a new category of psychiatric health facility, which provides, for specified mental patients whose physical health needs can be met in an affiliated hospital or in an outpatient setting, 24-hour inpatient care including basic services of psychiatry, clinical psychology, psychiatric nursing, social work, rehabilitation, drug administration, and appropriate food services, as specified. The bill would provide for: related licensing and regulations, including specifying 2 levels of disorder: involuntary ambulatory psychiatric patients and voluntary ambulatory psychiatric patients; certain exceptions from seismic requirements; restraint and seclusion of involuntary patients; time-limited issuance of exemptions from certificate of need requirements and licensure waivers, as

specified; an ad hoc advisory committee to aid in the rapid development of regulations; regular utilization reviews by the State Department of Mental Health of admission and discharge criteria and lengths of stays; and mandatory periodic inspection as specified, of programs, by representatives of the State Department of Health Services accompanied by other representatives, as specified.

This bill: would require each county Short-Doyle plan to include a description of the intent of the county mental health service to offer or obtain acute and other levels of 24-hour inpatient psychiatric care in hospital or nonhospital settings and related estimates of potential utilization, resource needs, and cost projections; would provide, for a county or other organization electing to provide such nonhospital inpatient psychiatric care, where such facility does not qualify for federal funds under Title XIX, 100% state reimbursement for otherwise Medi-Cal eligible clients using an appropriate portion of the county's existing Short-Doyle Medi-Cal allocation as determined by the State Department of Mental Health and, for non-Medi-Cal eligible clients, funding of 90% state reimbursement and 10% county funds; would require the State Department of Mental Health to seek, within 30 days after the effective date of this act, federal approval for financial participation under Title XIX for psychiatric health facility services; would, if such federal approval is obtained, require replacement of state allocations, to the extent of federal participation and a related report by the department to the Legislature.

This bill would authorize counties to provide mental health services in other psychiatric health facilities, as well as in county and other hospitals; would, for voluntary admission purposes, describe the term "county psychiatric health facility" and make such term interchangeable with the term "county psychiatric hospital."

This bill would also express various legislative intents.

Ch. 1235 (AB 1642) Nestande. Social services: planning.

Under current law, social services are provided by various local and state departments and agencies with local, state and federal funds under various statutory requirements.

This bill would enact the California Social Services Planning Act to be administered by the State Department of Social Services through a planning unit established within an office or division in the department. This bill would require the Governor and the department to prepare annually a state social services plan based on county social services plans and various service programs at the state level meeting state and federal requirements to be submitted to the Legislature at the time the state Budget Bill is submitted. This bill would also require the Governor to submit the state social services plan to the federal government. It would also allow the Governor to delegate his responsibilities for the plan to the Secretary of the Health and Welfare Agency or the Director of the State Department of Social Services. The bill would require specified social services, set social service priorities, coordinate methods of planning and delivery, and provide that state, county and federal social service funds be allocated through the planning process. It would require the director to establish an interim social services planning task force to establish standards and help implement the act.

The bill would require the Office of Planning and Research to make recommendations regarding the development of minimal standards for county planning procedures and review state and county service plans. The bill would require an audit of the state plan by the Department of Finance and the Legislative Analyst to provide an analysis of such plan and to submit it to the Legislature.

The bill also would provide that no appropriation is made by the act and that the Legislature intends to fund in the normal budgeting process any local costs resulting from the act.

The provisions of the bill would be repealed on the date which is one year following the date on which the Department of Finance submits to the Legislature a specified final report required by the bill.

Ch. 1236 (AB 3105) Suitt. Acupuncture.

Existing law authorizes the issuance of an acupuncturist certificate to any person who has performed acupuncture for 5 years and provides that such person may be required to pass an examination, as specified, when such requirements are established by the Board of Medical Quality Assurance.

This bill would delete such provision.

Existing law requires an applicant for an acupuncturist's certificate to, among other things, pass an examination testing the applicant's ability, competency, and knowledge of the practice of acupuncture

This bill would require such examination to include a practical examination of the skills required to competently practice acupuncture.

Ch. 1237 (SB 1488) Sieroty. Healing arts: acupuncture.

Existing law provides a procedure for the issuance of a certificate to practice acupuncture. It provides that only individuals can be certified under such procedures.

This bill would delineate a procedure for the registration of acupuncture corporations which would be authorized to practice acupuncture.

The bill would authorize the collection of fees with regard to the registration of such corporations which will be collected and deposited in the Acupuncturists' Fund which is continuously appropriated.

Ch. 1238 (AB 2424) Keysor. Medi-Cal: acupuncture.

Under existing law, acupuncture services are not included in the schedule of benefits available under the California Medical Assistance Program (Medi-Cal).

This bill would include acupuncture services in that schedule to the extent that federal matching funds are provided for such services.

This bill would incorporate additional changes in Sec. 14132, Welfare and Institutions Code, proposed by AB 1096, AB 2960, and AB 2961, to be effective if this bill and any of those bills are chaptered and this bill is chaptered last.

Ch. 1239 (SB 1106) Song. Acupuncture.

Existing law provides for a 7-member Acupuncture Advisory Committee and prescribes that 5 members shall be acupuncturists who do not possess a physicians' and surgeons' certificate and 2 members shall be acupuncturists who do possess a physicians' and surgeons' certificate. The law does not prescribe the terms of office for members of such committee.

This bill would add 4 public members to such committee and would provide that all the members shall be appointed for a term of 3 years.

Existing law does not provide for an apprenticeship program for persons seeking certification as an acupuncturist.

Existing law specifies that the Board of Medical Quality Assurance has the responsibility of administering and enforcing provisions relating to acupuncture.

This bill would specify that the Division of Allied Health Professions of the board shall have such responsibility.

This bill would require the Division of Allied Health Professions of the Board of Medical Quality Assurance to establish standards for a course of training in acupuncture, including provisions for a tutorial or apprenticeship program and authorizes the division to provide for such an apprenticeship program and authorizes acupuncturists to be approved to train or employ such apprentices and provides fees for such apprentices.

Existing law specifies the requirements for the issuance of a certificate to practice acupuncture and includes, among other things, the furnishing of testimonials of good moral character.

This bill would delete such testimonials requirement.

Existing law does not require continuing education for acupuncturists.

This bill would authorize the Division of Allied Health Professions of the Board of Medical Quality Assurance to establish standards for continuing education for acupuncturists.

Existing law does not require an acupuncturist to post his certificate in his office.

This bill would require such posting and if such acupuncturist practices at more than one location he is required to obtain duplicate certificates and post a certificate at each such location. The bill specifies the fee for a duplicate certificate.

Existing law provides for the renewal of acupuncturists certificate on December 31 of each odd-numbered year.

This bill would provide for the renewal of such certificates on such date in each even-numbered year.

Existing law does not allow a certificate to be renewed if it has not been renewed

within 5 years, however, the law authorizes such person to apply for and obtain a new certificate if he meets the requirements for a new certificate.

This bill would authorize the Division of Allied Health Professions of the Board of Medical Quality Assurance to require a person who fails to renew his certificate within 5 years to demonstrate skills in acupuncture in addition to any examination requirements.

Existing law does not authorize retention of all or a part of an application fee for an acupuncturist's certificate in the event an application is denied or withdrawn

This bill would allow retention of 10% of such fee in such event.

Under existing law fees collected pursuant to provisions relating to acupuncturists are deposited in the Acupuncturists Fund which is continuously appropriated.

The fees provided for by this act would result in an increase in the amount deposited in such fund.

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill for a designated reason.

This bill would also incorporate additional changes in Sections 2150.3 and 2152 of the Business and Professions Code proposed by SB 1488 and AB 3105, respectively, to be effective only if this bill and either such bill is chaptered and this bill is chaptered last.

Ch. 1240 (AB 2835) Kapiloff Life care contracts

Existing law requires any organization or person who receives property in exchange for an agreement to furnish care for a period of over 1 year or for life to obtain a certificate of authority from the State Department of Health Services, and to establish and maintain reserves, as specified Such certificate is good until suspended or revoked by the department for cause, as specified. Existing law also authorizes prosecution for the violation of such provisions to be brought by the district attorney upon application by the department.

This bill would, instead, require such certificate to be obtained from the State Department of Social Services.

This bill would require a provider, as defined, to establish in specified circumstances reserve fund escrow accounts with approved escrow agents, as defined, and to furnish specified financial and other factual statements when applying for a certificate and annually thereafter. The bill would provide a 90-day cancellation period for such life care contracts. The bill would specify the circumstances under which the department may limit, suspend, or revoke such certificate, and would authorize the Director of Social Services, in specified circumstances, to apply to the Superior Court for an order appointing an administrator, to assume management and possession of the facility and its assets in order to rehabilitate the provider in the manner provided in the bill. Such takeover would be pursuant to court order, as provided. The director would also be authorized to apply to the superior court for an order to liquidate the provider upon specified fundings.

The bill would make a representation whether written or oral, as specified, of the name of any other individual or organization, in the title of the provider or otherwise, in order to solicit or induce persons to enter life care contracts, a misdemeanor, unless there is on file with the department a written and legally sufficient document of acceptance by such other individual or organization of full responsibility and liability for any such agreement. An exception would be provided for a provider which has used the name of a charitable or religious organization in its title before the effective date of the bill, but the provider would be required to include a statement, as specified, in life care contracts entered into on or after January 1, 1979.

The bill would also expressly not limit, abridge, nor qualify the powers of the district attorney to prosecute violations of the provisions of the bill or any other law, and would require the department to furnish its records on request of the district attorney, as specified.

The bill would also create a Life Care Contract Advisory Board, with specified membership and duties, to advise the department in the area of life care contracts.

The bill would make other conforming changes.

This bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason

Ch. 1241 (SB 768) Garamendi. Public social services.

Under existing law, the administration of public social services in each county is a county function and responsibility, except that the State Department of Social Services is required to contract with the federal government for the administration of the State Supplementary Program for Aged, Blind and Disabled. Also, such department may contract with any county for performance of eligiblity and grant determinations for public social services applicants or recipients or assume responsibility for such performance in the absence of such contract.

This bill would require the State Department of Social Services to prepare and submit to the Legislature reports on state administration of public social service programs currently being administered by county government. The reports would include recommendations and determine whether such state administration is in the best interests of public social services recipients, taxpayers, and efficient administration. It would require the department to receive assistance as necessary from specified state and local agencies. The Legislative Analyst would be required to monitor and comment on the department's reports.

The bill also would require the State Department of Social Services to report on the quality of county administration during the first 6 months of the 1978–79 fiscal year.

The bill would appropriate $200,000 to the department to carry out the act. It would state that there are no state-mandated local costs in the bill which require reimbursement.

The bill would take effect immediately as an urgency statute.

Ch. 1242 (AB 2792) Brown. Loans to blind persons.

Existing law provides for a Revolving Loan Fund in the State Treasury in the amount of $70,000 to be used to make loans to the potentially self-supporting blind, or to the aged, blind or disabled due to blindness. No loan in excess of $10,000 may be made to any individual from the Revolving Loan Fund.

This bill would increase the amount in the revolving fund to $150,000 by appropriating $80,000 from the General Fund to the revolving fund, and would also increase the maximum amount of a loan to an individual to $15,000 It would require the State Department of Social Services to report to the Legislature by June 1, 1979, on the status of such loans.

Ch. 1243 (AB 2851) Wray. Veterans' farm and home purchase: maximum amounts: Veterans' Revenue Debenture Act.

(1) Present law prohibits the Department of Veterans Affairs from acquiring a home for sale to a veteran pursuant to the Veterans' Farm and Home Purchase Act of 1974 if the market value of the improvements exceeds $53,000.

This bill would require the department to exclude the value of certain special facilities or features for disabled veterans or solar energy heating devices or equipment in ascertaining whether a home exceeds that maximum amount.

(2) Present law prohibits the department from expending more than $43,000 for the purchase of a home for sale to a veteran.

This bill would permit the department to expend up to $48,000 for a home equipped with solar energy heating devices.

(3) Present law authorizes the department to issue revenue debentures not to exceed $50,000,000, as specified.

This bill would authorize the issuance of such debentures, not to exceed $500,000,000.

(4) Present law appropriates $7,500,000, but in no event less than 15% of the total amount of outstanding debentures, from any surplus money in the Veterans' Farm and Home Building Fund of 1943 to be held in investments, as specified.

This bill would provide for an appropriation of $50,000,000, but in no event less than 10% of the total amount of outstanding debentures.

(5) Present law provides that in the event of cancellation or forfeiture of any pledged contract, the department shall enter into a new contract covering the same property, as specified.

This bill would require the department to enter into a new contract covering the same or similar property.

(6) Present law requires that specified debentures be sold by the State Treasurer at

public sale.

This bill would require that such debentures be sold at public or private sale, as determined by the department with approval of the Veterans' Debenture Finance Committee.

(7) Present law requires that applications for specified benefits be filed with the department within 25 years from the date of the applicant's discharge from the service.

This bill would require that after January 1, 1981, applications for such benefits be filed with the department within 25 years from the date of discharge or release from active duty, except for applications filed by wounded or disabled veterans, or veterans who were prisoners of war.

Ch. 1244 (AB 3413) Kapiloff. Labor: occupational safety and health.

Existing law does not expressly require the Department of Industrial Relations to develop and maintain a repository of research information and data relating to toxic materials and harmful physical agents in use in places of employment.

This bill would require the department to enter into an interagency agreement with the State Department of Health Services for purposes of developing and maintaining such a repository. The Director of Industrial Relations would be required to appoint an advisory committee composed of 15 members to advise the director with regard to the collection, evaluation, and dissemination of information concerning hazardous substances. The department would be required to submit an annual report to the Legislature detailing the implementation and operation of the repository, including specified items

Ch. 1245 (AB 3414) Kapiloff. Labor. occupational safety and health.

Existing law does not expressly require the Department of Industrial Relations to develop a long range program in the area of occupational health and medicine or to cooperate with the University of California to create occupational health centers for the purposes of training personnel and performing research functions in the field of occupational health and medicine.

This bill would require the Department of Industrial Relations to develop such a program. The bill would also require that the Division of Occupational Safety and Health Administration, the State Department of Health Services, and the Department of Food and Agriculture be informed as to clinical and research findings made by the centers.

The bill would appropriate $2,000,000 to the State Controller for allocation to the Department of Industrial Relations for purposes of developing the program authorized by the bill.

Ch. 1246 (AB 3429) Lockyer. Employment.

Existing law provides that a contract of employment is a contract by which the employer engages the employee to do something for the benefit of the employer or a third person

This bill would, in addition, provide that there is a rebuttable presumption affecting the burden of proof that a worker is an employee rather than an independent contractor, and would specify factors which must be proven to show independent contractor status.

Ch. 1247 (AB 3363) Lockyer. Labor.

Existing law grants authority to the Labor Commissioner to enforce the labor laws except those the enforcement of which is vested in another officer or entity.

This bill would require the Labor Commissioner to notify the registrar of the Contractors' State License Board whenever a licensed contractor has been found to have engaged in willful or deliberate violation of any provisions of the Labor Code, which are within the jurisdiction of the commissioner, and would require the registrar to initiate formal disciplinary action against such licensee within 30 days of notification.

The existing law requires every employer, semimonthly, or at the time of payment of wages, to furnish each employee specified information.

This bill would, in addition, require that the employer's address be included in such information [on and after January 1, 1980]*.

Ch. 1248 (AB 3282) Fenton. Safety in employment.

Existing Cal-OSHA law provides, among other things, that the Division of Industrial Safety has jurisdiction over every place of employment in California. "Place of employment" is generally defined to include any place where employment is carried on except a place over which safety jurisdiction is vested in other specified agencies.

This bill would redefine such term to mean any place where employment is carried on except a place over which health and safety jurisdiction is vested by law in, and actively exercised by, such other agencies

Existing law provides that the Division of Industrial Safety has jurisdiction over the safety of, among others, employees of steam railroads employed in shops devoted to the construction or repair of railroad equipment.

This bill would provide, instead, that the division has jurisdiction over the safety and health of railroad employees employed in offices and in shops devoted to the construction, maintenance or repair of railroad equipment, and all other railroad employees with respect to occupational health, including, but not limited to, air contaminants, noise, sanitation and availability of drinking water.

Ch. 1249 (AB 3174) Agnos. Public works contracts.

The existing law relating to "public works" does not define the terms "contractor" or "subcontractor."

This bill would define such terms as including a contractor, subcontractor, licensee, officer, agent, or representative thereof, acting in such capacity on specific public works.

Existing law requires every contractor and subcontractor to keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual wages paid to each journeyman, apprentice or worker, such records to be available for inspection at reasonable hours, with a copy being made available to the employee or his authorized representative, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards.

This bill would require that such records be certified and available for inspection at the principal office of the contractor; would provide that such payroll records be available for inspection at the jobsite and at the principal office of the contractor with the condition that the name, address, and social security number of the worker be kept confidential; would require the Director of Industrial Relations to adopt rules governing the release of such records and a fee schedule to be charged for reproducing copies; would, in the event of noncompliance with such provisions, provide that the contractor would have 10 days in which to comply subsequent to receipt of written notice, and, in the event of noncompliance, provide that the contractor shall forfeit $25 a day for each worker, for failure to comply with such requirements; and would require the body awarding the contract to insert stipulations in the contract fixing responsibility for compliance with these requirements upon the prime contractor.

Existing law provides that a licensed contractor who willfully fails to comply with certain provisions regarding the employment of apprentices upon public works shall be denied a right to bid on a public works contract for a period of one year, and requires the awarding body, under specified circumstances, to withhold from contract progress payments due or to become due, the sum of $5,000, until released on the order of the Administrator of Apprenticeship, or completion of the contract.

This bill would delete the requirement that a contractor, for purposes of such provisions, be licensed; would require the forfeiture, as a civil penalty, by such contractor of $50 for each calendar day of noncompliance; and would provide that any funds withheld by the awarding body be deposited in the state General Fund or the equivalent fund of an awarding body, depending on who the awarding body is.

This bill would appropriate $27,500 from the General Fund to the Department of Industrial Relations for the purposes of the bill.

Ch. 1250 (AB 2945) Lockyer. Employment.

Existing law prohibits any person from discharging or threatening with discharge, or in any other manner discriminating against, an employee who has testified or is about to testify in any investigation or proceeding relative to the enforcement of various provisions of law relating to wages, hours, and working conditions, and permits an employee to commence a civil or administrative action seeking, among other things, reinstatement, lost wages, and damages from an employer who violates such provisions

This bill would, in addition, permit any employee, who believes that he or she has been discharged or otherwise discriminated against for filing a bona fide complaint or instituting any proceeding alleging a violation of any rights under the jurisdiction of the Labor Commissioner to file a complaint with the Labor Commissioner, would require the Division of Labor Standards Enforcement in the Department of Industrial Relations to investigate such complaint within 30 days, and would permit the division to bring an action in any appropriate court seeking appropriate relief including reinstatement of the employee with back pay

Existing workers' compensation law makes it a misdemeanor and requires the amount of compensation, otherwise recoverable, to be increased if an employer discharges or discriminates against an employee, or if an insurance carrier threatens, advises, or directs an employer to discharge an employee, because such employee has filed, or intends to file, an application with the Workmens' Compensation Appeals Board or, solely in the case of an employer, because the employee has testified or plans to testify in a matter relating to the appeals board. The board has jurisdiction, under existing law, to determine such matters.

This bill would, in addition, provide that an employee who is so discharged or discriminated against by an employer is entitled to reinstatement and reimbursement for lost wages and work benefits, and would also make it a misdemeanor for an insurance carrier to threaten, advise, or direct an employer to discharge an employee because such employee has testified or plans to testify in a matter relating to the board. The bill would also specify that the board shall have jurisdiction over proceedings for reinstatement and reimbursement of an employee and, with regard to enforcement of the misdemeanor provisions, would provide that any worker may complain to the Division of Labor Standards Enforcement or the public prosecutor.

Ch. 1251 (AB 2798) Lehman. Voice stress analyzers

Existing law prohibits employers from demanding or requiring that any employee or any applicant for employment or prospective employment submit to or take a test involving psychological stress evaluators, including polygraphs, lie detectors or similar tests or examinations, as a condition of employment or continued employment, but does not prohibit employers or others from utilizing a psychological stress evaluator to analyze voice prints or other voice stress patterns of a person to determine the truth or falsity of statements made by such person in cases or situations not within such prohibition

This bill would prohibit any person or entity, other than a peace officer carrying out his official duties, from using any system which examines or records in any manner voice prints or other voice stress patterns of any other person to determine the truth or falsity of such other person without his or her express consent given in advance. A violation of such prohibition would create a right of action against the violator for the amount of damages caused or $1000, whichever is greater

Ch. 1252 (AB 2761) Levine. Monitoring of employees.

Existing law provides generally for the regulation, licensing and registration of private investigators

This bill would, with an exception for certain public utilities, theaters, and their employees, specifically include, within such provisions, individuals and entities who investigate, obtain, and report to a private employer information concerning, among other things, an employee's integrity, honesty, or breach of rules.

This bill would, with respect to investigations of employees by private investigators, prohibit the payment of bonuses for the discovery of purported infractions or violations of employer rules and generally subject such licensed investigators to a penalty of not to exceed $500 in disciplinary proceedings in lieu of revocation or suspension.

The bill would also require any employer who disciplines or discharges an employee based on any investigation by a licensed investigator to provide the employee with a copy of the investigation report prior to such discipline or discharge and during an interview which may result in an employee's termination except as specified

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

Ch. 1253 (SB 2033) Marks. Labor: Labor Commissioner.

Existing law requires the Labor Commissioner, or his representative, to take assignments of specified claims, liens, and awards upon the filing of a claim therefor by an employee with the Labor Commissioner.

This bill would also require the Labor Commissioner to take such assignments upon the filing of such a claim by an employee representative authorized in writing by an employee.

Ch. 1254 (AB 1915) Dixon. Labor: unlawful practices.

(1) Existing law provides that the Division of Fair Employment Practices receive, investigate, and conciliate complaints alleging discrimination in employment because of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, or sex.

This bill would add age, as defined, to such enumerated categories.

(2) Existing law contains various provisions relating to unlawful employment practices and provides that under certain conditions an action may be brought in the superior court in any county where the unlawful employment practice is alleged to have been committed.

This bill would, among other things, delete the word "employment" from the phrase "unlawful employment practices." Attorney's fees would be allowed to the prevailing party.

(3) Existing law permits the commission, in cases in which unlawful employment practices have been found to have been committed, to require specified action, including, for example, hiring or reinstating employees.

This bill would require that any determination of the commission that an unlawful employment practice has been committed, and relief awarded, be in writing and indicate the identity of the members of the commission who participated therein.

(4) This bill would also require the commission, if it finds that an unlawful practice occurred in connection with the exercise of a license or privilege granted by a state agency, to provide the licensing or privilege granting agency with a copy of its decision or order.

(5) Existing law authorizes the Division of Fair Employment Practices to engage in affirmative actions with employers, employment agencies, and labor organizations. Every contractor performing a public work contract in excess of $200,000 awarded under the State Contract Act or under the State College Contract Act is required to submit to the division an equal employment opportunity program for approval and certification by the division.

This bill would repeal such provisions authorizing the division to engage in affirmative actions and requiring equal opportunity employment programs for public works contractors, and, instead, provide that any employer who is, or wishes to become, a contractor with the state for public works or for goods or services would be subject to the nondiscrimination requirements of this bill, and would be required to submit to the division a nondiscrimination program for approval and certification or instead, to prepare an affirmative action, equal employment, or nondiscrimination program subject to review and approval by a federal compliance agency. The commission would be required to develop rules and regulations for the implementation of this provision for contractors, and various criteria for such rules and regulations would be set forth. If, after investigation, the director determined that an accusation should issue against a state contractor, or one supplying the state with goods or services, the chief would be required to notify the agency awarding the contract and request a report of any action which the awarding agency takes in response to the notice.

(6) Existing law requires employers, labor organizations, and employment agencies to maintain records relating to employment for 1 year.

This bill would instead make it an unfair labor practice for employers, labor organizations, and employment agencies to fail to maintain such records for 2 years. The State Personnel Board would be required to maintain such records for 1 year.

Ch. 1255 (SB 1660) Stull. State Lands Commission· disposition of revenues.

(1) Under existing law, the State Lands Commission is required to deposit in the State Treasury all revenues, moneys, and remittances, as specified, and to apply such moneys to specified obligations in a specified order. One such obligation involves the distribution of $500,000 for each of the fiscal years 1974–75, 1975–76, 1976–77, 1977–78, and 1978–79,

for public and private higher education for use as up to ⅔ of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688).

This bill would revise such provisions regarding the projects under the National Sea Grant College and Program Act of 1966, by providing for the distribution of $600,000† for each of the fiscal years 1979–80, 1980–81, 1981–82, 1982–83, and 1983–84 for such act. The bill would also make legislative findings and make a related, conforming change.

(2) Under existing law, there is a 10 member advisory panel, composed of specified persons appointed by the Secretary of the Resources Agency, which advises and makes recommendations to the secretary regarding specified matters concerning sea grant projects.

This bill would add, as an 11th member of the panel, a representative of the aquaculture industry.

Ch. 1256 (AB 1651) Hart. Opportunity schools.

Current law provides for the establishment of opportunity schools, classes, and programs, and provides for the assignment thereto of pupils in grades 1 through 12 who are in danger of becoming, or who are, habitually truant, insubordinate, or disorderly. The purpose of opportunity schools, classes, and programs is to improve the pupil's conduct and to restore the pupil to regular schools and classes.

This bill would require, as a condition to assigning a pupil to an opportunity school, class, or program for adjustment purposes, the written notification of the intended assignment be given to the pupil and the pupil's parent or guardian and the recommendation of a school committee, comprised of specified individuals.

This bill would also require a periodic review and determination of whether the pupil would benefit by returning to regular school or classes.

This bill would provide for a school district revenue limit adjustment with respect to pupils enrolled in an opportunity school by an amount proportionate to the amount by which the minimum schoolday for such schools exceeds 180 minutes. By increasing such revenue limits the bill would effect an increase in state funds currently appropriated as subventions to local governments as compensation for property tax revenues lost by reason of the homeowner's property tax exemption.

The bill's provisions relating to minimum schoolday requirements and district revenue limits would become operative on July 1, 1978.

This bill would specify that it does not create any obligation to reimburse local agencies pursuant to Section 2231 of the Revenue and Taxation Code because of specified reasons.

The bill would take effect immediately as an urgency statute.

Ch. 1257 (AB 3653) Berman. State park system: Santa Monica Mountains.

(1) Under existing law, the Santa Monica Mountains Comprehensive Planning Commission is required to make a detailed study of the characteristics of the Santa Monica Mountains. Appropriations from the State, Urban, and Coastal Park Fund to the Department of Parks and Recreation for the acquisition of real property for the state park system are contained in the Budget Bill for the 1978–79 fiscal year.

This bill would amend and supplement the Budget Act of 1978 by adding a section thereto to appropriate $20,467,000 from that fund to the department for the acquisition of (a) Backbone Trail between Saddle Peak and Malibu Creek State Park; (b) the viewshed of Malibu Creek State Park, as identified in the recreation element of the preliminary plan of the Santa Monica Mountains Comprehensive Planning Commission; (c) certain parcels in the Stunt Road area; and (d), subject to a proviso regarding federal reimbursement, Cross Mountain Park, Huntington-Hartford Estate, North Benedict Canyon, Caballero Canyon, and the Cahuenga Peak area adjacent to Griffith Park, as identified in such recreation element, and other lands proximate to access points and as additions to existing state park system units. The bill would provide that none of such funds appropriated shall be available for expenditure unless and until such projects have been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency.

(2) The bill would require such acquisitions to be subject to the provisions of the

† Appropriation reduced to $500,000 by action of the Governor

Property Acquisition Law and would prohibit the expenditure of any funds appropriated thereby until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

(3) The bill would express legislative intent and require the department to conduct a specified evaluation in consultation with the Santa Monica Mountains Comprehensive Planning Commission in the event that federal money is not provided to reimburse the state for the acquisitions described in (a), (b), and (c) of (1) above.

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

Ch. 1258 (SB 1359) Nejedly. State park system. American River Parkway.

Appropriations from the State, Urban, and Coastal Park Fund for the development of real property for the state park system are contained in the Budget Act of 1978.

This bill would amend and supplement the Budget Act of 1978 by adding a section thereto to appropriate $1,550,000 from that fund to the Department of Parks and Recreation for working drawings and construction of the American River Parkway within the Folsom State Recreation Area, provided that such funds may only be encumbered in accordance with plans developed by the County of Sacramento for the Department of Parks and Recreation pursuant to a specified resolution adopted by the Board of Supervisors of the County of Sacramento; and provided, further, that none of the funds appropriated shall be available for expenditure unless and until such project has been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency.

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

Ch. 1259 (SB 1316) Alquist. Sport fishing licenses· free.

Under existing law, every person over 16 years of age who takes any fish or amphibia is required to procure a license for that purpose, but the Department of Fish and Game is required to issue a renewable sport fishing license free of charge to any person receiving aid to the aged or any person 62 years of age or older who has been a resident of this state for 5 years immediately preceding and whose total monthly income from all sources does not exceed $250 for single persons, or $500 combined income for married persons, authorizing him to take fish and amphibia anywhere in the state, not otherwise prohibited, for purposes of other than profit.

This bill would raise the allowable monthly income as specified, and would provide that all such licenses shall remain valid for the period of a calendar year or, if issued after the beginning of the year, for the remainder thereof.

The bill would also require to be annually appropriated from the General Fund in the budget bill, for transfer to the Fish and Game Preservation Fund, a sum equal to the total of the fees, as determined by the department, that would have otherwise been collected for free sport fishing licenses and license stamps issued to persons receiving aid to the aged and persons over 62 years of age.

The bill would make additional changes to Section 7149 of the Fish and Game Code proposed by AB 3416 to be operative only if both AB 3416 and this bill are chaptered and this bill is chaptered after AB 3416.

The bill would also appropriate from the General Fund for transfer by the State Controller on or before February 1, 1979, to the Fish and Game Preservation Fund, a sum equal to one-half of the total of such fees, as determined by the department for the 1978 calendar year.

Ch 1260 (SB 1126) Presley. Peace officers. training.

Existing law provides for the Commission on Peace Officer Standards and Training to approve courses and prescribe minimum standards for courses for peace officers The commission is authorized to permit required training for peace officers to be obtained at existing institutions approved by the commission.

The bill would authorize giving preference in enrollment at community colleges to employed law enforcement trainees.

The bill would also make technical, clarifying changes.

This bill would incorporate additional changes in Section 832.3 of the Penal Code proposed by Assembly Bill 2664 to be operative only if Assembly Bill 2664 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 1261 (SB 1378) Johnson. Emergency medical care delivery system.

Under existing law, the State Department of Health is authorized to contract with the Northern California Emergency Care Council to conduct a pilot project for an emergency medical care delivery system in the Counties of Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity. The pilot project is required to terminate on June 30, 1978.

This bill would authorize the State Department of Health or its successor, the State Department of Health Services, subject to the availability of funds appropriated therefor, to conduct a program of contracting with defined regional emergency medical care councils for planning, organizing, implementing, and maintaining regional emergency medical care delivery systems.

This bill would appropriate $170,000 to the State Department of Health or its successor, the State Department of Health Services, to provide state funding to match local funding for the operation of the Northern California Emergency Care Council, as specified. It would require the local match to be equal in dollar amount to the state subvention, with no more than $170,000 of the moneys appropriated to be expended during any single fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 1262 (SB 369) Deukmejian. Probation and sentencing.

(1) Under existing law, the granting of probation is prohibited in certain cases except in unusual circumstances where the interests of justice would be best served by granting probation. When probation is so granted, the court is required to specify the circumstances indicating that the interests of justice would be so served.

This bill would require the court to both specify such circumstances on the record and enter such circumstances on the minutes.

(2) Under existing law the probation officer is required to inquire into the defendant's offense, but is not required to interview a victim and include information relative thereto in a report.

This bill would make such a requirement in certain cases.

(3) This bill would also provide that no appropriation is made to local agencies for costs incurred by them pursuant to its provisions because of a specified reason.

(4) This bill also would incorporate other changes proposed by another bill, contingent upon the enactment of such other bill.

Ch. 1263 (SB 533) Joint Committee on Fairs Allocation and Classification. Horseracing: fairs: license fee reduction.

(1) Existing law makes no provision for a reduction of license fee when a county or district agricultural association fair has a capital expense loan used to prepare the facilities for horseracing.

This bill would authorize a county or district fair which is licensed to conduct racing meetings for the first time on or after January 1, 1979, to retain the license fee applicable to its meeting for payment of a capital expense loan, incurred for preparing its facilities for horseracing, if all such monies are used to pay off the loan.

Ch. 1264 (SB 2045) Stull. Horseracing: payments to horsemen.

Existing law requires any association conducting a thoroughbred racing meeting with a total handle of more than $20,000,000 to pay, from the portion deducted for purses, the horsemen's organization for administrative expenses and services rendered to horsemen an amount equal to 1% less 0.44% of actual losses. Existing law also authorizes any other association conducting a horseracing meeting to make such payments for such administrative expense and services rendered to horsemen as determined by agreement.

This bill would increase the amount that associations conducting a thoroughbred racing meeting with a total handle of more than $20,000,000 would pay to the horsemen's organization an additional 1% less 0.44% of actual losses for a pension plan for backstretch personnel. The bill would revise the provisions of existing law authorizing any other association conducting horseracing meetings to make such payments to horsemen's organizations to require a 1% payment for a pension plan for backstretch personnel.

The bill would make additional changes in Section 19613 of the Business and Profes-

sions Code, proposed by AB 1524, to be operative only if this bill and AB 1524 are both chaptered and effective January 1, 1979, and this bill is chaptered after AB 1524.

Ch. 1265 (AB 1524) Perino. Horseracing.

(1) Existing law requires that a specified amount of breakage retained by a fair association be deposited in an account and distributed pursuant to a program mutually agreed upon by the association and the organization representing horsemen.

This bill would require that for fair racing meetings conducted as specified, such amount retained by the association be distributed as additional purses. The bill would repeal existing provisions governing distribution under a program of mutual agreement.

(2) Existing law provides that 15.75 % of the average daily handle of specified racing meetings be distributed as license fees, commissions, and purses as specified.

This bill would make such provisions applicable to muleracing, would specify the distribution of the amount remaining after the deduction of the state license fee for muleracing meetings, and would also provide for a specified distribution of the amount remaining after the deduction of the state license fee, for fair meetings and meetings conducted for the 21st District Agricultural Association.

(3) Existing law requires any association conducting a thoroughbred racing meeting with a total handle of more than $20,000,000 to pay, from the portion deducted for purses, the horsemen's organization for administrative expenses and services rendered to horsemen an amount equal to 1% less 0.44% of actual losses. Existing law also authorizes any other association conducting a horseracing meeting to make such payments for such administrative expense and services rendered to horsemen as determined by agreement.

This bill would increase the amount that associations conducting a thoroughbred racing meeting with a total handle of more than $20,000,000 would pay to the horsemen's organization an additional 1%, less 0.44% of actual losses, for a pension plan for backstretch personnel. The bill would revise the provisions of existing law authorizing any other association conducting horseracing meetings to make such payments to horsemen's organizations to require a 1% payment for a pension plan for backstretch personnel.

The bill would also add provisions applicable to fair racing meetings or mixed breed racing meetings with respect to payments of a portion of purses to horsemen's organizations.

(4) Existing law requires, with respect to any racing association which handles $20,000,000 or less in the parimutuel pools operated by it during the course of a racing meeting, that the association deduct 15.75% of the parimutuel pool, distributed as follows: 5 5% as a license fee and 10.25% as commissions and purses.

This bill would provide that the state, or a district or county fair at which the average daily handle exceeds $650,000 and the total handle for the meeting does not exceed $30,000,000, deduct 15.75% of the parimutuel pool, distributed as follows: 5.5% as a license fee, 5.35% as purses, and 4.90% as commissions, and would provide that the amount to be distributed as purses for the current racing meeting be based on respective parimutuel pools during the previous corresponding meeting.

(5) Existing law provides that a state, county, or district fair may deduct up to 3% of the total amount handled in daily double, quinella, exacta, and other multiple wagering pools, to be distributed as additional commissions and purses.

This bill would authorize an association conducting a meeting for the 21st District Agricultural Association to deduct the 3% amount and provide that of the amount deducted, 52% shall be distributed as additional purses and 48% as additional commissions.

(6) Existing law requires for harness meetings with an average daily handle of $650,000 or less that the amount remaining after deduction of the state license fee be distributed equally between commissions and purses.

This bill would include thoroughbred meetings in such provisions.

(7) The bill would also make additional provisions for the distribution of breakage as between purses and commissions, as specified.

(8) Under existing law, breakage is used to fund the California Standardbred Sires Stakes Program and to increase purses for races in the program.

This bill would revise the amounts awarded to breeders and owners of horses under

the program and the percentages for division of purses under the program.

Ch. 1266 (AB 2158) W. Thomas. Community colleges: capital outlay.

Existing law prescribes a procedure pursuant to which community college capital outlay projects under the Community College Construction Act of 1967 are included in the state budget and the Budget Bill for consideration by the Legislature.

This bill would authorize for the 1978–79 fiscal year only, the Chancellor of the California Community Colleges, with the approval of the Department of Finance, to provide additional funding or relief to community college districts for certain state approved capital outlay projects and would appropriate $5,709,000† from the state General Fund to the Board of Governors of the California Community Colleges for such purposes.

This bill would also permit projects which involve state funding but which are not under contract to have until October 1, 1979, to obtain additional funding.

This bill would take effect immediately as an urgency statute.

Ch. 1267 (SB 2117) Behr. Prisoner education.

Existing law authorizes until December 31, 1978, the county superintendents of schools of Santa Barbara, Riverside, and Marin Counties 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 and requires the Superintendent of Public Instruction to make allowances for such purposes in the same amount as computed for the adult foundation program of a high school district.

This bill would make such authorization applicable to all counties and would repeal the provision which terminates the effect and operation of those provisions on January 1, 1979.

This bill would require the Superintendent of Public Instruction to make allowances according to a specified formula to the county superintendent of schools for maintaining schools or classes for prisoners.

Ch. 1268 (SB 1682) Holmdahl. Conservatorships.

Under existing law a temporary conservator appointed for persons with specified disabilities may not, under any circumstances, be permitted to sell or relinquish on the conservatee's behalf any lease or estate in real or personal property used as or within the conservatee's place of residence.

This bill would allow court authorization of such sale or relinquishment, after notice is given to the conservatee, upon a finding based on a preponderance of the evidence that the conservatee will be unable to return to the residence and exercise dominion over it, and that such action is necessary to avert irreparable harm to the conservatee. It would also specify a basis supportive of a finding of irreparable harm as to real property.

Ch. 1269 (SB 1692) Presley. Parent and child.

Existing law details a procedure for declaring a child free from parental custody and control. One of the grounds for such action is that the child has been cared for in 1 or more foster homes for 2 or more consecutive years, if the court finds beyond reasonable doubt that the return of the child to his parent would be detrimental to the child and the parents have failed and are likely to fail in the future to (1) provide a home for the child; (2) provide care and control for the child; and (3) maintain an adequate parental relationship with the child.

This bill would require the court to find by clear and convincing evidence each of the above.

It would also make a technical change.

This bill incorporates some, but not all, of the changes in Section 232 of the Civil Code, proposed by SB 1596, which changes are to be effective only if SB 1596 and this bill are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

† Appropriation reduced to $4,959,000 by action of the Governor

Ch. 1270 (AB 3707) Kapiloff. Geothermal resources: powerplants and appurtenant facilities: wells.

(1) The Warren-Alquist State Energy Resources Conservation and Development Act generally provides for site certification of thermal powerplants and related facilities, including geothermal powerplants and appurtenant facilities, of certain designated generating capacities, by the State Energy Resources Conservation and Development Commission.

This bill would provide that exploratory, development, and production wells used in connection with geothermal resources development are not appurtenant facilities for purposes of the act.

(2) The present law requires any person engaged in drilling, redrilling, deepening, maintaining, or abandoning of any low-temperature well to file an indemnity bond, or a cash bond, with the State Oil and Gas Supervisor in a prescribed amount depending on its depth.

This bill would revise the amount of such a bond for any such well depending on its depth.

(3) The bill would exempt any person from any provision of, or ruling under, the Nejedly-Z'berg-Dills Solid Waste Management and Resource Act of 1972 when disposing of solid or liquid waste from drilling for geothermal resources in sumps of 2 acre-feet or less if the disposal is controlled by regional water quality control board waste discharge requirements. The bill would also exempt drilling for geothermal resources from State Department of Health Services requirements on hazardous wastes.

(4) Under the existing law the Public Utilities Commission, generally, regulates the operations of electrical corporations.

This bill would allow the commission, upon a complaint by a geothermal energy producer, to prohibit any electrical corporation from curtailing the generation, production, or transmission of electricity from a geothermal powerplant operated by such corporation, if the commission deems that such curtailment is not in the public interest. It would also redefine "private energy producer" for the purposes of the provisions regulating operations of electrical corporations and would specify that such producer is not a public utility subject to the general jurisdiction of the commission for specified purposes.

Ch. 1271 (AB 2644) Goggin. Energy resources: development projects: geothermal powerplants, certification: energy producers.

(1) Existing law generally requires any public agency that has the principal responsibility for approving a development project to approve or disapprove the project within one year from the date on which an application requesting approval has been received and accepted as complete and any other public agency which has responsibility for approving the project to approve or disapprove the project within specified time limits.

This bill would define "geothermal field development project" for such purposes and provide that only one permit from the lead agency and one permit from each responsible agency shall be required with respect to an application for approval of such project for all drilling, construction, operation, and maintenance activities. The bill would permit such lead agency and each such responsible agency to approve permits for less than full field development and would require such permits to include a monitoring program capable of assuring the permittee's conformance with permit conditions and stipulations.

(2) Under the California Environmental Quality Act, all public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment.

This bill would define "geothermal exploratory project" for such purposes, and provide that such project shall be deemed to be separate and distinct from any subsequent geothermal field development project The bill would designate the Division of Oil and Gas of the Department of Conservation as the lead agency for such purposes, with specified exclusions, require the division to complete its responsibilities under such act, including public and agency review and approval or disapproval of the project, within 135 days of the receipt of the application for such project, and further provide that the

division may delegate its lead agency responsibility to a county which has adopted a geothermal element for its general plan

(3) The Warren-Alquist State Energy Resources Conservation and Development Act provides for, among other things, site certification of thermal powerplants and related facilities of certain designated generating capacities, by the State Energy Resources Conservation and Development Commission. Prior to the certification of any thermal powerplant and related facilities, including any geothermal powerplant, an applicant is required to file, with the commission, a notice of intent to file an application for certification and an application for certification of a powerplant and related facilities.

This bill would revise the procedure and time schedules in the processing and approval of notice of intent and application for certification of any geothermal powerplant and related facilities. It would authorize the commission to approve an equivalent certification program, as defined, which would delegate to a county, which has adopted a geothermal element, as defined, for its general plan, full authority for the certification of all geothermal powerplants within such county, and that would replace and supersede the procedures for certification of all geothermal powerplants, as specified, to be located within such county.

(4) Under the existing law the Public Utilities Commission, generally, regulates the operations of electrical corporations.

This bill would allow the commission, upon a complaint by a geothermal energy producer, to prohibit any electrical corporation from curtailing the generation, production, or transmission of electricity from a geothermal powerplant operated by such corporation, if the commission deems that such curtailment is not in the public interest. It would also redefine "private energy producer" and would specify that such producer is not a public utility subject to the general jurisdiction of the commission for specified purposes.

Ch. 1272 (AB 3720) Rosenthal. Prenatal testing: amniocentesis.

Existing law requires the State Department of Health or its successor, the State Department of Health Services, to designate and fund, until January 1, 1979, a pilot program for prenatal testing, by means of amniocentesis, for genetic disorders in specified pregnancies.

This bill would repeal the provisions relating to such pilot program and would require the State Department of Health Services to provide a statewide program for prenatal testing, by means of amniocentesis, for genetic disorders in specified diagnosis centers. The bill would require such centers to meet standards developed by the department and accept specified patients. The bill would require the department to provide each approved center with a subsidy grant based on the number of people referred, the number of prenatal diagnoses performed in the previous year, and the estimated size of unmet need in its service area.

Ch 1273 (AB 2871) Fazio. Taxation: disabled veterans

Existing law exempts a portion of the residence of a veteran from taxation if the veteran, because of injury incurred in military service, is blind in both eyes, has lost the use of two or more limbs, or is totally disabled and extends the exemption to unmarried surviving spouses of such veterans.

This bill would make that exemption also applicable to veterans who are disabled because of disease incurred in military service

The bill would also require the Controller to report the amount of claims of local agencies for state reimbursement of property tax revenues lost as a result of this enactment and would provide that no reimbursement shall be made to local agencies pursuant to Section 2231 of the Revenue and Taxation Code for a specified reason

This bill would incorporate additional changes in Section 205 5 of the Revenue and Taxation Code proposed by Assembly Bill No 955 and Senate Bill No 1656 to be effective only if Assembly Bill No. 955 or Senate Bill No 1656 and this bill are chaptered and become effective on or before January 1, 1979, and this bill is chaptered last.

Ch 1274 (AB 2600) Vicencia National Guard

Existing law provides for farm and home purchase benefits for veterans of the armed services of the United States administered by the Department of Veterans Affairs pursu-

ant to the Veterans' Farm and Home Purchase Act of 1974.

This bill would enact the California National Guard Members' Farm and Home Purchase Act of 1978 to provide through the Military Department, except that the department may, pursuant to an interagency agreement or other arrangement, assign any function to the Department of Veterans Affairs or the California Housing Finance Agency after 90 days notice to the Joint Legislative Budget Committee, similar farm and home purchase benefits for part-time members of the California National Guard who are enlisted members, warrant officers, or commissioned officers of the rank of captain or below and who meet specified requirements concerning duration of service.

This bill would also enact the California National Guard Members' Revenue Bond Act of 1978 to prescribe a procedure for issuance of debentures as do not exceed $75,000,000 for home loans, $15,000,000 for farm loans, and $10,000,000 for mobilehome loans by the department for purposes of the bill. It would create the California National Guard Members' Farm and Home Building Fund of 1978, a revolving fund into which proceeds from the sale of debentures shall be deposited and from which money may be withdrawn by the department for purposes of carrying out the provisions of the bill. It would create the National Guard Members' Revenue Bond Revenue Account, a special account into which all revenues from contracts of sale are to be deposited, and would authorize creation of various other special accounts for designated purposes relating to such debentures.

The bill would specifically provide that no debentures shall be a lien charge, or liability against the state, the department, or the California National Guard Finance Committee established by the bill, except to the extent of the pledge of revenues in the resolution of issuance.

It would authorize the finance committee to increase the interest rate on purchase contracts when necessary to meet the requirements of any resolution of issuance, and would authorize issuance of refunding bonds and bond anticipation notes.

Ch. 1275 (SB 1965) Zenovich. Veterans: loans: value limitations.

Existing law prohibits the Department of Veterans Affairs from granting a Cal-Vet loan for the purchase of a home where the market value of the improvements exceeds $53,000.

This bill would repeal the limiting provision.

Ch. 1276 (AB 955) Mangers. Property taxation: veterans' exemption.

Under existing property tax law, property which is owned by a disabled veteran, or an unmarried surviving spouse of a disabled veteran, as his or her principal place of residence, is exempt from taxation on that part of assessed valuation of the residence which does not exceed $10,000.

This bill would increase the allowable exemption to $15,000 for otherwise eligible persons whose incomes do not exceed specified amounts.

The bill would also require the Controller to report the amount of claims of local agencies for state reimbursement of property tax revenues lost as a result of this enactment.

This bill would incorporate additional changes in Section 205.5 of the Revenue and Taxation Code proposed by Assembly Bill 2871 and Senate Bill 1656, to be effective only if Assembly Bill 2871 or Senate Bill 1656 and this bill are chaptered, and this bill is chaptered last.

Ch. 1277 (SB 1626) Alquist. Veteran's home: fees.

Under existing law, the Veteran's Home of California provides lodging and care for aged and disabled persons who served in the armed forces of the United States during certain periods, as defined, and were honorably discharged. There is no current provision of law which specifically sets a fee to be charged residents of the home; however, a member of the home who receives an aid and attendance allowance from the Veteran's Administration and who has no dependents, as specified, is required to pay the home an amount equal to this allowance.

This bill would provide, until January 1, 1980, that the dollar amount of any fee or charge paid by the members, as of July 1, 1978, for lodging or care shall not be increased. The bill would also require the Joint Legislative Budget Committee to conduct a study

on the equity of the current fee schedule of the Veteran's Home. The study would include recommendations for state funding. The report would be required to be submitted to the Legislature by July 1, 1979.

Ch. 1278 (SB 1639) Robbins. Physicians and surgeons.

Existing law provides that the Board of Medical Quality Assurance may grant to an outstanding physician who is a graduate of a medical school located outside the United States and who has been offered by the dean of an approved California medical school a full-time faculty appointment a certificate of registration to engage in the practice of medicine only to the extent that such practice is incident to and a necessary part of his duties in the medical school.

This bill would instead provide that the board may grant the certificate to such a person who has been offered a full-time academic appointment rather than a full-time faculty appointment.

Ch. 1279 (SB 1695) Richardson. Local election: mailings.

Existing law requires, in connection with the conduct of county, city, and district elections, that the clerk mail certain election materials (e.g. ballot arguments and proposed ordinances) to each registered voter at the time of mailing sample ballots.

This bill would require that only one copy of such election material be mailed to a postal address by the clerk where two or more registered voters have the same surname and the same postal address. However, the provisions of this bill would only apply if the legislative body adopts its provisions, and, with respect to city and district elections, and all local bond elections the election official must approve of the procedure.

Ch. 1280 (SB 1948) Foran. Housing finance.

(1) Under present law, redevelopment agencies are authorized to make loans through qualified mortgage lenders to private parties to finance residential construction in redevelopment project areas.

This bill would also authorize such loans to be made for the rehabilitation, as defined, of existing residences.

(2) Currently, under the Marks-Foran Residential Rehabilitation Act of 1973, the maximum amount which may be loaned for rehabilitation for each dwelling unit or for each commercial unit which is or is part of a residence is limited to $35,000. Loans under such act may also be for refinancing, but not less than 20% of the loan proceeds must be for rehabilitation costs

This bill would clarify provisions of existing law to provide that such $35,000 limitation applies to amounts loaned for rehabilitation and does not itself constitute a limitation on the amount which may be additionally loaned for refinancing.

(3) The Marks-Foran Residential Rehabilitation Act of 1973 also generally prohibits loans made thereunder from exceeding 80% of the anticipated after-rehabilitation value of the property to be rehabilitated, or 95% of such anticipated value under specified conditions.

This bill would make such loan-to-value limitations inapplicable to loans insured or guaranteed in whole or in part by an instrumentality of the state or the United States or by a person licensed to insure loans in this state.

(4) The Zenovich-Moscone-Chacon Housing and Home Finance Act and the Marks-Foran Residential Rehabilitation Act of 1973 authorize participation in certain housing development and financing activities by housing authorities operating under the Housing Authorities Law.

This bill would revise the Housing Authorities Law to make conforming changes to expressly permit such activities by housing authorities, where for the benefit of persons other than persons of low income and to make other conforming changes.

Ch 1281 (SB 2241) Ayala. Property tax limits: valuation notifications.

Existing law requires county assessors to notify certain property tax assessees of increases in the assessed value of such property as shown on the property tax roll.

This bill would specify that such requirement shall not apply to annual increases in the valuation of property which reflect the inflation rate, not to exceed 2%, pursuant to the authority of the provisions of the California Constitution authorizing the annual

increase in the valuation of property for tax limitation purposes.

The bill would also make additional changes in Section 619, of the Revenue and Taxation Code, proposed by SB 1656, to be operative on the operative date of SB 1656, only if SB 1656 and this bill are both chaptered and this bill is chaptered after SB 1656.

This bill would take effect immediately as an urgency statute.

Ch. 1282 (SB 1980) Song. Vehicle Code infractions: trial by written declaration.

Under existing law, violations of the Vehicle Code and of any local ordinance adopted pursuant to the Vehicle Code that are declared to be infractions are crimes and are adjudicated in the courts.

This bill would permit a court to provide, by rule, that the defendant may elect to have a trial by written declaration upon any such alleged infraction Notwithstanding specified provisions of the Evidence Code regarding hearsay evidence, the rules governing such trials would be permitted to provide for testimony and other relevant evidence to be introduced in the form of a notice to appear or a notice of parking violation issued pursuant to specified provisions of the Vehicle Code, a business record or receipt, a sworn declaration of the arresting officer, or a written statement or letter signed by the defendant. The bill would also provide that if the defendant is dissatisfied with a decision of the court in a proceeding pursuant to such provisions, the person shall be granted a trial de novo

Ch. 1283 (AB 3785) Imbrecht. Use of community college property.

Current law authorizes the governing board of any community college district to grant the use of district buildings or grounds for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest, subject to terms and conditions which the board deems proper and to other specified restrictions. Existing law also authorizes governing boards to grant the use of district property to any church or religious organization, subject to specified conditions, and to day care programs, public agencies for the purpose of holding examinations, to public agencies for mass care during disasters, and to specified recreation groups

This bill would authorize the governing board of any community college district to require any such person, group, or organization to obtain a certificate of insurance from a liability insurance carrier for a minimum coverage of $300,000 and to submit such certificate to the district for approval prior to using any district property for the purposes of athletic activities.

Ch 1284 (AB 3322) Boatwright. State fiscal affairs.

Under existing law, various duties and responsibilities are imposed upon the Department of Finance and the State Controller with respect to the fiscal affairs of the state. Existing provisions of law also prescribe the contents of the Governor's budget and the budget which is submitted by the Governor at each Regular Session of the Legislature.

This bill would require the department to develop, issue, and implement, consistent and adequate guidelines, as specified, for program budgets (as defined) to be utilized by various state agencies The bill would also require that both the Governor's budget and the budget bill which accompanies it be prepared as a program budget in accordance with such guidelines and would prescribe additional requirements for such budgets. Such provisions would apply to the budgets of specified departments commencing with the 1982–83 fiscal year and to the budgets of all other state entities commencing with the 1983–84 fiscal year In addition, the bill would provide that on and after July 1, 1983, no moneys in a continuously appropriated fund may be encumbered unless the Legislature, by statute, specifies that such moneys in the fund are appropriated for encumbrance The department would be required to submit a report to the Legislature, not later than January 1, 1982, containing a recommendation as to which of such funding, if any, should continue to be continuously appropriated

The bill would also require the Office of Administrative Hearings, in cooperation with the Legislative Counsel, to codify all regulations required to be filed with the Secretary of State The Office of Administrative Hearings would also be required to codify the regulations in a manner which allows simple cross-referencing of regulations to codes and statutes so that ultimately, Legislative Counsel may begin checking regulations

against the codes or statutes.

The bill would create a California Fiscal Advisory Board consisting of 6 members (as specified) to monitor and advise the legislative and executive branches regarding the implementation of the provisions of the bill. The board would be required to make a preliminary report of its recommendations by March 1, 1981, and a final report by January 1, 1983. The provisions regarding the board would be repealed on June 30, 1984.

The bill would make additional, and further conforming, changes, and would make a statement regarding the intent of the Legislature in enacting the bill.

This bill would create the Federal Trust Fund in the State Treasury. All money received by the state from the United States would, upon an order of the State Controller, be required to be deposited in the fund under conditions as may be prescribed by the Department of Finance. The bill would provide for the transfer and disbursement of moneys in the Federal Trust Fund to state agencies and, on July 1, 1979, would authorize the Director of Finance and the State Controller to approve a general plan for the payment of expenditures chargeable to the fund from other funds and for expenditures, transfers, and reimbursement to and from such fund.

Ch. 1285 (AB 3588) Suitt. Real estate: licensing: deception.

Existing law does not expressly declare it to be a crime to practice deception or fraud with regard to the identity of a person in connection with an examination, application, or request for examination for a real estate license.

This bill would expressly make such act a misdemeanor.

This bill declares that no appropriation, or reimbursement of local entities is made by this bill, for a specified reason.

Ch. 1286 (AB 3515) Brown Taxation: deductions.

Existing provisions of Personal Income Tax Law and Bank and Corporation Tax Law, as added by Chapter 238 of the Statutes of 1974, prohibit certain deductions resulting from substandard housing, but such provisions shall have no force or effect with respect to taxable years or income years beginning on or after January 1, 1979.

This bill would revise the conditions under which such deductions would be prohibited, eliminate the limitation on the force and effect of such prohibitions against deductions resulting from substandard housing, thereby extending such prohibitions indefinitely.

Under existing law, tax revenues from the California personal income tax and the bank and corporation taxes, with certain exceptions, are transferred to the General Fund.

This bill would establish the Local Agency Code Enforcement and Rehabilitation Fund and would provide for the transfer from the General Fund to such fund an amount equal to tax revenues resulting from the prohibition of tax deductions due to substandard housing, as estimated by the Department of Finance and appropriated annually by the Legislature from the General Fund. The bill would continuously appropriate the amount in such fund for allocation and distribution to cities and counties for use for specified purposes.

This bill would require the Legislative Analyst to prepare, and provide to the Legislature, on or before July 1, 1980, and July 1 of each even-numbered year thereafter, a written report on the application of substandard housing tax deduction prohibitions, together with comments and recommendations.

This bill would take effect immediately as a tax levy

Ch. 1287 (AB 3294) Keysor Elections.

(1) Existing law requires the county clerk to publish the list of the names of appointed precinct board members and the polling places designated for each election precinct Such publication must be made once in the county where the election is to be held and in any newspaper of general circulation designated by the county clerk. A separate provision of law relating only to a city and county authorizes such publication to be made once.

This bill would delete the provision of law that relates only to a city and county.

(2) Existing law requires that all forms for nomination and election to congressional, state, and county offices be furnished by the county clerk.

This bill would specify that such forms must also be furnished to persons seeking

election to membership of a political party county central committee.

(3) Under existing law a candidate for elective city office must be proposed by not less than 20 nor more than 30 voters in a city of 1,000 persons or more, and not less than 5 nor more than 10 voters in a city of 1,000 persons or less.

This bill would base the population figures set forth above on the number of registered voters residing in the city rather than on the number of persons.

(4) Under existing statutory law a member of a county board of supervisors must have been an elector of the district which he represents for at least one year immediately preceding his election, and reside in the district during his incumbency. However, the California Supreme Court has ruled, in connection with a city charter provision, that any durational residence requirement for candidates for local office in excess of a 30-day prefiling period is violative of the equal protection clause of the Fourteenth Amendment.

This bill would revise the statutory law to reflect the decision of the California Supreme Court.

(5) Existing law provides that the names of candidates for the directors of a county water district shall be arranged in alphabetical order.

This bill would provide that the order of candidates' names on the ballot shall be governed by the Elections Code.

(6) Existing law contains a Uniform Supervision of Trustees for Charitable Purposes Act governing charitable corporations and trustees holding property for charitable purposes over which the state or the Attorney General has enforcement or supervisory powers.

This bill would specify that such act does not apply to committees which file statements under the Political Reform Act of 1974.

This bill would also make the effectiveness of certain provisions of this act dependent upon the chaptering or order of chaptering of other specified bills.

The bill would also revise certain election forms to reflect election laws, and it would delete obsolete language and correct cross-references.

Ch. 1288 (AB 3394) Bane. Elections: candidates' statements of qualification.

Under existing law, a candidate for local office is authorized to prepare a statement of the candidate's qualifications. Such statement is printed in the voter's pamphlet. The local agency charged with printing the ballot pamphlet is authorized to bill each candidate for the cost of publishing such statement.

This bill would provide that a local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statements and may require each candidate filing a statement to pay in advance to the local agency his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet. It would also provide that the board of supervisors shall be deemed the governing body of judicial elections.

In addition, this bill would allow the local agency conducting the election the discretion to determine whether or not a candidate should be billed for his or her candidate's statement and would condition the operation of this provision upon a specified ruling by the United States or California Supreme Court.

Ch. 1289 (AB 3577) Perino Port districts: contracts: river port districts: contracts.

Existing law requires that port district contracts for an amount greater than $3,000 and river port district contracts for an amount greater than $4,500, be let upon competitive bidding, and allows a board of port commissioners to delegate the execution of contracts for an amount less than $3,000 to its officers. Existing law also allows a board to issue negotiable promissory notes subject to specified conditions, including a 3-year maturity date, and that the total amount of notes outstanding shall not exceed the lesser of either $500,000 or 1% of the assessed valuation of taxable property in the district. In addition, the board of a river port district may only issue such notes subject to an interest rate of not to exceed 6% per annum.

This bill would raise the contract limit for competitive bidding contracts from $3,000 and $4,500 to $10,000 for new construction work or the purchasing of supplies, and to $5,000 for projects involving maintenance of buildings and improvements. The bill

would allow a board to issue promissory notes subject to specified conditions, including a 20-year maturity date, and that the total amount of notes outstanding shall not exceed 1% of the assessed valuation of taxable property in the district. In addition, the board of a river port district would be allowed to issue such notes subject to an interest rate of not to exceed 7% per annum.

Ch. 1290 (AB 3056) Berman. Health facility construction loan insurance.

Nothing in present law requires a recipient of loan guarantees under the California Health Facility Construction Loan Insurance Law to agree to make available its health facility services to all persons residing or employed in its service area.

This bill would enact such a requirement, as prescribed, and would specify the manner of implementation and enforcement of such assurances.

The bill would be applicable only to such loan insurance provided on or after the effective date of the bill.

Ch. 1291 (AB 3112) Lanterman. Mental health: judicial commitments.

Existing statutes provide for various confinements and treatments (including inpatient and outpatient treatment) in and out of various mental institutions for judicially committed persons

(a) This bill would require progress reports to be made to specified persons at 6-month intervals for:

(1) Any person found not guilty of a crime by reason of insanity and committed to a mental institution; and

(2) Any person found not guilty of a crime by reason of insanity, committed to a mental institution, and subsequently found not dangerous and placed on court-approved parole from such institution.

(b) This bill would require notification of, or copies to, the committing court, the prosecuting attorney or the attorney for the people, the attorney of record for the defendant or person, and the county mental health director or his designee, of:

(1) Periodic progress reports on any person found not guilty of a crime by reason of insanity and committed to a mental institution;

(2) Recommendations of return to inpatient status of a person found not guilty of a crime by reason of insanity, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status;

(3) Recommendations of return to inpatient status of a defendant found mentally incompetent to stand trial or be adjudged to punishment as a result of mental disorder or developmental disability or both, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status;

(4) Recommendations of return to inpatient status of a mentally disordered sex offender who had been committed to a mental institution and subsequently found not dangerous and placed on outpatient status.

(c) This bill would require progress reports of parole supervisors on persons found not guilty of a crime by reason of insanity, committed to a mental institution and subsequently found not dangerous and placed on court-approved parole, to be given to the court and the state hospital from which the person was paroled.

(d) This bill would eliminate the power of committing courts to take no action, which is deemed court approval of, and would require the court to approve or disapprove:

(1) The return to inpatient status of a person found not guilty of a crime by reason of insanity, found not dangerous and placed on outpatient status without being committed to a mental institution;

(2) The return to inpatient status of a defendant who was found mentally incompetent to stand trial or be adjudged to punishment as a result of mental disorder or developmental disability or both and was found not dangerous and was placed on outpatient status without being committed to a mental institution.

(e) This bill would require copies to be sent to the local mental health director of:

(1) Applications for the release of any person found not guilty of a crime by reason of insanity, found not dangerous, and placed on outpatient status without being committed to a mental institution, who has apparently regained his sanity;

(2) Periodic progress reports on committed mentally disordered sex offenders; and

(3) Certifications of mental health officials that a committed mentally disordered sex

offender has recovered and is not a danger or has not recovered and is still a danger.

(f) This bill would include patients placed on parole or outpatient care within existing provisions of the law providing that patients discharged or granted leaves of absences from a state hospital be provided with suitable clothing adaptable to the season in which he is discharged and money, not to exceed $50.

(g) This bill would impose the duty upon the courts to.

(1) Approve or disapprove recommendations of the return to inpatient status of a person found not guilty of a crime by reason of insanity, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status;

(2) Approve or disapprove recommendations of return to inpatient status of a mentally disordered sex offender committed to a mental institution, and subsequently found not dangerous and placed on outpatient status,

(3) Approve or disapprove of recommendations of return to inpatient status of a defendant found mentally incompetent to stand trial or be adjudged to punishment as a result of mental disorder or developmental disability or both, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status.

(h) This bill would eliminate provisions providing for review by writ of habeas corpus and for issuance of an order to show cause in:

(1) Proceedings returning to inpatient status, a person found not guilty of crime by reason of insanity, found not dangerous, and placed on outpatient status without being committed to a mental institution;

(2) Proceedings returning to inpatient status, a defendant found mentally incompetent to stand trial or be adjudged to punishment as a result of mental disorder or developmental disability or both, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status;

(3) Proceedings returning to inpatient status, a person found not guilty of a crime by reason of insanity, committed to a mental institution, and subsequently determined or found not dangerous and placed on outpatient status; and

(4) Proceedings returning to inpatient status, a mentally disordered sex offender committed to a mental institution and subsequently found not dangerous and placed on outpatient status.

(i) This bill would make other related, technical, and corrective changes.

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 this act, for a specified reason.

Ch 1292 (SB 1530) Nejedly. Study: monitoring of cancer.

Existing law does not require the State Department of Health Services to conduct an epidemiological study of the incidence of cancer.

This bill would require the department to conduct such a study. The study would encompass the five counties which comprise the San Francisco-Oakland Standard Metropolitan Statistical Area and one additional county.

The bill would require the State Director of Health Services to direct such study and to designate the additional county to be included in the study. It would authorize the director to enter into contracts for the conduct of the study, as specified. It would require the director to report to the Legislature regarding different aspects of such study, as specified It would express the intention of the Legislature that an appropriation be included in each annual Budget Act to provide for the costs of such study.

This bill would also authorize the director, upon request of any county, to require reporting to the department or its prescribed designee of all cancers, except as specified, which are diagnosed or treated in that county. Personal information so reported would be required to be held confidential insofar as the identity of individual patients is concerned

This bill would take effect immediately as an urgency statute

Ch. 1293 (AB 3572) Duffy. Experimental drugs.

(1) Existing law prescribes a procedure to be followed before any person may be prescribed or administered an experimental drug. It does not make any provisions for

a qualified human research subjects protection committee.

This bill would change the method and manner by which consent may be obtained to prescribe or administer an experimental drug to conform such method and manner with the provisions of law relating to human experimentation, as specified.

This bill would additionally require a committee for the protection of human subjects to review and approve the experimental activity as a whole, including experimental drug consent procedures, prior to the administering of such a drug Such a committee would be required to be acceptable, as determined by the State Department of Health Services Certain committees for the protection of human subjects created pursuant to federal law would be deemed acceptable pursuant to this bill.

(2) Existing law permits an experimental drug to be prescribed or administered to a minor when consent is provided by such person's parent or guardian.

This bill would prescribe that when a subject is a minor, such consent shall be provided by a parent or guardian of the subject and shall also be provided by the subject if the subject is seven years of age or older. It would limit such consent to such prescription or administration of an experimental drug related to maintaining or improving the health of the subject or to obtaining information about a pathological condition of the subject

Ch 1294 (AB 3111) Lanterman. Lanterman-Petris-Short Act

This bill would add to the Lanterman-Petris-Short Act a definition of the term "gravely disabled minor" and would expand the definition of "evaluation" to include the professional analysis of a person's educational conditions as may appear to constitute a problem

The Lanterman Petris-Short Act limits detention for treatment and evaluation to a period of 72 hours, excluding Saturdays, Sundays, and holidays, if such services are not available on those days.

This bill would require the State Department of Mental Health to issue 2-year renewable certifications to the effect that a 72-hour treatment and evaluation facility cannot reasonably provide such services on such days and would authorize exclusion from such period only if such certification exists.

The Lanterman-Petris-Short Act also authorizes certification for not to exceed 14 days for intensive treatment.

This bill would prohibit, where a person has been detained for 72-hour treatment and evaluation and thereafter for intensive treatment, the total period of detention, including both voluntary and involuntary periods, from exceeding the total maximum period such person could have been detained continuously on an involuntary basis, unless such person agrees to remain voluntarily after such limit has passed.

The Lanterman-Petris-Short Act provides for conservatorships of the person, the estate, or the person and estate, for any person who is gravely disabled as a result of mental disorder or impairment by chronic alcoholism and for related conservatorship investigations

This bill would require Lanterman-Petris-Short Act conservatorship investigations to be conducted pursuant to the Lanterman-Petris-Short Act and not to be subject to Probate Code provisions relating to court investigator investigations upon initial petitions for the appointment of a conservator and upon periodic court review of a conservatorship

This bill would provide that the purpose of conservatorships is to provide individualized treatment, supervision, and placement.

The Lanterman-Petris-Short Act: requires conservator investigations to recommend the most suitable person or entity to serve as conservator; requires Lanterman-Petris-Short Act conservatorships to automatically terminate 1 year after the court appointment of the conservator; requires that a prior prescribed notice of such termination be sent to the conservator, the conservatee, and the person in charge of the facility; authorizes a conservator, under specified conditions, to petition for reappointment for a succeeding 1-year period, authorizes a facility in which a conservatee is placed, to detain such conservatee after such termination date only if petitioned-for conservatorship renewal proceedings have not been completed and the court orders such detention.

This bill would revise such provisions to: require giving of such termination notice to the mental health director and the county officer providing conservatorship investiga-

tion, if the conservator is a private party; authorize, when the private conservator does not petition for reappointment, the county officer providing conservatorship investigation to recommend another conservator and require such a petition to be treated as a petition for reappointment, and make related changes in the provisions relating to the termination notice form and to continued detention after a termination date pending completion of conservatorship proceedings and upon court order.

This bill would require an individualized treatment plan, as specified, within 10 days after establishment of a conservatorship, with specified goals and review, and require referral to the court by specified persons if either such plan is not so developed or a conservator fails to report to the court that the conservatee is no longer gravely disabled.

This bill would delete the prohibition, in contested cases, against the court reading or considering the conservatorship investigation report over the proposed conservatee's objection, until the issue of grave disability has been adjudicated.

This bill would also require the Directors of the State Department of Mental Health and of the Judicial Council to submit, by July 1, 1979, to the appropriate legislative policy committees a report concerning development of jury instructions for conservatorship proceedings.

Ch. 1295 (AB 3372) Tucker. Medicine: unprofessional conduct: drugs.

Existing law provides that it is unprofessional conduct under the Medical Practice Act to prescribe, dispense, or furnish dangerous drugs, as defined, without a good faith prior examination and medical indication therefor.

This bill would provide that no physician and surgeon could be found to have committed such unprofessional conduct if the drugs were provided by such physician and surgeon in specific circumstances.

Ch. 1296 (SB 2111) Beverly. Health: unsolicited referrals.

Existing law grants immunity from liability for medical professionals and other health personnel for negligent acts or omissions in limited situations.

This bill would grant immunity from liability for any health care provider, as defined, for professional negligence, as defined, on account of the receipt by such provider of an unsolicited referral, as defined, arising from a test performed by a multiphasic screening unit, as defined, for any act or omission, including the failure to examine, treat, or refer for examination or treatment any person who is the subject of an unsolicited referral, unless there exists a provider-patient relationship, or a contract for health care services, or following receipt of such unsolicited referral there is established or reestablished a provider-patient relationship. The bill would also require every multiphasic screening unit to notify each person it tests that the person should contact the health provider.

Ch. 1297 (SB 1394) Beverly. Professional referrals.

Existing law affords immunity from liability for damages to members of duly appointed committees of certain professional societies with respect to acts within the scope of the functions of such committee which is formed to maintain the professional standards of the society. However, there is no such immunity from liability for referrals made by a professional society.

This bill would provide that there is no liability for damages against a professional society or its members, or any nonprofit corporation authorized by such society to operate a referral service, or their agents on account of a referral made at no charge by the society as part of a public service referral system, as specified. However, such a society would be liable for such a referral if it fails to disclose disciplinary action of which it has actual knowledge taken against the professional it refers, except as to a disciplinary proceeding in which no disciplinary action is taken against such professional or where 3 years has elapsed since the professional has satisfied any terms, conditions, or sanctions imposed as disciplinary action.

Ch 1298 (SB 2207) Behr. Unemployment compensation: prison inmates

Existing law, operative July 1, 1978, provides that specified services performed by former inmates of state prisons or institutions under the jurisdiction of the Department of Corrections shall be covered employment for purposes of receiving unemployment compensation benefits and unemployment compensation disability benefits.

Existing law excludes from such provisions, any inmate or individual who has a valid claim for such benefits pursuant to other provisions of the law relating to unemployment compensation benefits or unemployment compensation disability benefits.

This bill would repeal such exclusion.

This bill would remain in effect only until November 1, 1983, and as of such date would be repealed unless a later enacted statute deletes or extends such date. Any new claim for benefits filed with an effective date prior to November 1, 1983, would continue to receive benefits provided by this bill, but no claim may use wages of inmates which are earned after July 1, 1982.

This bill would take effect immediately as an urgency statute and would become operative July 1, 1978.

Ch. 1299 (SB 2166) Roberti. Music: misappropriation.

Existing law provides for injunctive relief and for a civil action for damages for an act constituting unfair competition, and makes it a crime, commonly referred to as music piracy, to knowingly and willfully transfer recorded sounds for unlawful use or to transport or sell such sounds.

This bill would make it a misdemeanor to cause to be sold or transported the sounds of a live performance with knowledge that they have been recorded without the consent of the owner; would create a presumption on behalf of a performer or performers to own the right to record or fix the sounds of a live performance in the absence of a written agreement or operation of law to the contrary; and would exempt certain noncommercial uses of such recordings or fixation of sounds of live performances by persons engaged in radio and television broadcasting.

This bill would neither enlarge nor diminish the rights and remedies of parties to a recording or fixation of sounds which they might otherwise possess by law.

The bill would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to its provisions because of a specified reason.

Ch. 1300 (SB 1370) Song. Family physician training program.

Under existing law, the State Director of Health Services is authorized to contract with accredited medical schools, programs which train primary care physician's assistants, programs which train primary care nurse practitioners, hospitals, and other health care delivery systems for the purpose of training undergraduate medical students and residents in the specialty of family practice and training primary health care teams.

This bill would appropriate $2,932,500 to the Office of Statewide Health Planning and Development for expenditure during the 1979–80, 1980–81, 1981–82, and 1982–83 fiscal years for carrying out such existing law, with $2,832,500 for contract purposes and $100,000 for administrative expenses.

Ch. 1301 (SB 1664) Robbins. Building permits.

Existing law provides for regulation of the location, height, bulk, number of stories, and size of buildings and structures and the construction of such structures. Existing law requires, when building permits are required by cities and counties, that specified workers' compensation self-insurance or insurance certificates be filed. Existing law also requires building contractors be licensed. Existing law also requires notice of the identity of construction lenders for purposes of the mechanics' lien laws.

This bill would require, in cities and counties, whether chartered or general law, that when building permits are required, that such building permits include specified declarations in specified form printed on the permit form and properly executed as a condition of the issuance of any building permit.

Such declarations would include identity of the parcel, owner, contractor, architect or engineer, workers' compensation insurer or exemption, and construction lender identity, as specified. The bill would declare the legislative findings of necessity for application uniformly statewide.

The provisions of the bill would become operative July 1, 1980.

The bill would provide that there would be no appropriation to local agencies for reimbursement of costs incurred by them under the bill because of a specified reason.

Ch. 1302 (SB 1769) Wilson. Physicians and surgeons.

Existing law requires an applicant for licensure as a physician and surgeon to have adequate instruction in, among other things, human sexuality. Existing law does not require instruction in human sexuality as a condition of renewal of such certificate; however, it does require the Board of Medical Quality Assurance to consider including such a course in any continuing education requirements for such certificate holders.

This bill would exempt from such human sexuality instruction requirement any applicant whose application is based upon graduation from a school located outside of California. The bill would require any person who does not have such instruction to show proof of such instruction within 6 months of licensure.

The bill would be operative only under certain conditions.

Ch. 1303 (AB 2555) Cline. Workers' compensation.

The existing law provides that liability for workers' compensation exists against an employer for work-related injury or death of an employee where specified conditions of compensation concur.

This bill would, in addition, include as a condition of compensation that the injury did not arise out of voluntary participation in any off-duty recreational, social, or athletic activity not constituting part of the employee's work-related duties, except where such activities are a reasonable expectancy of, or expressly or impliedly required by, the employment. The Administrative Director of the Division of Industrial Accidents would be required to promulgate regulations requiring employers to post notices advising employees of such provisions.

Existing law includes various classes of persons under the workers' compensation law, including persons employed by the owner or occupant of a residential dwelling whose duties are incidental to the ownership, maintenance, or use of the dwelling, including the care and supervision of children, or whose duties are personal and not in the course of the trade, business, profession, or occupation of the owner or occupant, as defined. Persons so employed by such employers who do not work at least 52 hours, or receive at least $100, from the owner or occupant of the dwelling in the 90-calendar-day period immediately preceding the date on which the injury occurred, are excluded

This bill would, instead, provide that persons employed by the employer to be held liable who do not meet such minimum hour or wage requirements are excluded

This bill would incorporate additional changes in Section 3352 of the Labor Code proposed by Senate Bill No. 1468 and Assembly Bill No. 3115, to be effective only if such bill and this bill are both chaptered and become effective on January 1, 1979, and this bill is chaptered last.

Ch 1304 (AB 2547) Mangers. Licensed professionals.

Under existing law, the provisions of the Psychiatric Technicians Law are not applicable to certain licensed professionals.

This bill would include licensed occupational therapists among those professionals to whom that law is not applicable and would authorize the Board of Vocational Nurse and Psychiatric Technician Examiners to exempt additional categories of persons from that law based upon specified criteria.

Ch. 1305 (AB 2181) Knox. Corporations.

Existing law provides for the organization of nonprofit corporations, and except as to matters specifically provided for under such law, the General Corporation Law applies to such corporations

AB 2180 would repeal existing law and would enact a new, comprehensive, nonprofit public benefit, mutual benefit, and religious corporation law which would govern such corporations to the exclusion of the General Corporation Law except in those instances that the General Corporation Law is specifically made applicable

This bill would make conforming changes in various code provisions relating to nonprofit corporations

In addition this bill would do the following

(1) It would repeal provisions relating to the reincorporation of cemetery associations.

(2) It would set forth the fees to be paid by nonprofit corporations for filing various documents with the Secretary of State's office

This bill would also incorporate additional changes in Section 12100 of the Financial

Code and in Section 25936 of the Revenue and Taxation Code, to be effective only if this bill and AB 2283 or SB 1703 or both are chaptered and this bill is chaptered last.

This bill would become operative on January 1, 1980, and only in the event that AB 2180 is chaptered and becomes operative January 1, 1980.

Ch. 1306 (AB 2109) Cullen. Vehicles: prohibited amplification devices.

There is no existing state law specifically covering the operation on vehicles of radio systems intended to make sound audible outside of the vehicle.

This bill would prohibit use of such systems when a vehicle is being operated upon a highway, unless the system is being used to request assistance or warn of a hazardous situation. Authorized emergency vehicles, vehicles operated by specified utilities, and the radio systems of vehicles used for advertising or in parades, political or special events would be exempt from such prohibitions. Local authorities would, however, be authorized to prohibit such devices on vehicles used for advertising or in parades, political or special events.

The bill would provide no reimbursement nor make an appropriation for any costs incurred by local agencies pursuant to the act for a specified reason.

Ch. 1307 (AB 3093) Egeland. Harassment.

Under existing law, a court may enjoin certain acts of harassment.

This bill would provide for an expedited procedure to obtain such an injunction.

The Judicial Council would be required to promulgate forms and instructions, and rules for the service of process and related matters.

The plaintiff could obtain a temporary restraining order.

Upon filing of the petition, a hearing for an injunction would be held within 15 days. If granted, the injunction would be in force for up to 3 years, unless renewed. The prevailing party could receive attorney's fees.

The bill would define harassment as knowing and willful conduct which would cause substantial emotional distress by seriously alarming, annoying, or harassing a person, as specified.

A violation of the injunction would be a misdemeanor.

The bill would provide for the transmittal of specified information to law enforcement agencies.

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.

Ch. 1308 (SB 1479) Deukmejian. Rape: punishment: probation.

Under existing law, rape by force or violence and rape where the victim's resistance is prevented by threats of great and immediate bodily harm accompanied by the apparent power of execution or by the administration of any intoxicating narcotic, anesthetic, or substance are punishable, generally, by 3, 4 or 5 years in state prison, plus 1 year of parole. Rape committed by force or violence where the defendant was acting in concert with another person is punishable by 5, 6 or 7 years in prison, plus 1 year of parole, without any prohibition against granting of probation except in cases involving firearms, deadly weapons, prior convictions, or elderly or handicapped victims.

This bill would prohibit granting of probation to any person upon a conviction of rape in such circumstances.

Ch. 1309 (AB 2807) M. Waters. State employees: rape prevention.

Existing law does not provide for rape prevention programs for state employees.

This bill would require the state to provide a rape prevention program for state employees. This educational and training program shall be administered by the Personnel Development Center of the State Personnel Board or by individual state agencies if they so desire

This bill would provide that in addition to the program established by this act, the Department of Motor Vehicles may continue to administer its own rape prevention program.

In addition, this bill would require the Legislative Analyst, in cooperation with the Department of General Services, to report on such program to the Legislature by January 1, 1981.

The provisions of this bill would be repealed on January 1, 1981, unless a later enacted statute, which is chaptered before January 1, 1981, deletes or extends such date.

Ch. 1310 (SB 1717) Robbins. Witness: sexual assault cases.

Under existing statutory law, a prosecuting witness may, in the discretion of the court, be entitled to the attendance at a preliminary hearing of one person of his or her own choosing otherwise not a witness. The person so chosen shall not discuss prior to or during the hearing the testimony of the prosecuting witness with any other witness except the prosecuting witness. Under existing constitutional and case law both the defendant and the public have the right to public attendance at a trial except under limited circumstances.

This bill would provide for such attendance of a person of the witness' choice otherwise not a witness or a newsman unless related, as specified, to the prosecuting witness in specified cases at a preliminary hearing or trial during the testimony of the prosecuting witness without regard to the discretion of the court except that a person may be excluded for good cause, and shall be excluded for influencing or affecting or attempting to influence or affect the testimony, in which case another person may be chosen to attend. At the request of the defendant or defendant's counsel such person shall be ordered by the court not to communicate any or all of the testimony of the prosecuting witness to any person during and after the preliminary hearing and to the conclusion of the trial rather than being prohibited from discussing the testimony prior to or during the hearing with any witness other than the prosecuting witness.

Ch. 1311 (SB 1716) Robbins. Study of convicted sexual offenders: psychiatric counseling.

Under existing law, there is no provision requiring the State Department of Mental Health to conduct a study to determine the number of convicted sexual offenders in state prisons who are receiving psychiatric counseling and to evaluate the adequacy and value of such counseling.

This bill would require the department to conduct such a study. It would require such department to transmit a copy of the study to the Legislature no later than July 1, 1980.

This bill would specify that the study shall be made by utilizing existing resources of the department.

Ch. 1312 (SB 1714) Robbins. Rape victim counseling centers.

Existing law has no provision for the establishment of a grant program to provide support to existing local rape victim counseling centers or to encourage the establishment of such centers.

This bill would require the State Department of Social Services to provide grants to proposed and existing local rape victim counseling centers that meet certain criteria, as specified. It would require that such grants not exceed one-half of the cost of operating such centers during the first two years and one-third of such cost thereafter. It would require such centers to demonstrate an ability to receive and make use of prescribed funds and it would require any center receiving grant funds pursuant to its provisions to attempt to qualify for federal funding, as specified. It would require that such grant funds when provided to establish centers be utilized to expand the program and not to reduce fiscal support from specified sources. It would give priority to centers which are operated in close proximity to medical treatment facilities It would require the department to report to the Legislature, on or before January 1, 1980, with respect to the names of the organizations receiving such funds and the purposes for which the funds have been utilized. It would also require each center receiving grant funds to make fiscal reports, as specified.

It would appropriate $100,000 to the State Department of Social Services for expenditure during the 1978–79 fiscal year. It would limit expenditures for the administration of the grant program, as specified It would require such funds to be administered through the Violent Crime Victim Assistance Commission, if such entity is created.

Ch. 1313 (SB 1640) Deukmejian Crimes. rape.

Under existing law rape is an act of sexual intercourse. Other unlawful bodily penetration would be a battery.

This bill would additionally provide that every person who causes specified anal or genital penetration by any foreign object, as defined, by use of force, violence, duress, menace, or threat of great bodily harm and against the will of the victim, for the purpose of sexual arousal, gratification, or abuse shall be punished by imprisonment in the state prison for 3, 4, or 5 years.

Ch. 1314 (AB 2911) Nestande. Veterinary medicine.

Existing law authorizes the Board of Examiners in Veterinary Medicine to inspect, at any time, the premises in which veterinary medicine is being practiced.

This bill would require the board to establish a regular inspection program which will provide for random, unannounced inspections and would define the term "premises" to, among other things, include a building, kennel, mobile unit, or vehicle.

Existing law requires the premises of a veterinarian's establishment to be kept clean and sanitary at all times.

This bill would add that all instruments, apparatus and apparel should be kept clean and sanitary and conform to standards established by the board. The bill would authorize the board to withhold, suspend, or revoke the registration of veterinary premises or to assess a daily monetary fine for violation of specified cleanliness requirements.

Existing law requires all premises where veterinary medicine is being practiced to be registered with the board and requires the name of the responsible managing licensee to be included in the application for such registration. The law provides for the substitution of such responsible managing licensee.

This bill would provide for the denial, suspension or revocation of such registration when the licensee manager ceases to be such and no substitution has been applied for or when the licensee manager has had the license to practice veterinary medicine revoked or suspended.

Existing law does not require veterinarians to keep written records.

This bill would require veterinarians to keep written records of all animals receiving veterinary service, as specified, for a duration to be determined by the board.

Existing law specified certain fee amounts which are collected and credited to the Board of Examiners in Veterinary Medicine Contingent Fund which fund is continuously appropriated to the board for expenditure

The revenues provided in this bill would result in an increase in such fund which is available for expenditure.

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill.

This bill would make additional changes in Section 4905 of the Business and Professions Code, to be operative only if SB 1795 is chaptered, and this bill is chaptered after SB 1795.

Ch. 1315 (AB 3122) Lanterman. Civil law: guardianships: conservatorships.

Existing law specifying the powers of a guardian or conservator of the person of a ward or conservatee permits the guardian or conservator to fix the residence of the ward or conservatee.

This bill would authorize the guardian or conservator to fix the ward's or conservatee's domicile as well and would require the guardian or conservator to notify the court of any changes in such domicile.

Existing law prohibits any person for whom a guardian or conservator of the person has been appointed from being placed in a mental health treatment facility against his will.

This bill would limit such prohibition to adult wards of a guardian and would require the Director of Mental Health, before a specified date, to adopt and issue regulations defining the term "mental health treatment facilities."

Existing law requires a periodic review of all guardianships in a specified manner.

This bill would limit such review to guardianships of adult wards.

Existing law provides for a demand for court or jury trial in any proceeding (1) for the appointment of a guardian of an alleged incompetent person or for the restoration of his capacity and (2) for the creation or termination of a conservatorship

This bill would provide specific time limits for such demand and trial.

Ch. 1316 (SB 1051) Gregorio. Commission for Teacher Preparation and Licensing.

(1) Existing law establishes a 15-member Commission for Teacher Preparation and Licensing. The membership of the commission must be made up, in specified numbers each, of persons who hold various credentials on an elementary and secondary school level, college and university faculty members, school board members, and private citizens.

This bill would increase the number of public members from 3 to 6 and decrease the number of teacher and faculty members. It would make the position on the commission previously available only to someone in pupil personnel services available to anyone holding any permit or credential issued by the commission other than a teaching or administrative credential

(2) Existing law requires the Commission for Teacher Preparation and Licensing to appoint a Committee of Credentials, the membership of which must be made up of a specified number of teachers, administrators, governing board members, and public representatives.

This bill would increase the number of public members and decrease the number of members from the teacher category.

(3) Existing law provides for certain nonvoting ex officio members for the commission.

This bill would specify that such ex officio members shall have no vote in any proceedings of the commission nor in any of its committees or subcommittees.

Ch. 1317 (AB 2129) Young. City election. ballots.

Existing law requires the names of candidates to elective city offices to be listed on the ballot in the order determined by the Secretary of State's randomized alphabet drawing. There is no provision under existing law authorizing the rotation of such names.

This bill would authorize a city council, in conjunction with the conduct of a city election, to provide for the rotation on the ballot of the names of candidates for any elective city office in accordance with prescribed procedures and methods.

Ch. 1318 (AB 3671) Roos. Housing finance.

(1) Under current law, the California Housing Finance Agency is authorized to issue nonguaranteed revenue bonds not to exceed $300,000,000, exclusive of indebtedness incurred to refund or renew previously issued bonds. The agency may also issue guaranteed taxable bonds, or additional nonguaranteed bonds, up to an additional $150,000,000.

This bill would revise such limitations to instead limit the amount of all bonds of the agency which may be outstanding at one time to $750,000,000, exclusive of indebtedness incurred to refund or renew previously issued bonds of the agency. The bill would specify goals and requirements respecting allocation of the proceeds of the first $300,000,000 of bonds issued pursuant to such additional bonding authority, and would require the agency to report respecting achievement of, and compliance with such goals, as prescribed.

(2) Under current law, the executive secretary of the Housing Bond Credit Committee also serves as the executive vice president of the California Housing Finance Agency.

This bill would delete the existing provisions of law which provide that the executive secretary of the Housing Bond Credit Committee also serves as executive vice president of the agency. This bill would create within the agency a senior vice president for finance, appointed by the Governor to serve at the pleasure of the president of the agency, who would have responsibility for the financial operations of the agency.

(3) Under current law, there is in the agency a Housing Bond Credit Committee.

This bill would repeal existing law with respect to such committee and would reconstitute the committee by adding the Governor to it, and by deleting from its membership the executive secretary of the committee. This bill would require the appointment of a financial advisor to assist the committee.

(4) The Zenovich-Moscone-Chacon Housing and House Finance Act presently requires, unless waived as prescribed, that the terms of mortgage loans for owner-occupied housing developments be recast to reflect market rate interest whenever the borrower or a subsequent purchaser exceeds specified income criteria.

This bill would revise such requirement to make it applicable only to subsequent purchasers and would require the California Housing Finance Agency to implement

appropriate measures to assure 100% compliance with such requirement for all mortgage loans made after June 30, 1979, provided such measures are permissible under applicable federal law. The bill would preclude waivers of such requirement on and after July 1, 1979, except where required as a condition of federally assisted or insured mortgage loans

(5) Present law provides that, with specified exceptions, the California Housing Finance Agency is not required to allocate more than 25% of the housing units in any housing development financed by it to very low income households

This bill would delete such provisions.

(6) This bill would appropriate $10,000,000 for transfer to the Supplementary Bond Security Account in the California Housing Finance Fund, and would specify that such moneys constitute an advance from the General Fund, to be repaid upon dissolution of the Supplementary Bond Security Account from funds remaining in the account.

The bill would require allocation of interest earned by the moneys appropriated by the bill during the 1979 calendar year to be utilized as surplus moneys of the agency to provide, in connection with existing housing developments, special interest reduction programs, financial assistance for housing developments or subsidies for occupants or owners thereof, and counseling programs, as authorized by the Zenovich-Moscone-Chacon Housing and Home Finance Act

Ch. 1319 (AB 3119) Lanterman. Mentally retarded-developmentally disabled: judicial commitment

Existing statutes prescribe procedures for the judicial commitment to the State Department of Developmental Services of any mentally retarded person, as defined, who is a danger to himself or others

This bill would: repeal, from the statutes providing for the judicial commitment of mentally retarded persons because of being a danger to themselves or others, the definition of "mentally retarded persons"; repeal the provision deeming all persons committed or admitted to, or placed by the department in, a state hospital as feebleminded, to have been committed or admitted as mentally retarded persons; require that in judicial commitment proceedings allegations that a person is mentally retarded and a danger to himself or others be presented by the district attorney or county counsel, as specified; change the description of the county in which commitment petitions must be filed, from county of residence to county where person is physically present; and make related changes.

This bill would require the court to appoint the director of a regional center to examine the alleged mentally retarded person; also expand the powers of committing courts from committing persons found to be mentally retarded to the department for hospitalization, to committing to the department for suitable treatment and habilitation services, as defined, including placement in any state hospital, any licensed community care facility or any health facility; require the court to hold a related hearing to order commitment to the most appropriate placement; repeal the power of the department to refuse receipt of a committed mentally retarded person if the state hospitals are already full or if the available supporting funds are exhausted, or if in the opinion of the department the person is not a suitable subject for admission to a state hospital; require any change in placement to be approved by the court

Ch. 1320 (AB 3106) Lanterman. Mentally ill persons: prohibited discrimination.

Existing statutes confer upon various categories of mental patients in various categories of mental institutions and upon mentally retarded persons committed to state hospitals various enumerated rights.

This bill would: (1) provide that mentally ill persons have the same legal rights and responsibilities guaranteed all other persons by the Federal Constitution and laws and the California Constitution and laws, unless specifically limited by federal or state law or regulation, (2) prohibit specified discrimination and denial of benefits under any program or activity receiving public funds on the basis that a person was involuntarily detained under the LPSA or was voluntarily admitted to any health facility providing psychiatric evaluation or treatment; and (3) express the intent of the Legislature that mentally ill persons should have various enumerated rights.

Ch. 1321 (AB 1960) Berman. Labor: discrimination based on pregnancy.

Existing law makes it an unlawful employment practice, unless based on a bona fide occupational qualification, for governing boards of school districts (1) to discriminate in employment against females because of their pregnancy, and (2) to terminate any employee who is temporarily disabled if the termination is pursuant to or on the basis of 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 expand the scope of the prohibition to cover all employers, rather than just governing boards of school districts. The prohibition would prohibit discrimination in promotion on the basis of a female employee's pregnancy, childbirth, or other related condition.

It would provide that the following constitute an unlawful employment practice: (1) refusal by an employer to allow female employees to take pregnancy leave for a reasonable period of time not to exceed 4 months; (2) refusal by an employer to allow a female employee to receive the same benefits or privileges of employment granted by that employer to other persons not so affected who are similar in their ability or inability to work, including up to six weeks disability or sick leave or any other accrued leave made available by the employer to temporarily disabled employees; and (3) refusal by an employer to transfer a pregnant female employee to a less strenuous or hazardous position for the duration of her pregnancy if the employer has a policy, practice, or collective-bargaining agreement authorizing or requiring the transfer of temporarily disabled employees, or, if she so requests, with the advice of her physician, where the transfer can be reasonably accommodated.

In addition, it would provide that this bill shall not be construed to affect any other provision of law relating to sex discrimination or pregnancy.

[Existing law provides for up to 6 weeks of unemployment compensation disability benefits for a normal pregnancy and for certain benefits for abnormal pregnancies and pregnancy related disabilities.

This bill would require the Director of Employment Development to reimburse employers with private disability plans or paid sick leave plans, or both, for payments made by employers of pregnancy benefits to the extent that such benefits would have been payable under provisions of existing law and the provisions added by this bill.]*

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to these provisions for a specified reason.

Ch. 1322 (AB 3548) M. Waters. Health insurance: mastectomy.

Existing law does not require health care service plans, disability insurance policies, self-insured employee welfare benefit plans, or nonprofit hospital service plans which provide for the surgical procedure known as a mastectomy to provide coverage for prosthetic devices or reconstructive surgery incident to mastectomy.

This bill would require such coverage in any contract issued, amended, delivered, or renewed on or after July 1, 1980, which provides for such surgical procedure if such surgical procedure is performed after July 1, 1980. It would also make such coverage subject to the deductible and coinsurance conditions applicable to mastectomy and all other terms and conditions applicable to other benefits.

Ch. 1323 (AB 3621) M. Waters. Community property: debt allocation.

Existing law requires, in the event of a dissolution of marriage or a legal separation, that the community and quasi-community property be divided equally, except that a court may deviate from such requirement under specified circumstances.

This bill would, in addition, require a court, in making such division, to assign debts for educational loans to the spouse receiving the education in the absence of extraordinary circumstances rendering such an assignment unjust.

This bill also would incorporate changes made by AB 3362, contingent upon the enactment of such bill.

This bill also would revise one condition for dissolution by summary dissolution procedure by increasing the amount of assets the parties may have and still qualify for such summary dissolution, contingent upon the chaptering of AB 539, which bill would provide for such summary dissolution procedure.

Ch. 1324 (AB 1586) Hart. Medi-Cal: terminally ill patients.

Under existing law the State Department of Health Services is not authorized to establish and conduct a pilot project providing for a hospice facility (a special convalescent facility) which provides care for terminally ill patients.

This bill would define, for its purposes, hospice as a program which provides palliative and supportive care for terminally ill patients and their families, either directly or on a consulting basis, with the patient's physician or a community agency, such as a visiting nurses association Under such definition: the whole family would be considered the unit of care, care would extend through the mourning period, and a full scope of health services would be provided by an organized interdisciplinary team available whenever necessary.

The bill would require the State Department of Health Services, subject to certain conditions, to establish at least two hospice pilot projects featuring Medi-Cal reimbursement. The department would be required to report to the Legislature by January 1, 1980, on the progress of implementation, and by April 1, 1980, on its conclusions and recommendations, including specified items.

Finally, $160,000 would be appropriated to the State Department of Health Services for purposes of the bill.

Ch. 1325 (AB 2092) Rosenthal. Grants for clinics.

Existing law does not provide for direct state financial support of community clinics and free clinics.

This bill would establish a prescribed program of grants to community clinics, free clinics, and prescribed nonprofit corporations comprised of such clinics. The program would be administered by the State Department of Health and its successor, the State Department of Health Services. Responsibility for administration of rural clinic applications would be vested in the department's rural health unit, and responsibility for administration of urban clinic applications would similarly be vested in an urban health services unit within the department. This bill would provide that administrative costs of the grant program shall not exceed 3% of the aggregate amount of grants actually provided in any fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 1326 (AB 2730) Brown. Medi-Cal: provider reimbursement.

Under existing law, any contract between the State Department of Health Services and a Medi-Cal fiscal intermediary must provide that bills for health care services received by the fiscal intermediary shall be reviewed and paid or rejected within 30 days. If additional evidence of a bill's validity is required, such evidence must be requested within 30 days. If the bill is held for peer review beyond 30 days, notice of the bill's status must be given within 60 days of receipt.

This bill would change the 30 days limitation to an average of 18 days and the 60 days limitation to 30 days. It would provide that in no event shall the number of bills not processed for payment within 30 days of receipt exceed 9% of the total bills inventory.

Ch. 1327 (AB 3044) Lancaster. Disclosure of medical information of Medi-Cal recipients.

Existing law does not provide for the disclosure of medical information pertaining to Medi-Cal recipients to physicians who are currently treating those recipients

This bill would allow the disclosure information relating to medications provided such recipients to physicians who request such information and who are treating such recipients.

Ch. 1328 (AB 2961) Bates Medical assistance benefits

Under the California Medical Assistance Program, payment is made for medical services and supplies provided to recipients of public social services and other low-income individuals. The law sets forth the schedule of benefits

This bill would add to such benefits the application of fluoride, or other appropriate fluoride treatment as defined by the State Department of Health Services, and other prophylaxis treatment for children 17 years of age and under [The bill also would add to such benefits licensed clinical social work psychotherapy as defined in Section 9049 of the Business and Professions Code]*

This bill would incorporate additional changes in Section 14132, Welfare and Institutions Code, proposed by AB 1096, AB 2424, and AB 2980, to be effective if this bill and

any of those bills are chaptered and this bill is chaptered last.

Ch. 1329 (AB 2958) Mangers. Health service pilot programs.

Under existing law, the State Department of Health Services is required to establish publicly operated health service delivery systems as pilot programs, to determine whether Medi-Cal benefits can be provided at a reasonable cost on a prepayment basis in a public service system.

This bill would require the department to provide technical assistance to any public entity that desires to establish such a program. It also would require the department to establish one such program which provides for the enrollment of low-income persons who are not eligible for Medi-Cal as cash grant recipients. The department would be required to set standards of eligibility for such recipients and report to the Legislature and Governor by February 1, 1982, as to the financing of, and services provided by, this program. Payments for these recipients will terminate as of December 31, 1982 unless the operation of the program is extended by the Legislature.

Ch. 1330 (AB 2960) Bates. Medical assistance: benefits

Under the California Medical Assistance Program, payment is made for medical services and supplies provided to recipients of public social services and other low-income persons The law enumerates the benefits for which payment will be made.

This bill would add to those benefits prescription stock orthopedic shoes and stock conventional shoes to which a prosthesis or brace is attached.

This bill would incorporate additional changes in Section 14132, Welfare and Institutions Code, proposed by AB 1096, AB 2424, and AB 2961, to be effective if this bill and any of those bills are chaptered and this bill is chaptered last.

Ch. 1331 (SB 1896) Garamendi. Rural health services development.

(1) Under existing law, there is established a rural health services development program consisting of the California Health Services Corps, California Rural Health Services Development Projects, and a program for the Coordination of Rural Health Programs, which is administered by the State Director of Health Services. Under existing law, such program remains in effect only until January 1, 1979

The bill would extend the rural health services development program indefinitely. The bill would also permit extension of projects funded under such programs as of December 31, 1978, until June 30, 1979.

(2) Existing law requires that project proposals for health services development projects which are approved by the State Department of Health Services contain one or more health service elements, among which is, that the program promotes rural nurse practitioners and physician assistants programs for the training and placement of health professionals in designated rural areas.

This bill would revise such health service criteria element to, instead, require that the program promote nurse practitioners and physician assistants programs for the training and placement of health professionals in designated rural areas

(3) Under existing law, the Health Manpower Policy Commission is required to designate the geographical rural areas within California where unmet priority need for medical services exist.

This bill would require the Health Manpower Policy Commission to make such designations, in coordination with the Rural Health Section of the department.

(4) This bill would require the Office of the Legislative Analyst to annually report to the Governor and the Legislature, commencing June 30, 1979, with respect to specific aspects of the program, as specified.

(5) The bill would appropriate $1,500,000 to the State Department of Health Services for expenditure from January 1, 1979, to June 30, 1979, for purposes of the rural health services development program. The bill would permit the State Department of Health Services to make advance payments to specified nonprofit agencies to further the purposes of such program.

Ch 1332 (SB 1814) Garamendi. Primary health service hospitals: demonstration project.

Present law provides for uniform standards for the licensure of general acute care

hospitals and for payment for services reimbursable under the Medi-Cal Act

This bill would authorize a 4-year demonstration project under which any general acute care hospital, or any group thereof, meeting prescribed criteria would be designated as a primary health service hospital or hospitals for the purpose of receiving exemptions from licensure standards generally applicable to general acute care hospitals. The State Department of Health Services would be responsible for administration of the demonstration program which would include the development of criteria for the designation of the hospitals which would participate in the demonstration project with the advice of health systems agencies and the Advisory Committee on Rural Health Services, as specified. An application for such designation would be deemed approved if the State Department of Health Services failed to transmit its decision thereon, so that it is received by the applicant within 120 days after the department receives the health systems agency's recommendations. The bill would also authorize the department to terminate the participation of a hospital in such project, as specified.

The bill would require the Office of the Legislative Analyst to annually report to the Governor and Legislature on the program, as specified.

The bill would appropriate $25,000 to be expended for the purposes of carrying out the provisions enacted by the bill from January 1, 1979, through June 30, 1979. Of such amount, $15,000 would be scheduled for allocation to the State Department of Health Services and $10,000 for allocation to the Office of Statewide Health Planning and Development.

The provisions added by the bill would be repealed on January 1, 1983, unless extended by a bill chaptered before such date

Ch. 1333 (AB 2943) Alatorre. Arts Council.

Existing law provides for an Arts Council of 9 members in state government which meets not less than 10 times per year.

This bill would increase the membership of the Arts Council to 11 and would require the council to meet not less than 8 times per year.

It would also require the council to notify the offices of the legislators in whose district the recipient of the award or grant resides when awarding prizes or directing grants.

Ch. 1334 (AB 2968) Dixon. The Office of Child Abuse Prevention.

Existing law does not provide for a state advisory committee on child abuse.

This bill would establish such a committee to act as an advisory body to the Office of Child Abuse Prevention.

Existing law establishes the Office of Child Abuse Prevention in the State Department of Health Services and specifies the powers and duties thereof, including the establishment of pilot projects with regard to child abuse. The office shall remain in effect until December 31, 1979.

This bill would establish in the State Department of Social Services the Office of Child Abuse Prevention and authorize the establishment of three pilot projects in the northern, central and southern portions of the state. The office would remain in effect until December 31, 1981, unless such date is extended. This bill would also provide that the provisions of law pertaining to the office shall be operative only for and during such times federal funds are available to help carry out the provisions of this act.

The bill would appropriate $100,000 to the State Department of Social Services for the allocation of funds to the Office of Child Abuse Prevention during the 1978–79 fiscal year

Ch. 1335 (AB 3475) Hart. State Department of Health Services. advance payments.

Existing law authorizes the State Department of Health Services to provide advance payments of grants for certain designated programs.

This bill would authorize the State Department of Health Services to provide advance payments for services to be performed under prescribed contracts, as specified.

Ch 1336 (AB 2456) Bane. Manufacture of devices.

(1) Under present law manufacturers of prescription ophthalmic devices are generally required to be licensed as such by the State Department of Health (or on and after July 1, 1978, by the State Department of Health Services) Physicians and surgeons and

optometrists may, however, manufacture such devices for use solely in their professional practice without obtaining such a license.

This bill would exempt registered dispensing opticians from such licensure with respect to the manufacture and assembly of prescription lenses and frames for use solely in the regular course of their business.

(2) Existing law requires the Division of Allied Health Professions to fix the renewal fee for a license as a dispensing optician at not more than $60 and not less than $30

This bill would increase such minimum and maximum to $100 and $150.

Under existing law such license fees are collected and deposited in the Contingent Fund of the Board of Medical Quality Assurance which is continuously appropriated.

The increased fees would result in an increase in the amount of fees collected and deposited in such continuously appropriated fund.

Ch. 1337 (SB 1903) Gregorio. California Health Facilities Commission: duties: responsibilities of members.

Existing law provides for the removal of members of the California Health Facilities Commission for specified causes.

This bill would provide for the termination of membership and appointment of a successor of any member who fails to attend three consecutive scheduled meetings of the commission without good cause.

Under existing law, the California Health Facilities Commission has various powers and duties respecting health facilities.

This bill would require the commission to be responsible for establishing an aggregate annual expenditure estimate covering health facilities in the state, as specified, and to be responsible for developing and establishing standards of effectiveness for health facilities, as specified. The bill would require the commission to submit an annual report to the Legislature by March 1 of each year on such matters.

The bill would also direct that the State Department of Health Services, the Department of Finance, and the Legislature consider such estimate when developing and approving the annual Medi-Cal budget.

The Budget Act of 1977 appropriated certain funds for the support of the commission from the California Health Facilities Commission Fund.

This bill would appropriate from such fund an amount equal to the unencumbered balance as of June 30, 1978, of such appropriation to the commission in augmentation of the item of appropriation for the commission in the Budget Act of 1978.

Ch. 1338 (AB 1495) Dixon. Labor: licensing boards.

Existing law does not specifically include within the definition of "employer" or otherwise, for the purposes of the California Fair Employment Practice Act, state boards, agencies, or authorities, which have the authority to grant licenses or certificates which are prerequisites to employment eligibility or professional status.

This bill would include state boards, agencies, and authorities in the Department of Consumer Affairs, within the coverage of the act to the extent that it would make it unlawful for such a licensing board (1) to require any examination or establish other qualifications for licensing which has an adverse effect on any class by virtue of the race, religious creed, color, national origin or ancestry, sex, age, medical condition, or physical handicap, unless such practice can be demonstrated to be job related; (2) to print or circulate, or cause to be printed or circulated any publication, or to make any non-job-related inquiry, either verbal or through use of an application form, which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, religious creed, color, national origin, ancestry, physical handicap, medical condition, sex, or age, or any intent to make any such limitation, specification, or discrimination; (3) to discriminate against any person because such person has filed a complaint under such act; or (4) to keep for a period of 2 years after receipt records of applications for licensing or certification.

Ch. 1339 (AB 2076) Boatwright. State park system: John Marsh Home.

There is presently no appropriation to the Department of Parks and Recreation for expenditure for the development and restoration of the John Marsh Home near Brentwood in the County of Contra Costa for the state park system.

This bill would appropriate $1,500,000 from the Collier Park Preservation Fund to the department for expenditure for such development and restoration if specified conditions are met

The bill would require the state to operate the home for a period of 5 years and within that period to enter into an agreement with the County of Contra Costa or another entity of local government to operate and maintain the project.

This bill would take effect immediately as an urgency statute.

Ch. 1340 (AB 3147) Fazio Riparian habitat appropriation.

There is no existing law which expressly makes money available for the study of riparian habitat.

This bill would appropriate $150,000 from the California Environmental Protection Program Fund to the Department of Fish and Game for the purposes of studying riparian habitat in the great central valley and the California desert, as defined, as a supplement to the department's update of the 1965 Fish and Wildlife Plan.

Ch. 1341 (SB 1518) Dunlap. State lands grant to City of Sacramento and County of Santa Clara: historical museum; park, recreational, and historical purposes.

(1) Under existing law, the state owns and the Department of Parks and Recreation administers as a unit of the state park system certain lands in the City of Sacramento classified as the Old Sacramento State Historic Park.

This bill would grant the state's interest in a described portion of such lands to the City of Sacramento in return for cash, improvements, or land within Old Sacramento equal to the fair market value of such interest and would empower the city, within 5 years after the granting of the property interest, to commence construction or cause construction to be commenced for an historical water works building for use as an historical museum on the granted lands subject to specified conditions. The bill would provide for reversion of the property interest to the state if the city elects not to commence construction. The bill would require the Director of Parks and Recreation to take steps to obtain the approval of the United States Secretary of Housing and Urban Development, and the Director of General Services to obtain and pay for title insurance, for such construction.

(2) The state owns approximately 470 acres of land in the Coyote River Parkway operated by the County of Santa Clara for park and recreational purposes.

This bill would authorize the Director of General Services, subject to the approval of the Director of Parks and Recreation and the State Public Works Board, to convey such land to the county at no cost to the county for park, recreational, and historical purposes, subject to reversion to the state if the land is not used for such purposes.

(3) The bill would require the Director of General Services, with respect to any property conveyed pursuant to this act, to reserve to the state all mineral deposits, as defined.

Ch. 1342 (AB 2954) N. Waters. State park system: appropriation for acquisition study.

Existing law does not require the Department of Parks and Recreation to study the feasibility of acquiring the railroad right-of-way from Old Sacramento in the City of Sacramento to the southern boundary of the City of Isleton for the state park system.

This bill would appropriate $45,000 to the department for such study and require its submission to the Governor and Legislature not later than 6 months following the effective date of the bill.

The bill would take effect immediately as an urgency statute.

Ch. 1343 (AB 2560) Imbrecht. Environmental information pilot program grant.

Existing law does not provide for a grant by the Environmental Data Center, Office of Planning and Research to the County of Ventura, and to other counties applying for such grant, to conduct a pilot program to develop an environmental decision-oriented information needs system utilizing computer data to speed the environmental decision-making process required by the California Environmental Quality Act and other laws providing for the collection, storage, and transmittal of environmental information.

This bill would appropriate $125,000 from the California Environmental Protection Program Fund to the center for expenditure, during the 1978–79 and 1979–80 fiscal years,

for a grant to such counties to conduct such program; provided that the counties submit detailed work programs and budgets

The bill would require counties receiving grant moneys to render a progress report on the pilot program not later than 6 months from the date of the receipt of grant moneys and a final report not later than 1 year from such date.

The bill would take effect immediately as an urgency statute

Ch. 1344 (SB 2058) Vuich. Urban open-space and recreation program: block and need basis grants.

The Roberti-Z'berg Urban Open-Space and Recreation Program Act limits both block grants and need basis grants to cities, counties, and districts under the program to the acquisition or development of recreational lands and facilities. Item 271 of the Budget Act of 1976 and Item 227 of the Budget Act of 1977 each appropriated $25,000,000, and Item 222 of the Budget Act of 1978 appropriated $15,000,000, for purposes of the grant program for acquisition or development. The recipients of grant moneys are required to expend such moneys within 3 years from the date of receipt.

This bill would do the following.

(a) Notwithstanding such provisions and budget items, require recipients of need basis or block grant moneys to apply for moneys appropriated by Item 222 of the Budget Act of 1978 within 1 year from the effective date of such act and provide that such moneys not applied for within such period shall be available for allocation by the Department of Parks and Recreation during the succeeding fiscal year for grants to cities and recreation and park districts in urbanized areas on a project-by-project basis and on the basis of need.

(b) Notwithstanding such provisions and budget items, require grant moneys to be expended by the recipient within 3 years of the date of approval by the Director of Parks and Recreation of the application for such moneys.

(c) Notwithstanding such provisions and Item 222 of the Budget Act of 1978, permit up to 25% of need basis and block grant moneys appropriated by such item to be expended by the recipient for the operation and maintenance of recreational lands and facilities that are acquired or developed with grant moneys, subject to specified restrictions

(d) Require the director to establish criteria, rules, and procedures for operation or maintenance projects and expenditures after a public hearing.

The bill would make an appropriation since it would authorize the expenditure of appropriated moneys for new purposes.

The bill would take effect immediately as an urgency statute.

Ch. 1345 (AB 3121) Lanterman. Mentally and developmentally disabled: patients' records and information: confidentiality.

Under existing statutes, all information and records obtained in the course of providing mental health services under the Lanterman-Petris-Short Act or the Short-Doyle Act, in the course of providing services under the Lanterman Developmental Disabilities Services Act, or pursuant to the statutes relating to admissions and judicial commitments and to mental institutions, with specified exceptions, are confidential. One such exemption permits the patient, with the approval of the psychiatrist or licensed psychologist in charge of the patient, to designate persons to whom such information may be released.

This bill would specify that such statute would apply to the statutes relating to mental health, to developmental services, and to information and records obtained from persons receiving similar services prior to 1969.

This bill would also expand the categories of professionals afforded power of approval in such exemption to include the physician, rather than the psychiatrist, and the social worker with a masters degree, who is in charge of such patient.

This bill would provide that, notwithstanding specified provisions of law and for specified reasons, there shall be no funds appropriated to, nor reimbursement of, local agencies for their costs incurred because of this act.

Ch. 1346 (SB 708) Sieroty. Financial records

Existing provisions of law found in the California Right to Financial Privacy Act make provision for and condition the disclosure of financial records and information of financial institutions to public agencies.

This act would revise various provisions of the act relating to the disclosure of financial records and information to public agencies.

[Existing provisions of the California Right to Financial Privacy Act provide that a specified class of financial records relating to business and industrial development corporations are not exempt from examination by, or disclosure to, the Superintendent of banks. This act would delete such provisions.]*

Ch. 1347 (AB 2283) McAlister. Financial institutions.

Existing law provides for the licensing of transmitters of money abroad by the State Banking Department. Included within such licensees are persons who sell various types of instruments for the payment of money, including checks, drafts, money orders, and traveler's checks.

This bill would repeal such existing law and enact provisions providing for the licensing of persons selling payment instruments, as defined. This bill would also give the Superintendent of Banks various enforcement powers with respect to licensees.

This bill would also provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act for a specified reason.

This bill would also incorporate additional changes in Section 12100 of the Finance Code proposed by AB 2181 to be effective only if both bills are chaptered and this bill is chaptered last

Ch 1348 (SB 1472) Behr. Private boards.

Under existing law, where a writ of mandate is issued for the purpose of inquiring into an administrative order or decision made as the result of a proceeding in which a hearing is required by law, the court is generally required to exercise its independent judgment with respect to decisions affecting a vested right, and in decisions not affecting vested rights, the court is generally required to uphold the decision if supported by substantial evidence.

This bill would specify that in cases arising from private hospital boards, abuse of discretion is established if the findings are not supported by substantial evidence. However, in cases involving discrimination against podiatrists or osteopaths, the court would exercise its independent judgment, as specified.

Existing law permits the court in administrative mandate proceedings involving orders or decisions of health care licensing boards to stay the operation of the order or decision in certain circumstances.

This bill would permit the court to similarly stay the operation of decisions or orders of a licensed hospital.

Ch. 1349 (SB 1737) Ayala. South Coast Air Quality Management District: air quality management plan.

Existing law requires the South Coast Air Quality Management District to adopt an air quality management plan by January 31, 1979, with specified provisions, including those necessary to ensure that future growth and development in the district are, to the maximum extent feasible, consistent with the goal of maintaining the air quality standards, but without infringing on the existing authority of local government with regard to land use decisions.

Existing law requires such plan, after adoption by the district, to be submitted to the State Air Resources Board for approval The state board, upon certain findings, may revise the submitted plan. After approval by the state board, the approved plan is the implementation plan and the air quality maintenance plan of the district.

This bill would expressly prohibit the State Air Resources Board from requiring any indirect source review program or other land use control measure as a condition of approval of the plan or from including any indirect source review program or other land use control measure in a revision of such plan prior to approval.

Ch. 1350 (SB 1475) Song. Vehicles: violations: notice to correct.

Existing law does not expressly provide for the issuance of a notice to correct, rather than a notice to appear, where only minor registration, license, and mechanical violations have occurred.

This bill would add provisions to the Vehicle Code establishing a procedure for issuing a notice to correct in cases involving violation of a registration, license, or mechanical requirement of the code. Under such provisions, whenever proof of correction is not received within the specified time, the signed notice to correct, along with a certification that no proof of correction has been received, may be delivered to a court of competent jurisdiction. The signed notice together with the certification would constitute a complaint to which a plea may be entered and upon which a warrant may be issued if the complaint is verified.

The bill would make it a misdemeanor for any person to sign a notice to correct or a certificate of correction with a false or fictitious name or to willfully violate a written promise to correct or to willfully fail to deliver proof of correction.

The bill would provide that proof of correction certificates may be issued by specified law enforcement agencies, certified inspection stations, and, for some violations, the Department of Motor Vehicles.

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 the bill for a specified reason.

The bill would become operative on July 1, 1979.

Ch. 1351 (SB 1905) Mills. Housing and home finance: public transportation considerations.

(1) Existing law prescribes various elements and goals for the public programs to remedy housing shortages implemented under the Zenovich-Moscone-Chacon Housing and Home Finance Act.

This bill would add as an additional element and goal for such program the encouragement and assistance of housing and community development in public transit corridors, as defined, where they exist.

(2) Existing law authorizes the Department of Housing and Community Development to make various investigations and reports relating to housing and community development.

This bill would, in addition, authorize the department, with the Department of Transportation, to investigate and report on the consistency between state, local, and federal housing plans and programs and state, local, and federal transportation plans and programs.

(3) Existing law specified various things which are required to be included in the annual report to the Legislature and the Governor which the Department of Housing and Community Development is required to make on the administration of the Housing Predevelopment Loan Fund.

This bill would, in addition, require that such report include a description of the public transportation services conveniently available to assisted households.

(4) Existing law establishes an Urban Housing Development Loan Fund which is continuously appropriated to the Department of Housing and Community Development for use in making loans to local agencies or nonprofit corporations for assisted housing in urban areas, for occupancy primarily by persons of low income. It also requires the department to make an annual report to the Legislature and the Governor on the administration of the loan fund and requires that the report include various prescribed things.

This bill would require, other things being equal, that the department give priority in such program to assisting developments which will be located in public transit corridors and would require that such report include, in addition, the location of housing developments aided in relation to public transit corridors.

(5) Existing law requires the Secretary of the Business and Transportation Agency, on or before January 31, 1980, to undertake a review of the operation of the Urban Housing Development Loan Fund and to determine, by written findings, whether or not the loan fund is being used for the purposes intended and is effective in promoting the development of assisted housing for persons of low income.

This bill would, in addition, require the secretary to determine whether the limitation of urban housing development loans solely to public transit corridors would have a

detrimental effect on implementation of the loan fund's program objectives.

(6) Existing law requires the California Housing Finance Agency to seek to attain various prescribed objectives and prescribes various policies for the agency.

This bill would, in addition, require the agency to seek to attain the location of housing in public transit corridors with high levels of service and would, in addition, require that it be the policy of the agency to encourage housing locations in public transit corridors, so that residents may have convenient access to public transportation services.

(7) Existing law requires that, prior to the commitment of moneys for prescribed housing development, the California Housing Finance Agency take adequate measures to assure specified things, facilitating the sufficiency of access of the housing development to transportation.

This bill would, instead, require that the agency take adequate measures to assure the sufficiency of access of the housing development to public mass transit services and other transportation.

(8) Existing law requires the California Housing Finance Agency to establish priorities for the allocation of financial assistance pursuant to the provisions relating to neighborhood preservation and requires that in doing so, the agency take into account various factors, to the extent applicable.

This bill would add, as an additional factor, to be taken into account by the agency, the availability of efficient and effective public mass transit service for the residents of the neighborhood assisted and would require that, other things being equal, preference be given to preserving neighborhoods where efficient and effective public mass transit service exists.

(9) Existing law authorizes the California Housing Finance Agency, upon application by a local agency, to designate an area within a city or county as a concentrated rehabilitation area, if it makes specified findings.

This bill would, in addition, require that the agency find that the local agency has investigated the current and planned levels of public transit service for the area.

(10) Existing law requires the Department of Housing and Community Development to evaluate the impact of federal policies and programs affecting housing and community development in this state.

This bill would, in addition, require the evaluation to include an assessment of the coordination between federal housing assistance and public transit service availablity.

(11) Existing law authorizes the Department of Housing and Community Development to provide advisory assistance with respect to the development of new and rehabilitated housing and the development of programs to correct or eliminate neighborhood deterioration.

This bill would require the department when providing such assistance to encourage the location of housing in proximity to public transit service and to consider the availability of such services.

(12) This bill would prescribe that the amendment of Section 50003 of the Health and Safety Code proposed by this bill shall not become effective if SB 1862 is chaptered and becomes effective on January 1, 1979, and such bill amends Section 50003.

It would incorporate additional changes in Section 50407 of the Health and Safety Code proposed by SB 1862 to become operative only if SB 1862 and this bill are both chaptered and become effective January 1, 1979, and this bill is chaptered last.

This bill would incorporate additional changes in Section 50952 of the Health and Safety Code proposed by SB 1862 or AB 2354, or both, to become operative only if this bill and SB 1862 or AB 2354, or both, are chaptered and become effective January 1, 1979, and this bill is chaptered last.

This bill would also incorporate additional changes in Sections 51057, 51301, and 51302 of the Health and Safety Code proposed by SB 1863 to become operative only if SB 1863 and this bill are chaptered and become effective January 1, 1979, and this bill is chaptered last.

Ch. 1352 (SB 2209) Nejedly. Oil and hazardous substances transfers.

Under existing law there is no requirement that the transfer of oil or hazardous substances between a vessel and a shore facility or another vessel through a pipeline be continuously monitored by a particular type of mechanism.

This bill would make it unlawful to cause or permit any petroleum, chemical, or other

hazardous substance, as defined, to be transferred between a vessel and a shore facility or another vessel by means of a pipeline or similar conduit unless the flow is continuously monitored by a properly installed, operated, and maintained mechanism that will warn of the imminent occurrence of an overflow so that the flow can be terminated in time to avert the overflow, and unless the vessel and shore facility are each equipped with a properly installed, operated, and maintained mechanism that will warn whenever any person is no longer properly discharging his duties in connection with the transfer, is inattentive, or becomes disabled. The bill would make it a defense to any prosecution if the mechanism was properly installed and was at all times properly operated and maintained by the person responsible for the mechanism. The bill would specify the operative date of such provisions with respect to specified vessels and facilities The bill would make violation of such requirement a misdemeanor.

The bill would not apply to any transfer of fuel to a self-propelled vessel less than 65 feet in length at a facility equipped with specified dispensing nozzles meeting federal standards The bill would not apply to any on-shore receiving tankage if specified equipment is provided.

The bill would specify that there shall be no reimbursement for any state-mandated local program for a specified reason

Ch. 1353 (SB 1937) Nejedly. Leases of public lands.

(1) Existing law provides for the correction of errors in the description of leases of lands owned by the state under the jurisdiction of the State Lands Commission

This bill would make technical, nonsubstantive changes in such provisions

(2) Existing law exempts a littoral landowner from having to pay any rental for the lease of state lands for a private recreational pier which is constructed for his own use, and defines a littoral landowner, for such purposes, as a natural person using the littoral land solely for a private single-family dwelling house.

This bill would make various technical and correctional changes in such provisions and would revise the definition of littoral landowner to include any association of, or any nonprofit corporation consisting of, natural persons who own parcels of land, each of which is zoned or used solely for a single-family dwelling and who are entitled to the use of a private recreational pier on littoral land that is owned by the association or nonprofit corporation and is not more than 1 mile from any such parcel.

(3) The bill would declare that no provision of this act or of Chapter 431 of the Statutes of 1977 shall be deemed to require the commission to issue a particular lease or permit

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

Ch. 1354 (SB 910) Petris. Owner construction and rehabilitation of housing.

Under present law, there is no general state program of informational assistance for persons building or rehabilitating their own housing.

This bill would establish a California Housing Advisory Service in the Division of Community Affairs of the Department of Housing and Community Development. The advisory service would conduct or coordinate prescribed information activities relating to owner construction or rehabilitation of housing. The advisory service would be authorized to contract with local agencies, neighborhood nonprofit organizations, and community design centers for establishment of specified local housing advisory service programs

The bill would require the annual report of the Department of Housing and Community Development to the Governor and the Legislature to include a specified summary of activities of the California Housing Advisory Service. The last annual report prior to January 1, 1982, would also be required to contain recommendations for improvement, continuation, or termination of the advisory service

The provisions of the bill relating to the advisory service would be effective only until January 1, 1982, and on that date would be repealed unless a later chaptered statute extends or deletes that date.

The bill would appropriate $450,000 to the department, $375,000 of which would be for the purpose of funding such contracts and $75,000 would be for operation of the California Housing Advisory Service.

Ch 1355 (SB 1795) Deukmejian. Veterinary medicine

Existing law provides that the Division of Investigation of the Department of Consumer Affairs shall provide investigation services for the various agencies within the department. The law does not authorize the Board of Examiners in Veterinary Medicine to employ its own investigators.

This bill would, until January 1, 1982, authorize the Board of Examiners in Veterinary Medicine to employ its own investigators.

Existing law provides that the punishment for a violation of provisions of law regulating the practice of veterinary medicine shall be a fine of not less than $50 nor more than $200 or by imprisonment in the county jail for not less than 30 days nor more than 6 months or both fine and imprisonment.

This bill would increase such punishment to a fine of not less than $500 nor more than $2,000 or such imprisonment for not less than 30 days nor more than one year or both fine and imprisonment.

Existing law authorizes the board to revoke or suspend the license of a veterinarian for any of various specified causes

This bill would, in addition to such authority to revoke or suspend, authorize the board to assess a fine of not more than $5,000 and to place a licensee on probation with conditions, as specified.

Existing law provides that fines levied against veterinary medicine licensees shall be deposited 50% to the credit of the Board of Examiners in Veterinary Medicine Contingent Fund and 50% to be paid for the payment of fines or forfeitures of bail in misdemeanor cases.

This bill would specify that all of the proceeds from the fine newly authorized above shall be deposited to the credit of the Board of Examiners in Veterinary Medicine Contingent Fund.

Existing law specifies the grounds for revocation or suspension of a license to practice veterinary medicine.

This bill would revise such provisions by, among other things, (1) specifying that specific causes constitute grounds for the denial of a license, (2) adding specific provisions relating the use or possession of narcotics, dangerous drugs or controlled substances, (3) deleting the grounds of conduct reflecting unfavorably on the profession, and (4) adding negligence in the practice of veterinary medicine.

Existing law specifies that the renewal fee for a veterinarian's license shall be fixed by the board in a specified amount not to exceed $100.

This bill would increase such maximum amount to $125

Existing law provides that all money collected pursuant to provisions governing veterinarians is to be deposited in the Board of Examiners in Veterinary Medicine Contingent Fund and is continuously appropriated to such board to carry out such provisions.

The fines and fees provided by this act would result in an increase in such fund.

This bill would also provide that no appropriation is made to local governmental entities for costs incurred by them pursuant to its provisions because of a specified reason.

It would make further changes in Section 4905, Business and Professions Code contingent upon the enactment and prior chaptering of AB 2911.

Ch. 1356 (SB 1678) Zenovich. Arts Council.

Existing law provides for the existence of an Arts Council consisting of 9 persons appointed by the Governor with the advice and consent of the Senate, which meets at least 10 times per year.

This bill would increase the membership on the council to 11 and provide that the terms of each member shall be staggered, with each member serving staggered terms of 2, 3 and 4 years and would provide that the council shall meet no more than 8 times per year. It would also require Senate confirmation of all appointments to the council made by the Governor.

Ch 1357 (SB 1397) Zenovich. Group life insurance.

Existing law provides that the maximum amount that may be insured on an agricultural or horticultural loan commitment to any one borrower or purchaser under a group life insurance policy is the amount of the commitment repayable in one sum or in installments during a period not in excess of 18 months or $40,000, whichever is less.

This bill would increase such dollar amount to $100,000.

Ch. 1358 (AB 3778) Imbrecht. Malpractice: health care providers.

Existing statutory law contains no provisions particularly applicable to the determination of negligence on the part of a health care provider. In general, a health care provider is not liable for negligence or malpractice solely because of an unfavorable result or occurrence that is the natural result of the disease or condition or of reasonable treatment of the disease.

This bill would specify that a health care provider is not liable for professional negligence or malpractice solely because the occurrence or result was caused by the natural course of a disease or condition, or was the natural or expected result of reasonable treatment rendered for the disease or condition. However, the bill's provisions would not limit liability for the failure to inform of the risks of treatment or failure to accept treatment, or negligent diagnosis or treatment, or for negligent failure to diagnose or treat.

Ch. 1359 (AB 2843) McAlister. Prosecution of crimes.

Existing law provides that the district attorney shall prosecute all offenses occurring within the county except for offenses given to the city attorney for prosecution or where the Attorney General assumes the prosecution in specified circumstances Trials for crimes committed by prisoners in state prison are held in the county wherein the prison is located except for escape which may be tried in any county

This bill would permit the district attorney to transfer to the Attorney General the responsibility for the prosecution of crimes including escape committed by inmates while in physical custody in a state prison and would specify procedures for such transfer.

Under existing law, an appeal may be taken by the people in a criminal case from an order modifying the verdict or finding by reducing the degree of the offense or the punishment imposed.

This bill would also provide for such appeal from any modification of the verdict or finding modifying the offense to a lesser offense.

Ch. 1360 (AB 2524) Cordova. Elections: campaign literature.

(1) Existing law provides, among other things, that every person, other than a public official in the performance of an official duty, is guilty of a misdemeanor who causes to be prepared, reproduced, or distributed any campaign literature unless there appears certain information concerning the source of the literature.

This bill would delete from such provision of law the application of the law to persons who cause to be prepared such campaign literature, and would specify that such provision of law applies only to persons who cause such literature to be reproduced by any mechanical or electrical means or cause such reproduced literature to be posted or distributed.

(2) Existing law exempts from the current provision of law set forth in paragraph (1), certain campaign literature which, among other things, merely uses the words "Yes on," " No on," "Elect," "Reelect," "Retain," "Return," "Recall," "Remove," and "Support."

This bill would add to the above-referred list of words the words "Oppose," "Reject," "Keep," and "Send," and it would provide that such words are merely illustrative of words which are exempt from current law.

The bill would take effect immediately as an urgency statute.

Ch. 1361 (AB 1075) Gage. Labor. fair employment practices.

Existing law establishes the State Fair Employment Practice Commission in the Division of Fair Employment Practices in the Department of Industrial Relations and specifies the functions, powers, and duties of the commission.

This bill would include among such functions, powers, and duties the issuing of publications and results of inquiries and research which will tend to promote good will and minimize or eliminate unlawful discrimination, including an annual report to the Governor and the Legislature of its activities and recommendations.

Existing law requires the division to seek and utilize the cooperation of appropriate state or local public or private agencies, and permits the division to cooperate in such

endeavors with the Federal Community Relations Service.

This bill would delete such provisions.

Existing law permits the division to provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties relating to discriminatory practices, based on race, religious creed, color, national origin, marital status, or ancestry, and limits such assistance to endeavors at conference, conciliation, and persuasion.

This bill would permit such assistance to include endeavors at investigation

Existing state law provides that all persons are entitled to the full and equal accomodations, advantages, facilities, privileges, or services in all business establishments without regard to their sex, race, color, religion, ancestry, or national origin. All persons have the right to seek, obtain, and hold employment without discrimination because of race, religion, color, national origin, or sex. Any person who denies such rights, or who aids or incites such denial, is liable to the injured person for actual damages plus a specified penalty. Existing law also provides that all persons have the right to be free from any violence, or intimidation by threat of violence, committed because of their race, color, religion, ancestry, national origin, political affiliation, sex, or position in a labor dispute. Any person who denies such rights, or who aids or incites such denial, is liable to the injured person for actual damages plus a $10,000 penalty.

This bill would make it an unlawful practice under the Fair Employment Practice Act for any person to deny, aid, incite, or conspire to deny such rights.

Existing law requires the division to attempt to eliminate a claimed unlawful employment practice by conference, conciliation, and persuasion, but does not specify what remedies may be used in attempting to eliminate such practices by such means

This bill would provide that, in attempting to resolve unlawful practices through conciliation, such resolutions may be in the nature of, but not limited to, the types of remedies that might be ordered after accusation and a hearing

Existing law generally provides, with specified exceptions, that the Attorney General is the legal counsel for state agencies. Existing law permits the Chief of the Division of Fair Employment Practices to issue an accusation relating to unfair practices and requires the division to prosecute such actions before the State Fair Employment Practice Commission.

This bill would require that the division's attorneys or agents prosecute accusations before the commission.

The bill would also make other related changes in the law.

Ch. 1362 (AB 2890) Vicencia. Public social services: disabled persons.

Existing statutes: make an individual who was once eligible for supplemental security income benefits and state supplementary program benefits and continues to suffer from the impairments which were the basis of the disability qualifying for such benefits, eligible for in-home supportive services, even though such individual engages in substantial gainful activity and regardless of whether he has excess income, if he requires specified in-home supportive care of at least 20 hours per week and his income is insufficient to provide for the cost of such services; make such individual eligible for Medi-Cal benefits if his income and resources are insufficient to provide for the costs of health care or coverage.

This bill would delete the requirement that such individual require the specified in-home support-care for at least 20 hours per week.

The bill would provide that there shall be no reimbursement or appropriation because the duties imposed on local government by the bill can be accomplished with no additional cost to local government.

Ch 1363 (AB 372) Antonovich. Disqualification of electors: mentally incompetent.

Section 3 [4]* of Article II of the California Constitution currently provides, in part, that the Legislature must provide for the disqualification of electors while mentally incompetent. The only statutory provision concerning the disqualification of such electors, merely provides that the county clerk must cancel the registration of voters when the insanity of the person registered is legally established.

This bill would require the county clerk to cancel the registration of persons who have had guardians or conservators appointed on their behalf by a court. Such person's

registration may only be canceled if it is demonstrated in court that the person does not have the mental capacity to complete an affidavit of registration.

The bill would also provide that no appropriation is made to local agencies for costs incurred by them by this act because of a specified reason.

This bill would also make additional changes in Section 1500 1 of the Probate Code, proposed by AB 3122, to be operative only if this bill and AB 3122 are both chaptered and become effective on or before January 1, 1979, and this bill is chaptered after AB 3122.

Ch. 1364 (AB 3020) Lanterman. Highways: state: State Transportation District 7.

Under existing law, 60% of the funds available for state highway construction is required to be allocated for expenditure in County Group No. 2, the southern counties. Of that percentage, 70% is required to be allocated to the state transportation districts in that county group on the basis of existing state highway construction needs. Of the 70%, 66.736% is required to be allocated for expenditure in District 7 during the 4-year period ending June 30, 1979.

This bill would appropriate $66,000,000 from the State Highway Account in the State Transportation Fund to the Department of Transportation for allocation by the California Transportation Commission, and expenditure by the department following such allocation, for new highway facilities in District 7 to meet the above statutory expenditure requirement for District 7 as soon as possible.

The bill would require the commission to submit a report to the Legislature, on or before April 1, 1979, on projects to which allocations of such funds have been made and the progress of the department in the expenditures of the allocations.

Ch. 1365 (AB 2881) M. Waters. Relocation assistance.

(1) The existing law prescribes various forms of relocation assistance to be provided for persons displaced from a dwelling or business as the result of a governmental activity.

Currently, the law permits, but does not require, a public entity to make payments to and to provide advisory assistance to a person who moves from a dwelling or moves or discontinues his business as the result of a rehabilitation or demolition program or enforcement of building codes by a public entity.

This bill would revise existing law to permit such payments to a person who moves from a dwelling only as a result of enforcement of building codes by the public entity or as the result of a program of systematic enforcement of prescribed rehabilitation standards in conjunction with a rehabilitation financing program under the Marks-Foran Residential Rehabilitation Act of 1973, and to a person who moves or discontinues a business as a result of a rehabilitation or demolition program or enforcement of building codes by the public entity.

This bill would, to the extent of the availability of federal or state funds, require, rather than permit, public entities to make such payments in prescribed amounts and provide such advisory assistance to a person or family of low or moderate income, as defined, who moves from a dwelling as a result of a publicly financed rehabilitation program within one year after the rehabilitation of the dwelling is completed because of rent increases, as specified.

It would require the provision of temporary housing for up to 90 days to persons displaced by such rehabilitation work.

The bill would revise various provisions of law relating to residential rehabilitation by, among other things, specifying the assistance to be provided by a public entity to tenants who are displaced or whose rents are increased by a residential rehabilitation program

(2) The bill would provide that there are no state-mandated local costs, within the meaning of Section 2231 of the Revenue and Taxation Code, imposed on local governmental entities by this bill.

(3) This bill would also incorporate additional changes in Section 7265 3 of the Government Code proposed by SB 2064 to become operative only if SB 2064 and this bill are both chaptered and this bill is chaptered last

(4) This bill would also incorporate additional changes in Section 37912 of the Health and Safety Code proposed by SB 1935 to become operative on the operative date of this act only if SB 1935 and this bill are both chaptered ~~and this bill is chaptered last.~~

Ch. 1366 (AB 2321) Imbrecht. Solar energy: shade control.

Under existing law there are no restrictions on the shadow which may be cast by a tree or shrub upon a solar collector surface. Under existing law every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, is guilty of a misdemeanor.

This bill would prohibit, after January 1, 1979, any person owning or in control of property from allowing a tree or shrub to be placed or, if placed, to grow on such property, subsequent to the installation of a solar collector on the property of another, so as to cast a shadow greater than 10% of the collector absorption area upon that solar collector surface, as defined, on the property of another at any one time between the hours of 10 a.m. and 2 p.m., standard time, but would exempt specific trees and shrubs which cast a shadow upon such a solar collector at the time of installation of the collector or during the remainder of that annual solar cycle. It would provide for location requirements of a solar collector for purposes of the provisions of the bill. The bill would declare any such tree or shrub to be a public nuisance.

The bill would exempt trees planted, grown, or harvested on timberland or on land devoted to the production of commercial agricultural crops from its provisions, and would except trees or shrubs which are planted as replacements for previously existing trees or shrubs, under specified conditions.

The bill would also provide that any person who plans a passive or natural solar heating system or cooling system or heating and cooling system which would impact on an adjacent active solar system may seek equitable relief in a court of competent jurisdiction to exempt such system from the provisions of the bill The bill would specify that the court may grant such an exemption based on a finding that the passive or natural system would provide a demonstrably greater net energy savings than the active system which would be impacted.

The bill would authorize a city, or for unincorporated areas, a county, to adopt an ordinance exempting their jurisdiction from the requirements of the bill. The bill would provide that the adoption of such an ordinance would not be subject to the provisions of the California Environmental Quality Act

The bill would declare that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 1367 (AB 3046) Rosenthal. Energy: passive solar design. competition.

Under existing law, the State Energy Resources Conservation and Development Commission is required to, in cooperation with other state agencies, participate in the design, construction, and operation of energy conserving buildings.

This bill would make certain legislative declarations in connection with passive solar design features in housing and require the commission to conduct a statewide architectural design competition to select outstanding designs for new single-family and multifamily residential units which incorporate passive solar and other energy-conserving design features. It would provide for the establishment of a judging panel, with prescribed membership, to evaluate the submitted designs. The bill would provide for making cash awards and medallions for the winning designs

The bill would appropriate $315,000 from the State Energy Resources Conservation and Development Reserve Account in the General Fund to carry out the purposes of the bill, to be allocated as prescribed.

Ch 1368 (AB 1992) V. Thomas Domestic water supply systems.

Under existing law (the California Safe Drinking Water Bond Law of 1976) the Legislature may, by statute, authorize, subject to specified limits, the use of bond proceeds in the California Safe Drinking Water Fund for a grant program, with grants provided to water suppliers that are political subdivisions of the state, if it is determined that such suppliers are otherwise unable to meet minimum safe drinking water standards established pursuant to applicable provisions of law.

This bill would authorize a grant in the amount of $400,000 from the California Safe Drinking Water Fund to the City of Avalon for the purpose of improving its domestic water supply system. The bill would make legislative findings in such connection. The bill would require the Department of Water Resources to verify that such expenditures are necessary and appropriate.

The bill would take effect immediately as an urgency statute.

Ch. 1369 (AB 3782) McVittie. Guardianship and conservatorship.

Existing law does not expressly require a county to pay the fees of private legal counsel appointed by a court in guardianship and conservatorship proceedings to represent a proposed ward or ward or proposed conservatee or conservatee.

This bill would require a county to pay to such counsel costs as may be allowed by the court, if the court determines that the proposed ward or ward or proposed conservatee or conservatee lacks the present ability to pay such costs.

Existing law requires notice of hearing in conservatorship proceedings to be given in a specified manner, except that the court may dispense with such notice or may require further or additional notice as it deems proper.

This bill would permit a court to dispense with such notice only where there is a showing of good cause.

This bill would also provide that no reimbursement or appropriation is made for a specified reason.

Ch. 1370 (AB 3067) Chimbole. Air pollution: motor vehicles.

Existing law prohibits any person who is a resident of, or doing business in, this state from attempting, assisting, or personally importing, delivering, purchasing, renting, leasing, acquiring, or receiving a new motor vehicle, new motor vehicle engine, or motor vehicle with a new motor vehicle engine for use or registration in this state with the intent of avoiding compliance with adopted emission standards and imposes a civil penalty of up to $5,000 for each vehicle involved in a violation.

This bill would, instead, prohibit any person who is a resident of, or who operates an established place of business within, this state from attempting, assisting, or personally importing, delivering, purchasing, renting, leasing, acquiring, or receiving any motor vehicle, or motor vehicle with a new motor vehicle engine, with less than 3,000 odometer miles on it, whether new or used, for use, registration, or resale in this state unless it is certified to comply with existing emission standards or unless it is acquired at the time of and to replace a vehicle registered in the state which became damaged or inoperative beyond reasonable repair or was stolen while out of the state.

This bill would also define "established place of business."

Ch. 1371 (AB 2546) Perino. Public Employees' Retirement System: benefit adjustments.

Existing law preserves the purchasing power of benefits under the Public Employees' Retirement Law through a system of adjustments in benefits based on changes in living costs.

This bill would increase the monthly allowance of specified local safety members 15%. The bill would require that valuation factors be determined on the basis of actuarial assumptions and methods and that additional employer contributions required be computed as a level percentage of member compensation. The bill would not apply to a contracting agency or its employees until the agency elects to be subject to the bill.

Ch. 1372 (AB 2057) Maddy. Juvenile court law: temporary custody.

Existing law contains conflicting sections regarding the circumstances in which a peace officer may take a minor into temporary custody on the basis that the minor is a person who has committed acts constituting criminal conduct; that is, Section 625 of the Welfare and Institutions Code permits such action when a peace officer has reasonable cause for believing a minor is such a person, while Section 625.1 of the Welfare and Institutions Code limits such action to 4 situations: (1) whenever the officer has reasonable cause to believe the minor has committed a public offense in his presence; (2) when the minor has committed a felony, although not in the officer's presence; (3) whenever the officer has reasonable cause to believe that the minor has committed a felony; and (4) in designated circumstances involving a traffic accident.

Existing law, with a designated exception, requires the release of a minor taken into custody within 48 hours unless a petition to declare him a ward or a criminal complaint has been filed.

This bill would repeal Section 625.1 of the Welfare and Institutions Code. It would also provide that a minor taken into temporary custody by a peace officer without a warrant pursuant to Section 625 on the belief that he has committed a misdemeanor must be delivered to the probation officer within 24 hours of being taken into custody.

It also would require, with a specified exception, the release of a minor taken into

custody by a peace officer or probation officer without a warrant on the belief that the minor has committed a misdemeanor within 48 hours after being taken into custody or the next judicial day, whichever is later, unless a petition has been filed to declare the minor a ward of the court and the minor has been ordered detained by order of the juvenile court. It would also require that a hearing on the issue of detention must take place within 48 hours of taking such a minor into custody or the next judicial day, whichever is later.

Ch. 1373 (AB 1559) Lancaster. Public utilities: cement carriers.

(1) Existing law provides for the regulation by the Public Utilities Commission of cement carriers as common carriers and of cement contract carriers as permitted carriers.

This bill would provide that any tariff provision of a cement carrier in effect on January 1, 1978, shall be deemed prima facie just, reasonable, and nondiscriminatory, if the carrier has operated pursuant to such provision for the preceding year, and would specify how any person may protest such presumption to the commission. It would also require the commission to grant to every cement contract carrier a certificate of public convenience and necessity authorizing operation as a cement carrier within the counties of its authorized operations as a cement contract carrier, provided that each such cement contract carrier makes application to the commission prior to June 30, 1979.

(2) Existing law requires that a certificate of public convenience and necessity to operate as a cement carrier must lapse and terminate if it is not exercised for a period of 1 year.

This bill would provide that such certificate lapses and terminates if it is not exercised for a period of 12 consecutive months, inclusive of all periods of suspension.

(3) Existing law requires that a permit to operate as a cement contract carrier remains in effect until suspended or terminated by the commission, except that any such permit not exercised for a 6-month period must lapse and terminate.

This bill would provide that such permits lapse and terminate if not exercised for a period of 6 consecutive months, inclusive of all periods of suspension.

(4) Existing law provides for the conveyance or encumbrance of a permit to operate as a cement contract carrier provided authorization is secured from the commission.

This bill would require the commission, prior to granting the above authorization, to make a finding that the transferee meets all the criteria requisite to an original application.

(5) The bill would also require cement contract carriers to work under prescribed written contracts, a copy of which must be filed with the commission. The existence of more than 5 contracts contemporaneously in effect would create a presumption of a cement contract carrier holding out as a cement carrier.

(6) Under existing law, if the commission fixes rates for highway permit carriers, such rates shall be no greater than the rates for transportation of the same property by common carriers by land.

This bill would permit minimum rates for transportation of cement by either a cement contract carrier or a cement carrier to exceed the rates for the transportation of such commodity by other common carriers by land.

Ch. 1374 (SB 2197) Campbell. Unlawful contracts.

Existing law provides for arbitration of disputes in certain instances. Existing law permits a construction contract with a public agency to contain a provision that one party to the contract or that party's agent or employee shall decide all disputes arising under the contract.

This bill would provide that a dispute arising out of a construction contract with a public agency which provides that one party to the contract shall decide all disputes arising under that contract shall be resolved by submitting the dispute to independent arbitration if mutually agreeable, or a court of competent jurisdiction.

Ch. 1375 (SB 1836) Holmdahl. Energy: certification of site.

Under existing law, an application for certification for a site and a related power facility must be filed with the State Energy Resources Conservation and Development Commission no later than 18 months before any construction is to commence.

This bill would delete the provision requiring certification applications to be filed at least 18 months before construction is to begin.

Ch. 1376 (AB 2224) Young. Elections

(1) Existing law provides that the governing board members of any school district or community college district and library districts shall be elected on the first Tuesday after the first Monday in March of each odd-numbered year.

This bill would change the date to the first Tuesday after the first Monday in November of each odd-numbered year.

(2) Under existing law a general municipal election must be held on the first Tuesday following the first Monday in March of even-numbered years.

This bill would change such election date to the second Tuesday in April of even-numbered years.

This bill would also revise the date of the randomized drawing of the alphabet, relating to the order of candidates' names on the ballot, in order to conform to the provisions of this bill.

(3) Existing law permits an election to be held entirely by absentee ballots if there are 30 or less persons registered to vote in a precinct.

This bill would permit the conduct of such an election involving a municipal, school district, or special district election if there are 100 or less persons registered to vote in any precinct.

(4) Existing law generally requires candidates seeking municipal office to file nomination documents by 12 o'clock noon on the 68th day before the municipal election.

This bill would revise the above deadline to 5 p.m. on the 68th day before the municipal election.

(5) Existing law requires candidates for the governing board of a school district or community college district to file their declaration of candidacy by the 68th day prior to the election, and it prohibits withdrawal of such candidacy after the 75th day prior to the election.

This bill prohibits withdrawal of such candidacy after the 68th day prior to the election, rather than the 75th day.

The bill would also provide that if nomination papers for an incumbent elective member of a school district or community college district governing board or of a county board of education are not filed by the 68th day before the election, the voters shall have until the 63rd day before the election to nominate candidates other than the incumbent for such elective office.

(6) Under existing law a candidate for elective city office must be proposed by not less than 20 nor more than 30 voters in a city of 1,000 persons or more, and not less than 5 nor more than 10 voters in a city of 1,000 persons or less.

This bill would base the population figures set forth above on the number of registered voters residing in the city rather than on the number of persons

(7) Existing law provides that in a school district or community college district situated wholly or partly within a city containing a population of over 1,900,000 according to the 1950 federal census, the governing board must be composed of seven members holding office and must be elected at large.

This bill would state that the above provision of law would not apply to a school district which is situated in a city governed by a charter and the charter provides for a governing board consisting of seven members each elected from a district, containing as nearly as practicable one-seventh of the total population of the district. The governing board of such a school district would be elected and constituted as provided in the charter and other applicable law.

(8) This bill would also allow the charter city of Palo Alto to elect members to its board of education on a specified date

In addition, this bill would provide that the amendments proposed by this bill amending Section 1005 of the Elections Code, as set forth in Section 11 of this bill, shall not become operative if SB 1363, which also amends Section 1005, is chaptered.

Ch. 1377 (SB 2196) P. Carpenter. Schools: regional occupational centers and programs.

Under current law, certain public school entities are authorized to establish and

maintain regional occupational centers and programs.

This bill would authorize regional occupational centers and programs to jointly establish, operate, and share the enrollments and costs of vocational education instruction with adult education programs offered by school districts serving the same geographic area.

This bill would also specify that such programs shall be funded at the adult foundation program level.

This bill would take effect immediately as an urgency statute.

Ch. 1378 (AB 1136) McAlister. High school attendance· regional occupational centers, programs

Existing law does not provide for the proportional computation of attendance of pupils in high school educational activities for less than the minimum schoolday who are enrolled in regional occupational centers or programs

This bill would provide for such proportional computation of attendance pursuant to regulations to be adopted by the State Board of Education.

Ch. 1379 (AB 840) McAlister. Workers' compensation: public employers.

(1) Existing law permits the state and all political subdivisions or institutions thereof to be lawfully uninsured against their workers' compensation liability.

This bill would require any political subdivision of the state (but not the state itself) which is so uninsured to secure from the Director of Industrial Relations a certificate to self-insure against workers' compensation claims, which certificate may be given upon specified proof.

(2) Existing law permits the Director of Industrial Relations to revoke a certificate of consent to self-insure for good cause, which is defined to include, among other things, the impairment of the solvency of an employer.

This bill would specify that such impairment of solvency shall be considered "good cause" to the extent that there is a marked reduction of the employer's financial strength and would also include frequent or flagrant violations of state safety and health orders as good cause for such revocation of a certificate of consent to self-insure.

(3) Existing law requires the Director of Industrial Relations to require a private self-insuring employer to deposit either a surety bond or securities to secure incurred liabilities for the payment of compensation.

This bill would instead require the director to require such an employer to deposit a surety bond or, in trust, any one or any combination of cash, a surety bond, and securities to secure such liabilities.

(4) Existing law requires the total cost of administration of the self-insured program to be borne by the self-insurers through the payment of license fees.

This bill would restrict the cost of administration of the private self-insured program to such fees from private self-insurers, and would make the cost of the public self-insured program a General Fund item The bill would permit the director to assess a penalty for late filing not to exceed 10% per month, or fraction thereof, of the fee due.

(5) The bill would also make various related changes.

(6) The bill would appropriate $104,000 to the Department of Industrial Relations for the purposes of this bill, and would appropriate $86,000† to the State Controller for allocation and disbursement to local agencies for costs incurred for specified reasons

Ch. 1380 (AB 2537) Kapiloff. Investment advisers.

Existing law makes it unlawful for any investment adviser to conduct his business in this state without first obtaining a certificate from the Commissioner of Corporations.

This bill would make any person engaged in the business of advising others for compensation as to the advisability of purchasing, holding or selling property for investment and who represents himself to be an expert liable to any person to whom such services are furnished for the amount of the compensation for the services and for any damages sustained by the person by reason of reliance upon the services unless the person proves such services were performed with the due care and skill reasonably expected of a person who is an expert.

† Appropriation deleted by action of the Governor

The bill exempts from its provisions persons licensed under any one of several state or federal acts.

Ch. 1381 (AB 43) Robinson. Public utilities: telephone directory assistance.

Existing law contains a provision prohibiting the Public Utilities Commission from permitting telephone corporations to assess a separate charge for telephone directory assistance. This provision will be repealed by its own terms on January 1, 1979.

This bill would authorize the commission to permit a telephone corporation to charge residential customers for requests, in excess of 20 requests per month, for directory assistance. Business customers would also be subject to assessment of a separate charge for directory assistance in excess of 20 requests per month. Between January 1, 1983 and April 1, 1983, the commission would be required to review any such charging plan put into effect, and to provide a determination and order concerning directory assistance programs.

The bill would extend the repealer until April 1, 1983.

Ch. 1382 (AB 2535) Fazio. Talent agencies.

(1) Existing law contains extensive regulations governing persons acting as a musician booking agency, as defined. Such agents are licensed by the Bureau of Employment Agencies within the Department of Consumer Affairs.

This bill would repeal the specific provisions regulating musician booking agencies and include musician booking agents within the provisions governing talent agencies, who are licensed by the Labor Commissioner.

(2) Existing law regulates persons acting as artists' managers, as defined.

This bill would change the scope of such regulation from artists' managers to talent agencies, and define talent agencies. All references to artists' managers would be changed to talent agencies.

(3) Existing law requires an annual license fee of $100 for an artist's manager's license

This bill would increase such license fee to $150 for a talent agency license.

This bill would also state the intent of the Legislature that those individuals and organizations previously licensed as musician booking agencies shall henceforth be licensed as talent agencies.

Ch. 1383 (SB 1405) Nejedly. Taxation: sales and use taxes.

Existing Sales and Use Tax Law exempts from taxation the use of personal property for less than 1 day for a charge of less than $10 when the use is restricted to the premises or location of the grant or of the privilege.

This bill would increase the exemption by changing the limitation to $20.

Moreover, counties, cities, and rapid transit and transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the rapid transit or transit districts, for revenue losses caused by the enactment of sales and use tax exemptions.

The bill would not reimburse any county or city for revenue losses for specified reasons.

This bill will take effect immediately as a tax levy, but will be operative on the first day of the first calendar quarter commencing more than 25 days after the effective date of the bill.

Ch. 1384 (SB 1949) Dunlap Depositions.

Under existing law, depositions are required to be filed with the court in which the action is pending

This bill would instead provide that the deposition be sent to the party who noticed the deposition. The deposition would be filed with the court only if it became relevant.

Existing law provides that upon payment of reasonable charges therefor, the officer before whom a deposition is taken shall furnish a copy of the deposition to any party or to the deponent.

This bill would require such officer to keep the deposition for 6 months following final

disposition of the case

The bill also would make related changes.

The bill also would incorporate changes made by Chapter 383 of the Statutes of 1978 to Section 2019 of the Code of Civil Procedure.

Ch. 1385 (SB 1773) Presley Indigent appeals.

Existing law provides for representation of indigents on criminal, juvenile court and civil commitment appeals by the State Public Defender, county public defender, or other counsel. The State Public Defender is authorized upon court appointment or the person's request to represent an indigent in a proceeding of any nature where a person is entitled to representation at public expense, and to perform any acts consistent with such duty. The county public defender is required to counsel indigents charged with crimes about the charges against them, to prosecute appeals of convicted persons which will or might reasonably result in modification or reversal of the judgment, and to represent other indigent persons.

This bill would provide that it is the duty of trial counsel in criminal, juvenile and civil commitment cases to counsel prospective indigent appellants relative to arguably meritorious grounds for appeal except as to an issue regarding the competency of such counsel. The State Public Defender would be required upon request to assist such prospective indigent appellant or his counsel as to whether arguably meritorious grounds for appeal exist.

The bill would also make specified requirements relative to the filing of notices of appeal in criminal, juvenile court and civil commitment cases.

The bill also provides that neither appropriation is made nor obligation created for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

The bill would remain in effect until January 1, 1981, and would be repealed as of such date

Ch. 1386 (AB 2152) Brown. Vital statistics· live birth: confidentiality.

Existing law specifies the minimum contents to be included in a state certificate of live birth, including the color or race of the mother and father, and permits the inclusion of other medical and health items as determined by the State Registrar of Vital Statistics. When objection is made by either parent to furnishing information relating to the medical and health condition of a live born child because of conflict with religion, such information is not required to be entered on the certificate of live birth. Existing law does not require any medical and health report to be submitted to the local registrar of births and deaths for each live birth.

This bill would prescribe the items of information to be included on the certificate for any live birth occurring on or after January 1, 1980, including certain specified medical and social information items required to be kept confidential, as specified. It would also delete the requirement of including the color of the mother and father on such certificate, and, instead, include their ethnicity. It would also delete, as to the certificate of live birth, the exclusion on objection because of conflict with religion of information relating to the medical and health condition of a live born child.

The bill would require a blank space on the certificate of live birth for entry of the date of death.

This bill would require that for each registration of live birth submitted to the local registrar a completed medical and health report be submitted, as specified It would require the State Registrar to adopt regulations specifying the contents of such report and to supply the necessary forms. The bill would limit the contents of such report to medical, health, or social data necessary to evaluate and improve maternal and child health, as determined by the State Registrar It would require the State Registrar to make certain specified findings with respect to inclusion of specific items in the report. The bill would also prohibit, when objection is made by either parent to the furnishing of information requested in specific items in the report or confidential portion of the certificate of live birth, the requirement of entry of such information.

This bill would require that the confidential portion of the certificate of live birth and the entire medical and health report be labeled as confidential in a specified manner. It would require that the parent be informed of the report's confidential nature and

would prohibit the identification of the mother, father, or child in the report.

This bill would also require that the confidential portion of the certificate of live birth and the medical and health report be kept confidential and would limit access to the report and the confidential portion of the certificate of live birth, as specified.

This bill would require a two-prong review process for research proposals that propose to use the confidential information contained in the certificate of live birth. It would initially require such proposals to be reviewed by an appropriate committee constituted for the protection of human subjects, as specified. The recommendation of such committee would be reviewed by a Vital Statistics Advisory Committee, appointed by the State Registrar, as specified.

This bill would require the State Registrar to adopt regulations to assure the confidentiality of confidential health and medical information, as specified, and to establish procedures regarding access to vital statistics records. It would exempt all confidential information on vital statistics records from the California Public Records Act. It would require the Vital Statistics Advisory Committee to make certain recommendations to the State Registrar, as specified.

This bill would make it a misdemeanor for a person to release a copy of the confidential portion of a certificate of live birth or the medical and health report except, as specified. It would also prescribe that a person who is the subject of such confidential information has a civil right of action against the person releasing such information and may seek punitive damages, as specified.

This bill would require the State Registrar to instruct all local registrars to collect the information for the certificate of live birth required by its provisions on January 1, 1979. The bill would require such information be transcribed on the certificate in use at such time.

This bill would make other technical nonsubstantive changes.

This bill would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason.

This bill would appropriate $150,000 from the General Fund to the State Department of Health Services for the purposes of this bill.

Ch 1387 (SB 1929) Greene. Medi-Cal. podiatric services.

Under existing law, the Director of Health Services is required to determine which of the health care services available under Medi-Cal are elective. If the director believes the cost of the Medi-Cal program will exceed available funds and modifying the method or amount of payment for services is not sufficient, the director may postpone elective services by changing standards for approval of requests for prior authorizations.

This bill would provide that for purposes of determining elective services, the director shall make no distinction based on whether a service is rendered by a physician or a doctor of podiatric medicine.

Such provision would remain in effect only until January 1, 1981

Ch. 1388 (AB 2663) Brown. Assessor records and inheritance and gift taxes.

Existing law requires a county assessor to disclose information, furnish abstracts or permit access to all records in his office to specified local and state officers and agents.

This bill would require that a county assessor also disclose information, furnish abstracts or permit access to such records to inheritance tax referees.

Under existing Inheritance and Gift Tax Law, as revised by the Tax Reform Act of 1977, gifts made by a decedent are taken into consideration for the purpose of fixing inheritance taxes

This bill provides that only those gifts shall be considered which were made after December 31, 1976 in the computation of inheritance taxes and shall authorize an inheritance tax credit equal to the gift tax paid on any gift made prior to December 31, 1976, which is included in the computation of inheritance taxes, with certain limitations.

This bill would also provide that there shall be no reimbursement of local agencies for costs incurred by them pursuant to this act for specified reasons.

The bill would take effect immediately as an urgency statute.

Ch. 1389 (AB 2878) Agnos. Health care: older adults.

Under existing law, the State Department of Health Services is required to maintain a program to promote the availability of medical and health care for the aging.

This bill would require the State Department of Health Services to provide various specified health services for older adults, as defined

Ch. 1390 (AB 2528) Boatwright. Family stress center: pilot project.

Existing statutes provide for multiservice youth and family programs under the Office of Criminal Justice Planning, for crime and delinquency prevention programs and youth service bureaus under the Department of the Youth Authority, for state and county child protective services under the State Department of Social Services, for a Family Protection Act of 1976 with family reunification services and voluntary placement of minors in demonstration counties, for child sexual abuse prevention demonstration centers, child abuse pilot project centers, and domestic violence pilot project centers under the State Department of Health Services, and for pilot regional family crises centers (including multidisciplinary family crises teams) under the Office of Child Abuse Prevention in the State Department of Social Services, and for mandatory juvenile court ordered counseling of parents of certain dependent children of such court whose home is unfit.

This bill would require the establishment and operation by a private nonprofit institution selected by the Director of Social Services of a family stress pilot project center, to be located in an urban California county, providing specified services, relating especially to prevention of child abuse. This bill would require specified evaluations of the project and related annual reports to the Legislature. The operation of the project would be authorized only until June 30, 1982, on which date, this act would self-repeal.

It would appropriate $45,000 to the State Department of Social Services for purposes of establishing the center. The bill would provide that there shall be no reimbursement of any local government entity for costs incurred pursuant to its provisions because the bill is in accordance with a local government entity request.

Ch. 1391 (AB 3206) Torres. Maternal and child health: lead poisoning.

Existing law with respect to maternal and child health has no provision for the development of a program to prevent and identify disabilities and debilitating diseases caused by lead poisoning, for purposes of reducing infant mortality and improving the health of mothers and children.

This bill would require the State Department of Health Services to develop such a program, as specified. It would require the department to submit an evaluation of the program to the Legislature, as specified.

It would also appropriate the sum of $200,000 to implement the provisions of this bill.

Ch. 1392 (AB 2420) Imbrecht. Trespass.

Under existing law, it is a misdemeanor for a person to enter enclosed, cultivated, or posted lands of another and to refuse to leave when requested by the owner, his agent, or the person in lawful possession.

Under existing law, it is also a misdemeanor to refuse to leave land, real property, or structures of another when requested to leave by a peace officer and the owner, his agent, or the person in lawful possession

This bill would also make it a misdemeanor to refuse to leave land, real property, or structures of another when requested to leave either by the owner, his agent, or the person in lawful possession However, it would provide an exception for persons engaged in lawful labor union activities which are permitted by specified provisions of law.

The bill would also 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 act for specified reasons.

Ch. 1393 (AB 3644) Berman Department of Mental Health: planning, research, evaluation, and quality assurance.

Current law establishes the Department of Mental Health and prescribes its powers and duties.

This bill would require the State Director of Mental Health to organize appropriate staff of the department to assure implementation of specified planning, research, evaluation, and quality assurance responsibilities, including, among other things: developing standards for local quality assurance activities and ensuring compliance with such standards; serving as a clearinghouse for information, as specified; making available technical

assistance to local mental health programs and agencies, as specified; conducting or contracting for an onsite professional peer review of each county mental health program by January 1, 1981, as specified; establishing a program review advisory committee comprised of local mental health program directors and others to study and comment on program review results and recommendations; conducting a specified follow-up assessment; making related reports to the Legislature; and bearing the full cost of the reviews required hereby.

This bill would also: require each county mental health program, by January 1, 1980, to establish a quality assurance program, as specified; and repeal the Short-Doyle Act requirement that county Short-Doyle plans include a detailed description of the county's evaluation method, as specified, and would require, instead, a description of the quality assurance system and of any other county evaluation activities, as specified.

This bill would also make additional changes in Section 5651 of the Welfare and Institutions Code, proposed by AB 3424 to become operative only if this bill and AB 3424 are both chaptered and become effective on January 1, 1979, and this bill is chaptered after AB 3424.

Ch. 1394 (AB 2352) Fazio. Property taxation: exemptions.

Under existing law, business inventories qualify for an exemption from property taxation, as specified by the Legislature, pursuant to provisions of the California Constitution which authorize the Legislature to classify or exempt personal property for taxation purposes.

This bill would define business inventories to include goods held by a licensed contractor and not yet incorporated into real property.

Under existing law personal property owned or leased by a noncommercial educational television or FM radio broadcast station is exempt from property taxation.

This bill would exempt the personal property owned or leased by a noncommercial educational AM radio broadcast station from property taxation.

Ch. 1395 (SB 1174) Song. Decedents' estates: fees.

Under existing law, the executor, when no compensation is provided by will or he renounces all claim to such compensation, or the administrator of a decedents' estate is entitled to receive as a commission 7% of the estate for the first $1,000; 4% of the next $9,000; 3% of the next $40,000; 2% of the next $100,000; 1½% of the next $350,000; and 1% of the balance of the estate.

This bill would alter such percentages by providing for a 4% commission as to the first $15,000, a 3% commission as to the next $85,000, a 2% commission as to the next $900,000, and a 1% commission of the estate in excess of $1,000,000.

Ch. 1396 (AB 2183) Keysor. Elections: ballot pamphlets.

Existing law requires the Secretary of State to supply county clerks with as many copies of the statewide ballot pamphlets as are needed. The county clerks, in turn, are required to mail ballot pamphlets to the voters.

This bill would require the Secretary of State, in those instances in which the county clerk uses data-processing equipment to store information set forth in affidavits or registration, to mail such ballot pamphlets to each voter who is registered to vote prior to the 60th day before the election. Voters registering after the 60th day before the election and prior to the 28th day before the election would receive the pamphlets from either the Secretary of State or the county clerk. If a county clerk is required to mail the ballot pamphlets, the Secretary of State, under the provisions of the bill, would be required to reimburse the clerk for the costs incurred.

Ch. 1397 (SB 2031) Nimmo. Solid waste.

Currently, under Title 7.3 (commencing with Section 66700) of the Government Code, the Solid Waste Management Board is responsible for formulating and adopting state policy for solid waste management which is primarily the responsibility of local government and administering solid waste facility permit and enforcement procedures. The term "solid waste" is defined for the purposes of the act to mean all putrescible and nonputrescible solid, semisolid, and liquid wastes, including various specific things.

Under Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and

Safety Code, the State Department of Health Services is responsible for establishing criteria and guidelines for handling, storage, use, processing, and disposal of hazardous waste and administering disposal facility permits and enforcement procedures.

This bill would delete disposal of hazardous waste from the administration of the board. The bill would also require approval by the department of hazardous waste elements in county solid waste management plans, and would make other technical conforming changes.

The bill would provide that no appropriation is made nor any obligation created for reimbursement of local agencies for any state-mandated local program for specified reasons.

Ch. 1398 (SB 251) Roberti. University of California: employee records.

Existing law makes provision for an individual to gain access to records maintained by a state agency containing personal information, as defined, about such individual.

This bill would provide that every individual shall have access to all such personal information contained in any employee record which is maintained by the University of California which pertains to the individual.

This bill would place specified limitations on an individual's right of access to information relating to the employment, advancement, renewal of appointment, or promotion of such individual in an academic senate position which is received with the promise or with the understanding that the identity of the source of the information would be held in confidence, provided that such limitations are adopted by the Regents of the University of California. In addition, such limitations would not apply to information received prior to January 1, 1979.

Ch. 1399 (AB 2048) Duffy. Homemaker chore services.

Existing law authorizes county welfare departments to contract with local government agencies, voluntary nonprofit agencies, proprietary agencies or individuals for the provision of in-home supportive services to aged, blind and disabled persons. It requires such contracts to include specified provisions.

This bill would require such contracts to include a provision authorizing a bond to secure payment of wages in the event that bankruptcy, liquidation, embezzlement, fraud, or other factors prevent payment of wage claims to service personnel.

This bill would appropriate $227,743.30 to the State Board of Control for allocation for the payment of claims of homemaker chore personnel in Fresno, Imperial, Plumas, San Francisco, San Luis Obispo and Tulare Counties for work provided in the period between June 1976 and August 1976, pursuant to their employment with specified bankrupt employers.

The Division of Labor Standards Enforcement of the Department of Industrial Relations would be directed to seek reimbursement of the sum appropriated from the bankruptcy estate of the bankrupt employers.

The bill would take effect immediately as an urgency statute.

Ch. 1400 (AB 2182) Mello. Official reporters.

Existing law provides compensation of fifty-five dollars ($55) per day for official reporters pro tempore in superior courts in Santa Cruz County. This bill would increase the compensation of official reporters to $65 a day.

This bill would provide that the bill is inseverable from provisions relating to the disclosure of court reporter salaries.

It would also declare that the legislation is necessary in order to carry out specified constitutional responsibilities of the Legislature, so that the Legislature may obtain information regarding the compensation of court reporters.

This bill would specify that, notwithstanding Section 2331 of the Revenue and Taxation Code, there shall be no reimbursement of local agencies for costs incurred pursuant to this act.

Ch. 1401 (AB 2249) Knox. Courts: Contra Costa County.

Existing law provides for the superior and municipal courts in Contra Costa County.

This bill would raise the municipal court fees, change the judicial districts, and revise the classifications, salaries, and number of positions for various superior and municipal

court employees in Contra Costa County.

It would provide that there is no appropriation made for reimbursement of local agencies for costs incurred as a result of its enactment for a designated reason

Ch. 1402 (AB 2620) Fenton. Municipal courts· Los Angeles County

Existing law provides for the compensation of municipal court personnel in Los Angeles County.

This bill would increase the compensation of, and revise the number and classifications of, various personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity which desired authority to act pursuant to the act

Ch. 1403 (AB 2670) Lanterman. Community colleges: handicapped student programs.

Existing law requires the State Controller to transfer certain amounts from the General Fund to Section B of the State School Fund as are certified by the Chancellor of the California Community Colleges to be necessary to meet computed apportionments for community college basic aid, equalization aid, and allowances for adults in programs maintained in conjunction with community colleges, not to exceed a specified amount, with certain exceptions

This bill would require a 6-percent annual increase in the specified amount commencing with the 1979–80 fiscal year.

Under existing law, the Chancellor of the California Community Colleges is required to apportion to each community college district an amount of money to be used for special education programs.

This bill would require a 6-percent annual increase in the specified amount beginning in fiscal year 1979–80.

This bill would also authorize the chancellor to allocate an increased amount to provide for excess costs of educational services for severely disabled students; would require that handicapped residents of one district be permitted to enroll in another district which offers special programs or services not available in the district of residence; and would require the chancellor to recommend to the Legislature whether or not the state should reimburse excess district costs arising from the employment of disabled classified and certificated employees

[The above provisions of the bill would become operative July 1, 1979.]*

Ch. 1404 (AB 3008) Keene. Trinidad Bay.

(1) Under the Budget Act of 1977, the sum of $1,030,000 was appropriated to the Department of Parks and Recreation for the acquisition of Trinidad Bay lands for the state park system from the State, Urban, and Coastal Park Fund.

This bill would amend and supplement the Budget Act of 1978 to revert the unencumbered balance of such appropriation.

(2) Under the Budget Act of 1978, the sum of $7,000,000 was appropriated to the State Coastal Conservancy for expenditure in the 1978–79 fiscal year for purposes specified in Section 5096.125 of the Public Resources Code under prescribed conditions.

This bill would authorize the State Coastal Conservancy to grant not more than $100,000 of such funds to the Humboldt North Coast Land Trust Inc , for acquisition of lands at Trinidad Bay subject to specified conditions but without meeting all the conditions prescribed in the Budget Act of 1978.

Ch. 1405 (AB 3213) Wornum. Courts: filing fees.

Existing law provides for a surcharge of $11.50 in Marin County in addition to other court filing fees in order to help defray the costs of reporting services in that county

This bill would increase that additional charge from $11.50 to $14.50.

Ch. 1406 (AB 3275) Mello. Courts. Santa Cruz County Municipal Court.

Existing law specifies the constitution and salary range of municipal court personnel in Santa Cruz County.

This bill would revise and increase the salaries of specified municipal court personnel in Santa Cruz County

This bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desired authority to act pursuant to the act.

This bill would provide that its provisions relating to court reporters' salaries are inseverable from existing financial disclosure requirements.

Ch. 1407 (AB 3408) Lockyer Consumer Advisory Council.

Existing law requires the Consumer Advisory Council to recommend to the Director of the Department of Consumer Affairs, the enactment of legislation it deems necessary for consumer protection, and to make studies, as directed by the Governor or the director.

This bill would permit the council's recommendations to be made to the Legislature, as well as the director, and would require the council to make studies at the direction of the Legislature, as well as the Governor and the director.

Ch. 1408 (AB 3500) Robinson Political Reform Act. campaign reporting.

Existing provisions of the Political Reform Act of 1974 provide that a committee which files a preelection campaign statement or abbreviated statement and which, after the closing date of the statement, receives no contributions and makes no expenditures related to the election, may designate the statement a "final statement" and is not required to file any subsequent preelection or postelection statement in connection with the election provided the final statement contains a specified declaration signed by the committee's treasurer.

This bill would in addition permit a candidate to file such a "final statement."

Existing law specifies filing dates for various types of campaign statements.

This bill would authorize the Fair Political Practices Commission to enact regulations to permit a candidate or committee to file a campaign statement combining a preelection campaign statement and a semiannual campaign statement

Existing law requires a copy of every mass mailing in support of or in opposition to a state candidate or a state measure to be sent to the Fair Political Practices Commission on the same day on which it is mailed to the public generally.

This bill would delete this requirement.

This bill would take effect immediately as an urgency statute

Ch. 1409 (AB 3554) Deddeh. Courts.

Existing law authorizes the appointment of a traffic referee by a majority of the judges of the South Bay (San Diego) Judicial District.

This bill would specify the compensation for such an appointee, would authorize the presiding judge of the South Bay Judicial District to assign such appointee to sit temporarily in any judicial district in San Diego County, but would provide that during such temporary assignment the referee would remain an employee of the South Bay Judicial District.

Existing law specifies the number and classification of employees of the marshal of the municipal court in San Diego County.

This bill would revise the number and compensation of employees of the marshal of the municipal court in San Diego County.

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.

Ch. 1410 (AB 3603) Goggin Municipal courts: San Bernardino County.

Existing law sets forth the divisions of the San Bernardino Municipal Court, and specifies the number of judges in each division.

This bill revises the territory of the Barstow Division, and adds the Rancho Cucamonga Division containing one municipal court judge.

Existing law provides for the employees of the San Bernardino Municipal Court and their salaries

This bill revises those provisions

This bill would also incorporate amendments made by Chapter 85 of the 1978 Statutes.

This 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.

Ch. 1411 (AB 3667) McVittie. Political Reform Act. audits and investigations.

Existing law, contained in the Political Reform Act of 1974, provides for audits and investigations by the State Franchise Tax Board with respect to the following statements required to be filed with the Secretary of State: (1) statements filed by each registered lobbyist; (2) statements filed by each candidate who has received more than 15 percent of the total vote cast in the general or special election for the office for which he was running; (3) statements filed by each candidate running in a primary, general, or special election for whom the Franchise Tax Board determines more than $25,000 of expenditures have been made; (4) statements filed by each committee supporting one or more candidates insofar as its reports and statements relate to the support of such candidates, other than so-called "major donor" committees; and (5) statements filed by each committee which the Franchise Tax Board determines has spent more than $10,000 during any calendar year other than major donor committees.

This bill would revise the scheme of mandatory Franchise Tax Board audits and investigations. Audits and investigations would be made with respect to the following statements: (1) statements filed by each registered lobbyist, except that those lobbyists in substantial compliance with the act shall be audited only on a specified random basis; (2) statements of each statewide, Supreme Court, court of appeal or Board of Equalization candidate in a direct primary or general election for whom contributions received or expenditures made are at least $25,000; (3) statements of each committee, other than a major donor committee, whose participation is primarily in support of or in opposition to a state measure or measures and which committee has expended $10,000 on such measure or measures during any calendar year; (4) statements of each candidate for the Legislature or superior court in a direct primary or general election on a specified random basis for whom contributions received or expenditures made are at least $15,000; (5) statements of each candidate for the Legislature in a special primary or special runoff election for whom contributions raised or expenditures made are at least $15,000; (6) statements filed by each controlled committee of any candidate who is being audited and each committee primarily supporting such a candidate; and (7) statements of each committee, other than a major donor committee, if it is determined that the committee has expended more than $10,000 supporting or opposing state candidates or state measures on a specified random basis.

This bill would require the public selection of campaign and lobbyist audits and would make certain other technical and conforming changes relating to such audits and investigations.

This bill would provide that lobbyist audits and investigations shall cover reports filed during a period of one year.

Existing law provides for a 2-year statute of limitations for violations of the Political Reform Act.

This bill would provide for a 4-year statute of limitations for violations of the act.

Ch. 1412 (AB 3760) Perino. Municipal courts: San Joaquin County.

Existing law specifies the number, classifications, and compensation of municipal court personnel in San Joaquin County.

This bill would revise the number and compensation of specified personnel.

Existing law provides for one judge and various employees of a municipal court district in southern San Joaquin County encompassing the cities of Manteca, Escalon, and Ripon.

This bill would repeal such provisions.

The bill would also provide that no appropriaton or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act

Ch 1413 (AB 3832) Chappie. Criminal trials.

Existing law 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 $500,000 from the General Fund in augmentation of Item 393 of the Budget Act of 1978, relating to reimbursement for the costs of such trials.

This bill would take effect immediately as an urgency measure.

Ch. 1414 (SB 672) Garcia. Vocational nursing.

Existing law provides for the existence of a Board of Vocational Nurse and Psychiatric Technician Examiners, 6 of whom are licentiates of the board and 5 of whom are public members.

This bill would ~~instead~~ provide [,as to the licientiate members,]* that 3 members shall be licensed vocational nurses who have been licensed for a period of not less than 3 years prior to appointment; 2 members shall be licensed psychiatric technicians, each of whom shall have had not less than 5 years of designated experience; and 1 shall be a licensed vocational nurse or registered nurse with not less than 5 years of experience as a teacher or administrator in an accredited school of vocational nursing.

Ch. 1415 (SB 1290) Holden. Transportation: abandoned railroad rights-of-way.

(1) Under existing law, the Department of Transportation is required to acquire specified abandoned railroad rights-of-way for public transportation uses.

This bill would specifically authorize the department to acquire for such use that portion of the Alla Branch abandoned by the Southern Pacific Transportation Company between Culver Boulevard and the terminus in Los Angeles City, with portions to be used for transportation purposes and the portion from Washington Street to the terminus to be sold to state and local agencies to facilitate development of the Los Angeles City Development Plan.

(2) Under existing law, public agencies may enter into agreements to jointly exercise any power common to them.

The bill would specifically authorize the department to enter into a joint powers agreement with Los Angeles County and other public agencies to purchase the property.

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

Ch. 1416 (SB 1367) Alquist. Registered construction inspectors.

Existing law establishes a State Board of Registered Construction Inspectors in the Department of Consumer Affairs. In addition to a general provision contained in the Business and Professions Code, the Registered Construction Inspectors Law contains a specific provision providing that each member of the board shall continue in office until the appointment and qualification of his successor or until 1 year has elapsed since the expiration of his term, whichever first occurs.

This bill would delete the specific provision contained in the Registered Construction Inspectors Law relating to the qualification of a successor and the provision relating to remaining in office until 1 year has elapsed since the expiration of a term.

Existing law requires persons who desire to be registered construction inspectors to take an examination for each registration specialty if he meets prescribed qualifications.

This bill would waive such a requirement if the person meets all other requirements to be examined. Such waivers could be made until and including December 31, 1979 Persons authorized pursuant to such provisions would only be authorized until December 31, 1981, as specified

Existing law does not authorize the State Board of Construction Inspectors to make refunds of examination fees.

This bill would authorize such refund when the board did not conduct an examination

This bill would also require the State Treasurer to release for the board's use funds held on the effective date of the bill for the account of the board in the Construction Inspectors Registration Board Fund.

This bill would also repeal the Registered Construction Inspectors Law, operative July 1, 1981.

Ch. 1417 (SB 1460) Rains. Municipal courts: Ventura County.

Existing law specifies the number of, and compensation for, municipal court personnel in Ventura County.

This bill would change the number of, and compensation for, specified personnel in such municipal court

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1418 (SB 1548) Gregorio. Court reporters: San Mateo County.

Existing law provides for the biweekly salary of official court reporters of San Mateo County. Also, the Board of Supervisors of San Mateo County may provide for higher compensation, which shall be in effect for a limited period unless ratified by the Legislature.

This bill would increase the salary of court reporters in San Mateo County, and would also delete the necessity of Legislative ratification of future salary changes.

The bill would provide that its provisions are inseverable from provisions relating to the disclosure of court reporter income.

This bill also provides that no appropriation is made to the State Controller for disbursement to local agencies for costs incurred by them pursuant to its provisions.

Ch. 1419 (SB 1564) Song. Writs of execution.

Existing law permits the issuance of a writ of execution to a sheriff, constable, or marshal of any county.

This bill would permit the service of a writ of execution by a registered process server where the property sought to be levied upon is in the hands of a third party and the levy of execution does not require the levying officer to sell, deliver, or take custody of such property

This bill would require that a sheriff, constable, or marshal perform all other duties in connection with execution and processing of a writ of attachment, other than actual service of the writ, where actual service is made by a registered process server.

This bill would make the fees for service or execution of a writ of attachment applicable to the processing of such a writ.

This bill would make certain conforming changes.

This 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.

Ch. 1420 (SB 1792) Campbell. Physicians and surgeons: certification.

Existing law permits an applicant for a certificate to practice medicine whose application is based on a diploma issued by a foreign medical school and who has actively practiced medicine and surgery for a period of not less than 15 years in a foreign country or other state to pass only specified portions of the written examination

This bill would reduce such period of practice from 15 to 14 years.

Ch. 1421 (SB 1933) Dunlap. Courts: Napa County.

Existing provisions of law regulate the salaries of municipal court employees in Napa County.

This bill revises the salaries of municipal court employees in Napa County.

The bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code, no appropriation is made by this act and the state shall not reimburse any local agency for any costs incurred by it under this act.

Ch 1422 (SB 1946) Foran. Court commissioners: San Mateo County.

Existing law provides for court commissioners of the superior court in San Mateo County.

This bill would raise the salaries of such court commissioners and establish 3 court commissioners of the municipal court in San Mateo County.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to the bill.

Ch. 1423 (SB 1947) Foran. Courts· filing fees.

Existing law states the fees for filing various documents in the Superior Court in San Francisco.

This bill would revise various specified fees for filing documents in the Superior Court in San Francisco

Existing law requires the parties to a civil action to pay certain court reporter fees or sums payable toward such fees as part of their filing fees.

This bill would add additional instances in which such fees or sums would be payable as part of a party's filing fee.

Ch. 1424 (SB 2015) Dunlap. Courts· Solano County
Existing law specifies the number, classification, and compensation of superior and municipal court personnel in Solano County.
This bill would revise the number, classification, and compensation of superior and municipal court personnel in Solano County
The bill would provide that its provisions relating to compensation of court reporters are inseverable from existing financial disclosure provisions.
This 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.

Ch. 1425 (SB 2030) Nimmo. Municipal Courts: San Luis Obispo County.
Existing law specifies the compensation for municipal court personnel in San Luis Obispo County
This bill would increase the salaries of specified municipal court personnel in San Luis Obispo County.
This 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.

Ch. 1426 (SB 2071) Nimmo Municipal court: Monterey County.
Existing law prescribes the classification and compensation of municipal court personnel in Monterey County.
This bill would revise the classification and compensation of specified personnel in the municipal courts in Monterey County.
The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch 1427 (SB 2098) Petris. Medi-Cal: skilled nursing facilities. developmentally disabled appropriation.
This bill would appropriate $40,000 to the Health Care Deposit Fund for reimbursement, retroactive to April 1, 1978, and as specified, under Medi-Cal of specified skilled nursing facilities for serving developmentally disabled persons for specified state-mandated cost increases, until new rates become effective.
This bill would take effect immediately as an urgency statute.

Ch. 1428 (SB 2102) Rodda. Municipal courts: Sacramento County.
Existing law specifies the number, classifications, and compensation of superior and municipal court personnel in Sacramento County.
This bill would revise the number, classifications, and compensation of such personnel.
The bill would provide that its provisions relating to court reporter compensation are inseverable from existing financial disclosure provisions.
The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

Ch 1429 (SB 2132) Vuich Courts· Fresno and Tulare Counties.
Existing law provides for 7 judges in the Fresno Judicial District in the County of Fresno
This bill would change the name of such district to the Consolidated Fresno Judicial District, and increases the number of judges from 7 to 8.
Existing law provides for the number and salaries of certain municipal court employees in Fresno County.
This bill would revise the number and salaries of such employees.
Existing law provides for certain municipal and justice court employees in Tulare County
This bill would revise such provisions
Existing law provides for maintenance of specified records by court reporters in Kings and Mariposa Counties for audit by the Judicial Council.
This bill would include court reporters in Tulare County within such provisions, and make such provisions relating to Tulare County inseverable from the increases for court reporters in that county.
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 the bill.

Ch. 1430 (SB 2144) Rains. Courts: Santa Barbara County.

Existing law specifies the compensation, classification, and number of municipal court employees in Santa Barbara County.

This bill would revise the compensation, classification, and number of municipal court employees in Santa Barbara County.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, no appropriation is made by the act and the state shall not reimburse any local agency for any costs incurred by it under the act.

Ch. 1431 (SB 2177) P. Carpenter. Unfair trade practices.

Federal patent and copyright laws prohibit the duplication of various unique designs and ideas.

Existing state laws prohibit various forms of unfair competition.

This bill would prohibit the duplication without permission and for the purpose of sale of a manufactured item by use of a direct molding process by which the manufactured item is used as a plug in making the mold, where the mold is to be used for the manufacture of items. It would also prohibit the sale of an item duplicated by such a process. Such provisions would be enforced in a civil action brought by the injured person.

Ch. 1432 (AB 2008) Wray. Skateboard parks.

Under existing law, a local authority is authorized to adopt rules and regulations prohibiting or restricting persons from riding or propelling skateboards in roadways. There are no statutory provisions regulating skateboard parks.

This bill would prohibit an operator of a skateboard park from permitting any person to ride a skateboard therein unless such person is wearing a helmet, elbowpads, and kneepads.

DIGESTS OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED IN 1978

1977–78 REGULAR SESSION

RESOLUTION CHAPTERS

Res Ch 1 (ACR 80) Knox Charles Warren
This measure would commend Charles Warren for service in the California Legislature

Res Ch 2 (SCA 45) Mills Compensation expenses, and retirement of elected officials
The Constitution presently provides for the regulation of the compensation, reimbursement for living expenses, and retirement benefits of Members of the Legislature by statute The Constitution also provides that the compensation of the Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Superintendent of Public Instruction, and Treasurer and compensation and retirement benefits of justices and judges of courts of record shall be prescribed by statute. The Constitution further provides that a judge of a court of record may not receive salary for his office while any cause before him remains pending and undetermined for 90 days after it has been submitted for decision
This measure would repeal all of the above provisions, and would provide instead for compensation, expenses, retirement, insurance, and other benefits of elected officials as follows
(1) The Governor would be required on the 2nd Monday after January 1 of each odd-numbered year to appoint 4 members to the 7-member California Elected Officials Compensation Commission, who are members of and are the current or former chairman or president of (a) the Fair Political Practices Commission, (b) the Commission on California State Government Organization and Economy, (c) the State Personnel Board, (d) and one public member The majority of the Governor's nonpublic appointees would be required to select 2 members who are from a statewide, nonprofit, nonpartisan organization dedicated to voter education or government improvement, and a statewide nonprofit, nonpartisan organization of California taxpayers, and the Judicial Council would be required to appoint 1 public member who shall not be a present or past member of the judiciary In event the state agencies are no longer in existence, the appointments would be made from former chairmen or presidents of such agencies, or present or former chairmen or presidents of successor agencies, or, if none exist, similar agencies
(2) Specific provision would be made for appointment to the commission in the event the Governor fails to exercise his duty to appoint
(3) On and after the effective date of this measure, the salary, retirement, insurance, and other benefits of the Governor, Lieutenant Governor, Attorney General, Controller, State Treasurer, Secretary of State, Superintendent of Public Instruction, members of the State Board of Equalization, justices and judges of courts of record, and Members of the Legislature would be established by a single resolution adopted by a majority of the commission after public meetings The commission would also establish by the same resolution the rate for reimbursement of travel expenses and living expenses, including per diem, if any, incurred by such officials Such salary, retirement, insurance, and other benefits, and expenses and the resolution would become effective on the commencement of the regular session commencing after the next general election following ratification by the Legislature by concurrent resolution adopted by a majority vote of each house
(4) The retirement rights and retirement benefits for service that the officers were entitled to prior to the effective date of the commission's resolution would become fixed on the basis of the law as it existed on the effective date of the measure and such rights and such benefits could not be diminished by action of the commission and new benefits thereafter established could also not be subsequently diminished by the commission
(5) No elected official subject to this measure could be provided with an automobile, except as established by the commission for official business, and such use would be limited to uses as are reasonably necessary to make the official available for the official's duties and responsibilities
(6) No elected official subject to this measure would be eligible for health care benefits or insurance except to the extent such benefits and insurance are established by the commission and do not exceed those available to the majority of state civil service employees; provided, that a judge of the superior or municipal court would be author-

ized to elect, in lieu of coverage by the state, to be covered by health care benefits or insurance provided to officers or employees of the county in which the judge sits

(7) Upon ratification of the commission's resolution, or in the event that such resolution is not adopted, upon the adjournment sine die of each session of the Legislature, the term of office of the commissioners would expire. Successor commissioners would be appointed in the manner provided for the establishment of the first commission

(8) The measure would provide for actual and necessary expenses of commissioners, and would provide that each commissioner who does not hold any other salaried state office shall be compensated at the same rate as members of the Fair Political Practices Commission for official duties, not to exceed 45 paid working days.

(9) The State Personnel Board and the Public Employees' Retirement System or its successor would be required to furnish additional staff and services to the commission, and the Legislature would be directed to provide funds for the commission's support

Res Ch 3 (AJR 31) Kapiloff Tuna fishing.

This measure would memorialize the President and the Congress to take whatever actions are necessary to resolve the impasse between the tuna industry and the federal government relative to porpoise kills, and to review existing laws and regulations to ascertain if any adjustments may be made in tuna quotas. The measure would also memorialize the President to commence negotiations with other nations for the purpose of concluding an expanded treaty relative to tuna quotas and the killing of porpoise

Res Ch 4 (ACR 31) Ingalls Public transportation· educational program

This measure would request the Department of Transportation, in cooperation with the Departments of Education, Aging, and Rehabilitation, to review and evaluate educational programs in public transportation and information dissemination programs for special public transportation services and to submit a report of specified content to the Legislature by July 1, 1979

Res. Ch 5 (ACR 66) Egeland Office of Alcoholism: fetal alcohol syndrome.

This measure would request the Office of Alcoholism, in consultation with the State Department of Health, to prepare a draft of an information pamphlet on fetal alcohol syndrome and to develop a plan for statewide distribution of the pamphlet to women It would request the office to submit the draft of the pamphlet and the distribution plan to specified committees of the Legislature by April 1, 1978

Res. Ch 6 (ACA 34) Duffy. Public Utilities Commission: hearings and investigations

Presently, the Constitution allows the Public Utilities Commission to establish its own procedures, subject to statute and due process, and specifically authorizes the commission to designate any commissioner to hold a hearing or investigation or issue an order subject to commission approval.

This measure would eliminate the commission's specific constitutional authorization to designate a commissioner to hold a hearing or investigation or issue an order subject to commission approval.

Res. Ch 7 (ACR 90) Mori Agricultural Labor Relations Board.

This measure would declare the intent of the Legislature that the cost of litigation before the Agricultural Labor Relations Board be reduced as much as practical, and that the board develop procedures for sharing the cost of transcript preparation with the parties requesting such transcripts.

Res Ch 8 (SJR 13) P Carpenter Health Planning

This measure would request the United States Congress to amend the Health Planning and Resources Development Act of 1974 to ensure greater state and local control of health services and resources The measure would also request the Governor, Health and Welfare Agency, and State Department of Health to discourage implementation of the act and to join in other state and county efforts designed to achieve the purposes of this measure

Res. Ch. 9 (ACR 54) Chappie. Truck weight limits

This measure would urge the Department of Transportation to develop proposed revisions to provisions of the Vehicle Code governing the rights of local authorities in restricting the use of their highways and bridges to heavy trucks The department would be requested to appoint a committee of representatives from specified public and private entities to aid in developing the proposed revisions

The measure would request the department to report the recommendations to the Legislature not later than October 1, 1978

Res Ch. 10 (SCR 52) Holmdahl. Maltester-Polvorosa Overpass.

This measure would designate the grade separation structure to be constructed on Davis Street (State Highway Route 112) between Doolittle Drive and Warden Avenue in the City of San Leandro as the Jack D. Maltester-Mario Polvorosa Overpass

Res Ch 11 (ACR 55) Priolo Insurance. school physical education programs

This measure would request the Joint Committee on Tort Liability to undertake a study into the problems affecting insurance liability rates for public school physical education courses and activities

Res Ch 12 (AJR 53) Dannemeyer. Aid to Families with Dependent Children

This measure would memorialize the President and the Congress to eliminate the AFDC-U "100-hour rule," and supersede it with a sliding scale of benefits to provide an incentive to work

Res Ch 13 (AJR 55) Cullen Tuition U S possessions

This measure memorializes Congress to consider the enactment of legislation which would make tuition grants available to residents of United States possessions and trust territories for the payment of out-of-state tuition imposed upon them when attending an accredited college or university in the United States

Res Ch 14 (AJR 68) Mangers Service pension benefits. World War I veterans

This measure would memorialize the President and Congress to enact legislation which provides increased service pension benefits for veterans of World War I and for certain survivors of such veterans

Res Ch 15 (ACR 106) Lockyer Child abuse

This measure would declare March 5 to 11, 1978, as Child Abuse Awareness Week

Res Ch. 16 (SCR 62) Zenovich Lucius Powers, Jr.

This measure would memorialize former Assemblyman Lucius Powers, Jr , for his leadership in the Assembly and in the community generally

Res Ch. 17 (ACR 101) Papan Easter recess bill introduction

This resolution provides that following the meeting of the Legislature on March 16, 1977, each house shall be in recess from such time as the house determines, including the period from March 17, 1978, to March 27, 1978

This 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 on March 27, 1978 The resolution additionally provides for the printing of journals and daily and weekly histories during the recess

Res Ch 18 (ACR 82) Cullen. State office building Long Beach.

This measure would request the Department of General Services to name the state office building being constructed on the site of the former Veterans' Building in the City of Long Beach, the California Veterans' Memorial State Office Building, Long Beach

Res Ch 19 (SJR 30) Stull Pest control Japanese beetle

This measure would memorialize the President, Congress, and the Secretary of Agriculture to take all the necessary actions to raise the priority of, and to substantially increase expenditures indefinitely for, pest-hazardous airport treatment and California-bound aircraft treatment and to continue existing quarantine programs

Res. Ch 20 (SJR 28) Beverly Water supply: Antarctic icebergs.
This measure would memorialize all federal agencies with approval responsibilities, including specified agencies, to support a pilot program for technology assessment of promising a water supply from imported Antarctic icebergs for California and global interests.

Res Ch. 21 (SJR 32) Holden. Aerospace industry
This measure memorializes the President and the Congress of the United States to revitalize the aerospace industry in California

Res Ch. 22 (ACR 43) Chacon. Postsecondary education
This measure would request the Regents of the University of California, the Trustees of the California State University and Colleges, and the Board of Governors of the California Community Colleges to develop plans which further the admission, preparation, and training of persons for primary care and services in all areas of health and legal professions who are bilingual and culturally sensitive in the languages and cultures of limited- and non-English-speaking persons. Such plans are not to lower standards for admission policies or training programs. The plans are to be submitted to the Legislature, the Regents of the University of California, the Trustees of the State University and Colleges, and the Board of Governors of the California Community Colleges
This measure would also direct the California Postsecondary Education Commission to (1) develop model outlines for use by the postsecondary segments in preparing these plans; (2) integrate such plans into a comprehensive statewide plan, and report thereon to the Legislature by January 1, 1980, and (3) evaluate the implementation progress of such plans and report recommendations thereon to the Legislature on January 1, 1981, and January 1, 1982

Res Ch 23 (ACR 74) Antonovich State forms
This measure would provide that the Legislature acquire the services of a consulting firm to conduct a study of the costs to businesses of state-required paperwork, and would request the Assembly Rules Committee to allocate a specified amount for such purposes

Res. Ch 24 (SJR 31) Russell. Retirement and pension plans· state and local government
This measure urges the President and Congress of the United States to reiterate the intent in the Employment Retirement Security Income Act of 1974 that state and local government pension plans are not required to file annual returns and reports under that act

Res Ch 25 (SJR 34) Deukmejian 1978 Pacific International Sail Training Races
This resolution would request the United States Coast Guard to commit the USCGC Eagle to the 1978 Pacific International Sail Training Races.

Res Ch 26 (AJR 73) McAlister. "National Forgotten Victims Week."
Memorializes Congress to proclaim April 24th through the 28th, 1978, as "National Forgotten Victims Week" and to formally adopt a resolution so proclaiming

Res Ch. 27 (ACR 105) Bates. Solar energy: Sun Day
This measure declares legislative support in the designation of May 3rd as Sun Day, a day for the promotion of the rapid development of solar energy, and declares that the Legislature encourages, on that day, any activity throughout the state which has as its goal the promotion of solar energy.

Res Ch 28 (SCR 78) Roberti State of Israel
This measure would salute and pay tribute to the State of Israel

Res Ch 29 (ACR 138) Gage State Park Golden Anniversary Observance Day
This measure would designate May 7, 1978, as State Park Golden Anniversary Observance Day and request the Department of Parks and Recreation to allow park visitors one day-use entry to any unit of the state park system without charge on that day

Res Ch 30 (AJR 76) Vasconcellos Congregate services

This measure would memorialize Congress to enact and the President of the United States to approve legislation requiring the delivery of congregate services to the elderly and the handicapped within federally financed public housing projects and their immediate communities in order to make possible independent living and avoid nonmedical institutionalization

Res Ch 31 (SJR 5) Nejedly Income tax deductions new homes.

Existing federal law does not permit the deduction of taxes and fees charged to the new home buyer indirectly through the builder or developer of the home

This measure would memorialize Congress and the Internal Revenue Service to adopt legislation or regulations to allow such deductions by a new home buyer which are directly traceable to that particular new home

Res Ch 32 (SJR 6) Nejedly National ambient air quality standards

This measure memorializes Congress to review the federal Clean Air Act and regulations adopted thereunder to determine if the act and regulations are compatible with present circumstances and to request the Administrator of the Environmental Protection Agency to review the national primary ambient air quality standards in terms of the latest scientific evidence and to determine if all states are required to meet the same standards

Res Ch 33 (SJR 17) Russell Industrial safety

Memorializes Congress to amend the Federal Occupational Safety and Health Act

Res Ch 34 (ACR 75) Thurman State highways Route 33

This measure would designate as Santa Nella Boulevard that portion of State Highway Route 33 between State Highway Routes 5 and 152

Res Ch 35 (AJR 25) Lanterman Vehicles adoption of vehicle identification numbering systems

This measure would request the National Highway Traffic Safety Administration to establish a specific national standardized vehicle identification numbering system

Res Ch 36 (AJR 69) Keysor Dam safety federal legislation

This measure would express the concern of the Legislature about the safety of dams and would memorialize the President and the Congress to include various specified principles in their deliberations on any federal legislation regarding dam safety

Res Ch 37 (AJR 70) Brown Native Americans

This measure would urge the President and the Congress to take whatever actions are necessary to ensure defeat of certain legislation pertaining to Native Americans

Res Ch 38 (AJR 74) Knox Commemorative postage stamp Sir Francis Drake

This measure would memorialize the President, the United States Congress, and the Postmaster General to issue a postage stamp commemorating the landing by Sir Francis Drake in the Golden Hinde on the California Coast in the summer of 1579

Res Ch 39 (SCR 58) Holmdahl State highways Interstate 580

The measure would direct the Business and Transportation Agency and the Department of Transportation to enter into negotiations with the Sierra Club and the Federal Highway Administration to revise the existing agreement governing the operation of Interstate 580 so that all 8 lanes thereof could be opened to all traffic

The measure would also direct the department, concurrently with the attempt to enter such negotiations, to commence preparation of the necessary environmental impact report for the operation of Interstate 580 as an 8-lane highway with all lanes opened to all traffic

Res Ch 40 (SCR 79) Rodda Joint Rules fiscal committee deadline

The Joint Rules currently establish the second Friday in June as the deadline for fiscal committees to report to the floor bills introduced in and requiring further action by the house of origin in an even-numbered year

This measure would change this deadline to the Friday preceding the next to last Friday in June

Res. Ch. 41 (AJR 17) Ryan. Federal income taxes.

Memorializes Congress and the President to index the federal income tax brackets, the personal exemptions, and the standard deduction to the growth in the cost of living

Res Ch. 42 (ACR 86) Ellis. Senior citizen housing construction.

This measure would request the Department of Housing and Community Development, in cooperation with the Department of Aging, to prepare a summary study, as specified, for each house of the Legislature and appropriate city and county government officials relating to "The Orchard," a privately developed and financed senior citizens apartment complex located in San Diego. It would direct that the summary study be delivered no later than 6 months from the chaptered date of this measure

Res. Ch 43 (ACR 104) Thurman. Dallas C. Bache Interchange

This measure would designate the interchange to be constructed on State Highway Route 99 at Shanks Road, the Dallas C Bache Interchange.

Res. Ch 44 (AJR 65) Priolo. National Park and/or Urban Park Santa Monica Mountains

This measure would memorialize the President and the Congress to appropriate funds for the acquisition of land and to establish the Santa Monica Mountains National Park or Santa Monica Mountains Urban Park, or both, as soon as possible, to consult with specified parties in drafting and enacting legislation for such purpose, and to include specified provisions in such legislation.

Res Ch. 45 (SJR 45) Petris. Island of Cyprus.

This measure would request the President and the Congress of the United States to do the following: exert their best efforts to effectuate a removal of all foreign troops from Cyprus; restore the 200,000 suffering Cypriot refugees to their homes and businesses; restore to the people of Cyprus the right of self-determination; exert their best efforts towards a just resolution of the Cyprus conflict; give generous support to the Cypriot refugees; continue to support Greece by annual aid authorizations, continue the embargo on arms to Turkey until such time as Turkey acts to withdraw its troops from Cyprus, and review the current policies of Turkey regarding its treatment of the ethnic and religious minorities residing in Turkey, in the light of President Carter's repeated expressions of concern for human rights

Res. Ch 46 (SJR 33) Ayala Federal reclamation laws

This measure would request the Department of the Interior to continue its effective moratorium on implementation of proposed rules and regulations for the Bureau of Reclamation and would concur that an environmental impact statement should be prepared on such rules and regulations. The measure would also memorialize the President and the Congress to amend the Reclamation Act of 1902 to insure that federal reclamation law is meaningful and realistic in relation to present-day agricultural conditions and to the original intent of reclamation law to provide opportunities for family farmers.

Res. Ch 47 (ACR 58) Mello Appliances: energy use.

This measure requests the State Energy Resources Conservation and Development Commission in cooperation with the Department of Consumer Affairs, the State Solid Waste Management Board, and such other agencies as it deems appropriate, to study and report on methods of minimizing the life cycle energy requirements of appliances and to report to the Legislature thereon by July 1, 1979, if the Legislative Analyst makes a finding that a study would not duplicate any other investigation or study being conducted or having been completed by a state or federal agency.

Res Ch 48 (ACR 45) Chimbole. Joint rules: administrative regulations

Under existing statutory law, the express terms of, or an informative summary of, proposed action regarding administrative regulations are required to be filed by state agencies with the Senate Rules Committee and the Speaker of the Assembly. Following adoption of such a regulation, existing statutes require that a certified copy thereof be filed with the rules committee of each house There is no provision in the joint rules for review of such regulations.

This measure would amend the joint rules to authorize the Senate Committee on

Rules or the Speaker of the Assembly, upon the request of any member of their respective house, to direct a standing committee or the Office of Research of their respective house to study any proposed or existing regulation or group of related regulations Upon receipt of such a request the Senate Rules Committee or Speaker would be required, after review, to determine whether such a study must be made. In reviewing the request, the Senate Rules Committee or Speaker would be required to determine the cost of making such a study, the potential public benefit to be derived from such a study, and the scope of the study

The study would be authorized to consider, among other relevant issues, specified matters, including implementation of the enabling statute and effects of the proposed or existing regulation on the public. The reviewing committee would be required to transmit its concerns, if any, to the Senate Rules Committee or the Speaker of the Assembly, and to the promulgating agency Finally, the measure would establish a procedure requiring the reviewing committee to file a report in the daily journal indicating the specific reasons why the regulatory action should not have been taken, and to recommend the adoption of a concurrent resolution requesting that the regulatory agency reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

Res Ch. 49 (ACR 89) McAlister. California Law Revision Commission.

Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature

This resolution would authorize the commission to continue its study of numerous, specified topics which the Legislature has previously authorized or directed the commission to study.

Res Ch 50 (ACR 71) Antonovich. Youth boxing.

This measure requests the State Athletic Commission to make specified findings and recommendations regarding child participation in boxing contests

Res Ch 51 (ACR 148) Mori Agricultural Labor Relations Board: personnel management decisions.

This measure declares that it is the intent of the Legislature that the general counsel of the Agricultural Relations Board have primary responsibility for the operation of the agency's regional offices including personnel authority

This measure also supports and concurs with a specified statement by the board delegating to the general counsel authority over certain personnel actions involving the staff of the regional offices

Res Ch 52 (SJR 36) Garamendi. Agriculture: farmland inventory.

This measure would memorialize the Soil Conservation Service of the United States Department of Agriculture to expedite the inventorying of farmlands in this state and to complete its Important Farmland Inventory not later than September 30, 1979

Res Ch 53 (SCR 76) Rodda. Governmental Eras Documentation Project

This measure would request the Governor to include an appropriation in the 1979–80 budget for the California Heritage Preservation Commission for the purpose of contracting with the Regents of the University of California for the continuation of the Governmental Eras Documentation Project by the Regional Oral History Office of the Bancroft Library at the University of California

Res. Ch 54 (ACA 71) Priolo. State property surplus: motor vehicle tax revenues.

Under Article XIX 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

There is no constitutional provision specifically permitting the sale of surplus property acquired by the expenditures of such tax revenues at a price equal to its cost of acquisition

This measure would specifically permit the Legislature, by statute, with respect to surplus state property acquired by the expenditures of such tax revenues and located in the coastal zone, as defined, to authorize the transfer of such property, for a consideration at least equal to the acquisition cost paid by the state to acquire the property, to the Department of Parks and Recreation, the Department of Fish and Game, the Wildlife Conservation Board, or the State Coastal Conservancy for specified purposes

Res Ch 55 (SJR 39) Stull Federal reclamation laws.

This measure would memorialize the President and the Congress to enact legislation to expressly exclude the application of the Reclamation Act of 1902 to the Imperial Valley

Res Ch 56 (SCA 65) Mills State Capitol: restoration. alteration

Existing statutory law establishes a project to restore or rehabilitate the west wing of the State Capitol building

This measure would constitutionally provide that no bill shall take effect as an urgency statute if it authorizes or contains an appropriation for either (1) the alteration or modification of the color, detail, design, structure or fixtures of the historically restored areas of the first, second, and third floors and the exterior of the west wing of the State Capitol from that existing upon the completion of the current project of restoration or rehabilitation of the building, or (2) the purchase of furniture of different design to replace that restored, replicated, or designed to conform to the historic period of the historically restored areas, including the legislators' chairs and desks in the Senate and Assembly Chambers The measure would further provide that no expenditures shall be made in payment for any such purposes unless funds are appropriated expressly for such purposes

The measure would not apply to appropriations or expenditures for ordinary repair and maintenance of the State Capitol building, fixtures and furniture

Res Ch 57 (ACR 165) Knox Senator Alfred H Song

This measure would commend and express appreciation to the Honorable Alfred H Song for his outstanding record of dedicated service to his constituents and to the people of California, and would express best wishes to Senator Song for success in the future

Res Ch 58 (SJR 43) Foran Multiple employer trusts

Memorializes Congress to amend the Employee Retirement Income Security Act of 1974 to provide for the preemption of state law which relates to employee welfare benefit plans only insofar as it conflicts with such act and to clarify the qualification standards for multiple employer trusts.

Res Ch 59 (SCR 92) D Carpenter Joint Legislative Budget Committee appropriation

This measure would allocate $3,175,000 from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Budget Committee, but would specify that $96,000 of the amount which has been allocated for employee cost-of-living salary adjustments shall be returned to the Contingent Funds of the Assembly and Senate if other state employees are not granted similar adjustments

Res Ch 60 (ACR 88) Maddy State highways Route 41, Mt Whitney Avenue

This measure would request the Department of Transportation to install flashing traffic warning signals at the intersection of State Highway Route 41 and Mt Whitney Avenue in Riverdale.

Res. Ch. 61 (AJR 89) Lehman. Cotton production.

This measure would memorialize the President and Congress of the United States and the Secretary of Agriculture to maintain funding for the United States Department of Agriculture Shafter Research Station and to reestablish funding for the Acala variety cotton breeding program at its present level

Res. Ch 62 (AJR 91) Goggin. Foreign steel imports.

This measure would memorialize the President and Congress of the United States to enforce the Trade Act of 1974, to reevaluate the recommendations of the Solomon Task Force dealing with the foreign steel dumping problem in the western states, and to enact legislation to enable the states to give preference to domestically manufactured and produced steel in state contracts.

Res Ch 63 (ACR 98) Hallett. Agricultural burning.

This measure would request the State Air Resources Board to hold a minimum of 2 public meetings at 2 different locations within the Counties of Monterey, San Benito, San Luis Obispo, or Santa Barbara for the purpose of reviewing its rules and regulations as they apply to agricultural and related burning in such area, and report its findings and decisions to the Legislature on or before September 1, 1978.

Res Ch. 64 (AJR 61) Chimbole. Earthquake hazards.

This measure memorializes Congress to ensure that adequate funds are allocated pursuant to the implementation plan for the National Earthquake Hazards Reduction Act to meet the highest priority needs for earthquake hazard mitigation in California, as specified.

Res Ch 65 (ACR 85) McAlister California Law Revision Commission.

Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature

This resolution would authorize the commission to study four new topics: quiet title actions; community property; involuntary dismissal for lack of prosecution; whether or not Section 1464 of the Civil Code should be repealed or revised; and whether the law relating to the abandonment or vacation of public streets and highways by cities, counties, and the state should be revised.

Res Ch 66 (ACR 103) Keene. State hospitals: developmentally disabled-mentally disabled.

This measure would request the State Department of Health Services in conjunction with the State Departments of Mental Health and Developmental Services to. (1) forthwith establish, for state hospitals, standards, as specified, (2) initiate discussions with the University of California and other institutions to establish major affiliations with relevant graduate schools and other programs, as specified; and (3) to report thereon to the Legislature preliminarily by July 1, 1978, and finally by January 1, 1979

This measure would state that appropriate legislative and fiscal committees continue to closely monitor the operation of state hospitals.

This measure would also request the State Personnel Board to undertake, in conjunction with the State Department of Health Services and the State Departments of Mental Health and Developmental Services, a study of needed wage levels and other employment perquisites and conditions to attract qualified physicians and other personnel to work at state hospitals and to report thereon to the Legislature preliminarily by July 1, 1978, and finally by January 1, 1979

Res Ch 67 (ACR 127) Chappie State employee merit awards

This measure would authorize the payment of specified additional merit awards approved by the State Board of Control to named state employees. It would also establish guidelines for the Merit Award Board in making cash awards

Res Ch 68 (ACR 139) Hughes. John J. Miller
This measure would congratulate and commend Assemblyman John J. Miller on his retirement as a legislator

Res Ch. 69 (AJR 94) Maddy Victims of crimes
Memorializes Congress to adopt legislation which would reimburse states for the costs incurred in the establishment and continuation of programs providing financial assistance to victims of crimes and establish maximum awards which would be available to such victims.

Res. Ch 70 (SCR 56) Robbins. The David Familian Chapel
This measure would request the Department of Parks and Recreation and the State Historical Resources Commission to recognize and designate the David Familian Chapel, the first synagogue building of the San Fernando Valley, as a historical landmark

Res Ch 71 (SCR 73) Mills San Diego-Coronado Toll Bridge
This measure would request the Department of Transportation to authorize the closure of the San Diego-Coronado Toll Bridge to permit its use as a part of the course for a marathon run sponsored by the Heart Association of San Diego, if the department is requested to do so by the Cities of San Diego and Coronado in accordance with specified provisions of the Vehicle Code.

Res Ch 72 (ACA 47) Brown Referendum: low rent housing
The State Constitution currently prohibits the development, construction, or acquisition of a low rent housing project by a state public body, as defined, until such project is approved by a majority of the qualified electors voting on the issue in the city, town, or county in which the project will be located
This measure would delete such prohibition and would, instead, subject such a project to a right of referendum within the city or city and county in which the project is proposed to be located, or, if in an unincorporated area, the project would be subject to a right of referendum within the area of the county, including incorporated areas, determined by the county board of supervisors to be substantially affected thereby Such a referendum would be required upon submission to the clerk of the legislative body of the city, city and county, or county of a petition signed by qualified electors of the city, city and county, or area of the county designated by the board of supervisors numbering at least 10% of the votes cast for Governor in the city, city and county, or area in the last gubernatorial election The measure would require the state public body, as defined, that proposed the project to provide public notice of the proposed project and would require the referendum petition to be submitted within 60 days of the public notice

Res. Ch. 73 (AJR 92) Mori. Agricultural commodities· international export
This measure would memorialize Congress and the President to continue efforts to vigorously negotiate the reduction of unfair barriers to free trade which currently exist and, thereby, expand the international commerce in agricultural products, including the agricultural commodities produced in California

Res Ch 74 (AJR 95) Antonovich Vietnamese refugees
This measure requests the President and the Congress of the United States to promote respect for the rights of Vietnamese refugees in this country by granting the status of permanent resident alien to those refugees who request it

Res Ch 75 (SCR 61) Smith Governor's Conference on Nutrition.
This measure would request the Governor to call a statewide Governor's Conference on Nutrition to be held in the winter of 1978–79, the primary purpose of which would be the establishment of state nutrition policies, including a program of nutrition education
In addition, this measure would request the Governor to appoint a conference director and a task force, as specified, to plan and implement the conference

Res Ch 76 (SCA 67) Rains Tax limitation

Existing constitutional law, as revised by the addition of Article XIII A to the California Constitution, limits ad valorem taxes on real property to 1% of the full cash value of such property, as defined

This measure would revise the definition of full cash value as it relates to real property reconstructed after a disaster and would make various clarifying changes in such definition

Res Ch 77 (ACA 4) Lewis Freedom of press

The existing Constitution provides generally for the freedoms of speech and press, and prohibits any law from restraining or abridging liberty of speech or press Existing statutory law prohibits persons employed by or connected with specified news media from being adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed or for refusing to disclose any unpublished information obtained or prepared in the gathering, receiving, or processing of information for communication to the public. The courts have limited this statutory right under present constitutional provisions, including their inherent constitutional power

This measure, in addition, would prohibit persons employed by or connected with specified news media from being adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed, thus making it a constitutional right for such persons to refuse to disclose the source of such information

Res Ch 78 (ACA 53) Keysor Reapportionment

The California Constitution presently contains provisions setting forth various criteria for the reapportionment of Senatorial and Assembly districts by the Legislature, or by a Reapportionment Commission should the Legislature fail to act, as well as for the reapportionment of Congressional districts by the Legislature, which provisions have been declared invalid by the California Supreme Court

This proposed amendment to the Constitution would revise the sections in question, eliminating the provisions invalidated by the California Supreme Court, and would provide for reapportionment of Senatorial, Assembly, Congressional, and Board of Equalization districts according to specified standards

Res Ch 79 (ACR 168) W. Thomas William M. Ketchum

This measure would express deepest sympathy at the passing of the Honorable William M Ketchum, who served as a Congressman and State Assemblyman, and would memorialize his exemplary record of personal and professional achievements on behalf of the people of California.

Res Ch 80 (SCR 70) Mills. The Old Globe Theater

This measure directs the Arts Council to assist the theater company and the City and County of San Diego with plans to continue the 1978–79 performing arts season at a suitable location and to seek assistance of the National Endowment for the Arts and other federal agencies to assure the continuance of the 1978–79 performing arts season

Res Ch 81 (SCR 75) Smith Volunteer experience

This measure would urge the state government, local governments, charitable and service organizations, and private employers to take volunteer work experience into account in the consideration of applicants for employment

Res Ch 82 (SCR 82) Nimmo Soil erosion control

This measure requests the California Association of Resource Conservation Districts to expedite a study for revisions to Division 9 (commencing with Section 9000) of the Public Resources Code relating to a soil erosion control program and to make its recommendations available to the Legislature by October 1, 1978

Res Ch 83 (SJR 38) Nimmo. Deferred compensation

This bill would memorialize Congress to enact legislation which will require the Internal Revenue Service to issue regulations consistent with its long standing actions which enable states and local governments to continue or to establish deferred compensation plans for public employees

Res. Ch 84 (SJR 40) Russell. Relations with the Republic of China.

This measure would urge the President and Congress of the United States to make efforts to develop better social and economic relations with the Republic of China, and to reaffirm its commitment to the Republic of China as stipulated in the Mutual Defense Treaty of 1954.

Res Ch. 85 (SCA 60) Sieroty. Property taxation: veterans' exemptions

Existing constitutional law provides that all property is subject to property taxation, unless an exemption is otherwise provided in the Constitution. Moreover, with minor exceptions, all property is required to be assessed for property taxation purposes at a uniform percentage of its fair market value. The Legislature has established this ratio at 25%.

The $1,000 exemption from property taxation, provided for in the Constitution, for veterans, unmarried spouses of deceased veterans, and parents of deceased veterans, and the dollar limitations thereon, have been interpreted by the California courts to be based on the assessed value of taxable property and the full value of other property

This measure would require the Legislature to revise these figures to maintain the same proportionate values for the veterans' exemptions and limitations thereon in any year in which the assessment ratio is changed.

Res. Ch 86 (SCR 86) Holmdahl. Joint Committee on the State's Economy.

This measure would continue the existence of the Joint Committee on the State's Economy through January 31, 1980

Res. Ch. 87 (ACR 12) Hughes. Los Angeles Memorial Coliseum· NFL football

This measure would request the National Football League to maintain the tradition of NFL football in the Los Angeles Memorial Coliseum

Res Ch 88 (ACR 109) Brown Child Health Disability Prevention Program

This measure would request that the Director of Health or such person's successor, the State Director of Health Services, maintain the current status of the Child Health Disability Prevention Program as a separate branch in the State Department of Health, instead of consolidating such program's functions within the Maternal and Child Health Branch of the same department

Res. Ch 89 (ACR 117) Torres. Metropolitan water districts.

This measure would request the board of directors of any metropolitan water district to, so far as practicable, fix rates for water in a prescribed manner, which in no event would be in an amount less than that required to result in revenue which will pay at least all operation and maintenance costs, plus at least ½ of capital charges, including debt service, remaining after first applying annexation charges received for this purpose The measure would also request such board to fix, in a prescribed manner, rates for surplus water in a manner which will apportion an equitable share of the capital cost and maintenance and operating cost of the district to the vendee

The measure would request such board to develop a water shortage emergency water distribution plan which would meet specified criteria

The measure would request the board of directors of any metropolitan water district to report to the Legislature within 6 months on the policy of the board regarding the matter specified in this measure

Res Ch 90 (ACR 124) Mori Commission on Peace Officer Standards and Training "Phencyclidine" (PCP) training program.

This measure would request the Commission on Peace Officer Standards and Training to develop a certified training program regarding "phencyclidine" (PCP) covering specified areas, designed specifically to meet the needs of police patrol officers, and available to law enforcement agencies on request

Res Ch. 91 (ACR 128) Cline. Emergency and disaster programs.

This measure would request the Office of Emergency Services to prepare an annual list of all the emergency and disaster programs available from the State of California and the United States government with sufficient copies for distribution to appropriate state agencies and for distribution by each legislator to cities and counties within his or her district

Res Ch 92 (ACR 175) McCarthy Pope Paul VI
This measure would memorialize the outstanding record of Pope Paul VI and express to the Catholic community the California Legislature's sympathy at the passing of this great spiritual leader

Res Ch 93 (AJR 20) Chacon Down's Syndrome
This measure would memorialize Congress to adopt a resolution urging elimination of the term "Mongolism" as a synonym for "Down's Syndrome" by public persons and institutions

Res Ch 94 (AJR 62) Chappie. Reclamation Law of 1902 acreage limitation
This measure would request the Secretary of the Interior to include specified information in the environmental impact statement which the Department of the Interior is now preparing prior to issuing rules and regulations on implementing reclamation law under the Reclamation Law of 1902

Res Ch 95 (AJR 88) Suitt California avocado industry.
This measure memorializes the President, the Congress of the United States, and the Secretary of Agriculture to protect the interests of domestic avocado producers against harm from foreign avocado imports, and resolves that no import of Mexican avocados be allowed until there is demonstrated convincing evidence that harmful pests have been eradicated from all avocado producing states in Mexico, and further resolves that any proposal affecting the importation of avocados from Mexico shall include a public hearing with adequate notice and opportunity to be heard

Res Ch 96 (SJR 23) Nejedly Hydroelectric power Federal Energy Regulatory Commission
This measure would express the Legislature's strong opposition to continued delays by the Federal Energy Regulatory Commission in its relicensing of certain hydroelectric projects in California It would also urge the commission and the Congress of the United States to take certain action concerning the licensing of hydroelectric projects

Res Ch 97 (ACA 82) Mello Property taxation possessory interests
The existing Constitution exempts, or authorizes an exemption for, various types of property for purposes of property taxation, but some possessory interests in tax-exempt real property held by private parties are subject to property taxation
This measure would authorize the Legislature to provide with respect to the assessment and taxation of possessory interests in tax-exempt real property, used for the berthing of commercial or pleasure vessels, that any such assessments and taxes be prorated for the period of time the taxpayer has the right to possess such tax-exempt property.

Res Ch 98 (ACR 100) Hughes Automobile insurance
This measure requests the Department of Insurance, with the cooperation of the Department of Motor Vehicles, to prepare a report for the Legislature which reviews the impact of geographic factors on automobile insurance costs in order to determine whether existing auto insurance rates are actuarially valid

Res Ch 99 (ACR 144) Roos Joint Committee on Peace Officer Classification
This measure would create the Joint Committee on Peace Officer Classification and provide for its membership, powers, and duties during the 1977–78 Regular Session of the Legislature and during 1979

Res Ch 100 (ACR 151) Wornum State prisons
This measure directs the Department of Corrections to provide within 2 years that each prisoner assigned to a cell be housed individually with not less than 48-square feet of cell space

Res Ch 101 (AJR 97) Mello Lease Sale #53 environmental information
This measure would memorialize the President, Congress, and the Secretary of the Interior to take all necessary actions to accurately identify the resource potential of the outer continental shelf area of central and northern California covered by Outer Continental Shelf Lease Sale #53 and conduct and fully evaluate an environmental studies program for the area, including geological hazards analyses, concurrently and expedi-

tiously with the conduct of Lease Sale #53, and would request that tracts adjacent to sanctuaries, parks, recreation areas, and refuges be excluded from leasing.

Res. Ch 102 (SCR 80) Vuich. Wine labeling

This measure would request the Senate Committee on Agriculture and Water Resources and the Assembly Committee on Agriculture to jointly convene interim hearings on the subject of foreign wine labeling and standards, including the Sherman Food, Drug, and Cosmetic Law, and to report their findings, including proposed legislation, to the Legislature and the Governor not later than August 1, 1979.

Res Ch. 103 (SCR 94) Mills. Local agencies: layoffs.

This measure would urge local agencies to consider temporary worktime alternatives to massive layoffs that may be necessitated as a result of the enactment of Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978 ballot).

In addition, it would urge the State Employment Development Department to establish a technical assistance office to provide local agencies with consultation, research assistance, and other such assistance appropriate to explore and develop reduced worktime alternatives. It would provide that such technical assistance is to be financed out of existing funds of the department. It would also direct such legislative resources as may be appropriate to be made accessible for such purposes.

Res Ch. 104 (SCR 87) Garamendi. Native American gathering sites.

This measure would request the Native American Heritage Commission to assist the State Lands Commission in the identification of traditional gathering site preserves on state lands The measure would request the State Lands Commission to lease 3 parcels of state lands at no cost to the Native American Heritage Commission for traditional gathering site preserves.

Res. Ch. 105 (SJR 46) Marks Presidio of San Francisco and Letterman Army Hospital

This measure urges the United States Department of Defense not to close the Presidio of San Francisco or Letterman Army Hospital.

Res. Ch. 106 (SJR 47) Rains. Oil pollution: liability and compensation.

This measure would urge the United States Congress to set a standard of strict liability in federal legislation regarding liability and compensation for oil pollution, not to disallow the individual states from imposing liability for oil pollution, and not to disallow a claimant from proceeding directly against any party who may be liable for oil pollution

Res. Ch. 107 (SJR 51) Smith. De Anza Trail.

This measure would memorialize the President to support, and the Congress to enact, legislation designating the de Anza Trail as a National Historic Trail.

Res Ch. 108 (SJR 52) Petris. Military service.

This measure would memorialize the President, Congress, and the Department of the Army to amend Army Regulation 601-210 so that it no longer disqualifies single parents from active duty in the California National Guard.

Res. Ch 109 (SCR 77) Campbell Public Utilities Commission· survey of interrupted services.

This measure would request the Public Utilities Commission to ascertain from the public utilities subject to its jurisdiction furnishing residential services what provisions are made for discovering and correcting interruptions of service to disabled persons whose lives may depend upon continued service, and to report to the Legislature thereon on or before July 1, 1979

Res Ch. 110 (SJR 53) Roberti Cambodia

This measure would memorialize the President and Congress to mobilize public opinion and bring other pressure to bear on the government of Cambodia to stop the mass killing of people.

Res Ch. 111 (SCR 91) Ayala Wildland fire prevention program.

This measure would request each city and county with wildland fire potential to respond to the need for a local fire prevention program by November 30, 1979.

The measure would also request the Department of Forestry to make available specified information to cities and counties on fire prevention planning and programs and to report to the Legislature by February 16, 1980, regarding wildland fire prevention programs undertaken by cities and counties.

Res Ch 112 (ACR 7) Cullen. Transportation: locating a facility at San Pedro Bay.

This measure would request the Secretary of the Business and Transportation Agency to conduct a study, to be funded by moneys appropriated from the Transportation Planning Research Account in the State Transportation Fund, of the feasibility of constructing maritime facilities in San Pedro Bay and seaward to accommodate air, sea and sub-sea cargo, and freight arrivals and departures together with reports as to the environmental and economic consequences of such a facility

The measure would also request the secretary to report the findings to an advisory committee, the membership of which would be specified by this measure. The advisory committee would be requested to hold meetings and to submit a final report to the Legislature on or before March 1, 1979

Res Ch 113 (ACR 28) Hughes. Admission and faculty policies University of California, California State University and Colleges.

This measure would request the Trustees of the California State University and Colleges and the Regents of the University of California to evaluate and implement criteria and procedures that will achieve a more diverse student body at the undergraduate and graduate levels without lowering the standards of admission and a more diverse tenured and nontenured faculty and academic staff.

Res Ch 114 (ACR 56) Brown. The Bay Bridge Run.

This measure would request the Department of Transportation to authorize the closure of 2 lanes of the San Francisco-Oakland Bay Bridge to permit its use as part of the course for a marathon run sponsored by the San Francisco Conservatory of Music, if the department is requested to do so by the City of San Francisco in accordance with Sections 21101 and 21104 of the Vehicle Code.

Res. Ch. 115 (ACR 57) Brown. San Francisco Mayor's Cup Marathon.

This measure would request the Department of Transportation to authorize the closure of 2 lanes of the San Francisco-Oakland Bay Bridge to permit its use as part of the course for a marathon run sponsored by the San Francisco Mayor's Office and the Guardsmen, if the department is requested to do so by the City of San Francisco in accordance with Sections 21101 and 21104 of the Vehicle Code.

Res Ch. 116 (ACR 61) Chacon. Rental housing mediation programs.

Exising law provides for the legal rights and duties of landlords and tenants, but makes no provision for the resolution of disputes other than by court action.

This measure would urge cities and counties in California to establish rental housing mediation programs for the voluntary resolution of landlord-tenant disputes.

Res Ch 117 (ACR 93) Priolo. Student achievement study.

This measure requests the Legislative Analyst to conduct a review of the literature relating to the decline in public school student achievement in California and in the nation and, by September 30, 1978, to submit to the Legislature a report including prescribed matters.

Res Ch 118 (ACR 107) Mori Economic development

This measure would state that it is the sense of the Legislature that the state government should plan, organize, and conduct a conference on "California in the Year 2000 Balanced Growth, Energy and Economic Development", in the spring of 1979, and would direct the Commission for Economic Development to prepare a preliminary plan for such a conference for presentation to the Senate Committee on Finance and the Assembly Committee on Ways and Means within 30 days of the passage of the measure

Res Ch 119 (ACR 108) Chimbole Automotive parts warranties air pollution Air Resources Board

This measure would request the State Air Resources Board to interpret and enforce warranty requirements of existing law in terms confined to emission-related defects, as specified, and not to adopt regulations similar to specified federal regulations until an experience base is developed from the California Motor Vehicle Inspection Program and the results of such experience are submitted to the Legislature for consideration of enabling legislation

Res Ch 120 (ACR 110) Robinson Joint Legislative Audit Committee. appropriation

This measure would make $1,935,000 available from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee

Res Ch 121 (ACR 113) Wray Transportation District 7 unexpended funds

This measure requests the Department of Transportation to prepare projects for construction to comply with the statutory expenditure minimums for Transportation District 7 and to report to the Legislature September 30, 1978, on the unexpended balance of funds of Transportation District 7

Res Ch 122 (ACR 115) Chacon Postsecondary education· underrepresented groups

This measure would request the Department of Education to assess counseling services and activities in public schools designed to encourage and facilitate underrepresented groups to enroll in postsecondary educational institutions, and would request that the assessment include specified information about high school counselors, curriculum requirements for a counseling credential and recommendations for improving the curriculum, the ratio of counselors to students in various school settings, and certain successful model counseling programs.

This measure would also request that the assessment and recommendations be submitted to the Legislature by January 1, 1979

Res. Ch 123 (ACR 120) Mori Drug abuse, phencyclidine

This measure would request the State Department of Alcohol and Drug Abuse to prepare and distribute to judges, public defenders, and district attorneys a report on the social, medical, and legal dimensions of the abuse of phencyclidine (PCP)

Res Ch 124 (ACR 126) Fazio. Bold print on forms

Existing law and regulations make no provision for the adoption of bold print forms by state departments and agencies having jurisdiction over programs that serve older Californians.

This measure would direct the Department of Aging with technical assistance from the Department of General Services to review the forms issued by the Franchise Tax Board relating to the Senior Citizens Property Tax Assistance Law and those forms issued by the State Department of Health, or its successor, the State Department of Health Services relating to Medi-Cal

This measure would also provide that the designated agencies make recommendations for improving readability and form design to the Interdepartmental Committee on Aging

Res Ch 125 (ACR 130) Perino Fair managers training

This measure requests the Division of Fairs and Exposition of the Department of Food and Agriculture to establish a program to select and place qualified young people at state supported fairs in trainee positions as assistants to fair managers

Res Ch 126 (ACR 131) Antonovich State highways Frank Lanterman Freeway

This measure would designate as the Frank Lanterman Freeway that portion of State Highway Route 2 from Route 134 in Glendale to Route 210 near La Canada

Res Ch 127 (ACR 137) Priolo School district personnel

This measure would request the Legislative Analyst to conduct a study of the relationship of administrative and supervisory personnel and their functions to classroom teachers in a scientific sampling of urban, suburban, and rural unified, elementary, and high school districts and to report the findings and recommendations of the study to the Legislature and the Governor not later than December 1, 1979.

Res. Ch 128 (AJR 66) Imbrecht Citizens band radio

Memorializes the President and Congress of the United States to enact legislation requiring manufacturers to include parts necessary to prevent interference from citizen band radio transmissions on electronic home entertainment equipment

Res Ch 129 (AJR 78) Alatorre Bilingual education

This measure would request the Congress of the United States to amend provisions contained in the Elementary and Secondary Education Act of 1965, as amended, to allow states, such as California, which have developed their own significant compensatory and bilingual education programs, sufficient flexibility to ensure that school districts with the greatest relative need receive appropriate levels of compensatory and bilingual education funds

Res Ch 130 (AJR 79) Lancaster Mine health and safety

Existing law provides for the safety and inspection of mines and tunnels by both the federal and state governments

This measure would memorialize the President and Congress of the United States to amend the Federal Mine Safety and Health Act of 1977 so as to eliminate conflicting laws, regulations and penalties and permit the State Division of Industrial Safety to be the sole safety enforcement agency for the state

Res Ch 131 (AJR 80) Robinson Workers' compensation Longshoremen's and Harbor Workers' Compensation Act

This measure would request Congress to pass legislation being considered regarding workers' compensation before more unnecessary damage is done to the commercial fishing industry and the recreational boating industry

Res Ch 132 (AJR 83) Rosenthal Short-Doyle/Medi-Cal Program· special project status

This measure would request the federal government to grant the California Short-Doyle/Medi-Cal Program special project status with accompanying waivers of federal Medicaid regulations.

Res Ch. 133 (AJR 86) Imbrecht Port of Hueneme

This measure would urge the Secretary of the Treasury to designate the Port of Hueneme as a "Port of Entry"

Res Ch 134 (AJR 96) Keene Klamath and Trinity Rivers fishery resources

This measure requests that the United States Department of the Interior and the California Fish and Game Commission quickly promulgate new regulations adequate to protect the fishery resources and traditional Indian fishing rights in the watersheds of the Klamath and Trinity Rivers, and requests that such regulations include no unnecessary restrictions on Indian subsistence and ceremonial fishing or recreational fishing, but that such regulations include adequate restrictions on commercial fishing The measure requests that such regulations include whatever restrictions may be necessary on other taking and on habitat degradation, and be enforced strictly and fairly It also requests the department and the commission to consult with interested parties and conduct public hearings in the Klamath River and Trinity River area The measure requests that all appropriate state and federal agencies, representatives of Indian tribes, and other interested parties cooperate to develop a fishery enhancement program for the rivers, and that the department and Congress take no action to jeopardize any reserved fishing rights which Indians may have in such rivers In addition, the measure also provides that the Legislature does not intend that the resolution affect the precise legal status of Indian fisheries or intervene in the internal affairs of Indian tribes.

Res Ch 135 (AJR 100) Mangers Santa Ana River flood control
This measure would request the Army Corps of Engineers to proceed expeditiously with preparation of the Phase I General Design Memorandum for the Santa Ana River Main Stem flood control project

Res Ch 136 (AJR 102) Antonovich Human rights
This measure would convey to the Soviet government the sustained interest of the American people regarding the oppression of Soviet dissidents, the lack of religious liberty, and the inability of the people to emigrate freely. The measure would also state that it is in the best interests of human rights and of the freedom-loving people of the world that the International Olympic Committee withdraw the 1980 Olympic Games from Moscow, and place them in another country.

Res Ch 137 (AJR 105) Cullen United States Submarine Veterans of World War II
This measure would memorialize the President and Congress to enact legislation to incorporate the United States Submarine Veterans of World War II

Res Ch 138 (ACR 119) Mori Emergency medical personnel phencyclidine
This measure would request the Division of Substance Abuse of the State Department of Health or its successor, the State Department of Alcohol and Drug Abuse, to conduct a training program of specified content for emergency medical personnel with respect to the treatment of persons under the influence of phencyclidine (PCP)

Res Ch. 139 (ACR 143) Antonovich. Department of Tax Appeals.
This measure requests the Commission on California State Government Organization and Economy to conduct a study on the feasibility of establishing a Department of Tax Appeals to hear most, if not all, appeals for refunds by taxpayers and to report its findings and recommendations to the committee on revenue and taxation in each house of the Legislature by no later than January 15, 1979

Res Ch 140 (ACR 146) Boatwright Senator John A Nejedly Bridge
This measure would designate the new Antioch Bridge as the Senator John A Nejedly Bridge

Res Ch 141 (ACR 147) Lancaster Automatic fire extinguishing systems
This measure would request the State Board of Fire Services, with such assistance as may be required from the Contractors' State License Board, to conduct a study of the requirements necessary to assure the proper and adequate installation, maintenance, servicing, and testing of automatic fire extinguishing systems, as specified.
It would request the state board to submit a report of its study, with legislative recommendations, to the Legislature on or before May 1, 1979.

Res Ch 142 (ACR 156) Hart Training teachers of handicapped pupils
This measure would call upon school districts and institutions of higher education to ensure that teachers of handicapped pupils have completed a training program designed to enable the teachers to meet the needs of such pupils, and would request the Department of Education to take all steps necessary to assist school districts to provide the appropriate training programs

Res Ch 143 (ACR 167) Chimbole Transportation Ridgecrest area transportation study
This measure would request the Department of Transportation, in close coordination and cooperation with the County of Kern, the City of Ridgecrest, and all other appropriate local agencies, to undertake not later than January 1, 1979, a comprehensive study of the transportation needs of the Ridgecrest area

Res. Ch 144 (ACR 176) Lancaster John L. E "Bud" Collier.
This measure would express the Legislature's commendations and appreciation to its colleague and good friend, the Honorable John L. E "Bud" Collier, on his retirement as a Member of the California State Assembly, and convey to him its best wishes for every success in his future endeavors

Res Ch. 145 (ACR 177) Calvo. Joint Legislative Committee on Energy Policy and Implementation

This measure would create a Joint Legislative Committee on Energy Policy and Implementation to submit to the appropriate standing committees of the Senate and Assembly no later than January 30, 1979, an analysis of possible alternatives for institutional reorganization of the Energy Resources Conservation and Development Commission in order to provide increased clarity and cohesion in establishing state energy policy and in implementing such policy

The sum of $50,000 would be made available from the Contingent Funds of the Assembly and Senate for the expenses of the joint committee The joint committee would terminate March 31, 1979.

Res Ch 146 (ACR 179) Nestande. Kenneth L. Maddy

This measure would express the Legislature's commendations and appreciation to their colleague and good friend, the Honorable Kenneth L. Maddy, upon the occasion of his retirement from the California State Assembly, and convey to him its best wishes for every success in his future endeavors.

Res Ch 147 (ACR 180) Lanterman Assemblyman Dixon Arnett.

This measure would commend and express appreciation to the Honorable Dixon Arnett for his outstanding record of service to his constitutents and to the people of California and would express best wishes to Dixon Arnett for success in the future.

Res Ch 148 (ACR 181) Maddy. Commends Assemblyman Jerry Lewis on his public service

CROSS-REFERENCE TABLES

BILL TO CHAPTER NUMBER

1978

1977–78 REGULAR SESSION

CROSS-REFERENCE TABLES

Bill to Chapter Number

ASSEMBLY BILLS

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
24	465	1099	11	1723	640
43	1381	1136	1378	1752	360
64	519	1140	17	1768	37
73	573	1145	216	1778	641
79	1158	1176	160	1781	1147
81	462	1184	453	1798	93
90	461	1196	419	1802	752
154	104	1222	1119	1814	525
283	357	1223	1099	1830	199
335	186	1239	967	1840	123
340	215	1241	86	1849	26
372	1363	1256	1169	1858	88
393	1133	1301	130	1865	265
394	18	1336	808	1868	54
507	113	1339	1228	1869	157
512	1054	1386	129	1884	173
537	282	1388	198	1887	876
539	508	1405	639	1896	1038
582	162	1422	74	1897	33
583	658	1423	75	1899	78
599	1068	1426	19	1901	189
620	324	1433	144	1904	65
627	197	1465	14	1905	1065
644	2	1472	181	1906	60
666	1123	1495	1338	1908	38
672	73	1503	514	1909	642
694	706	1513	1117	1910	39
719	13	1514	516	1911	161
736	1026	1524	1265	1914	233
763	1027	1531	76	1915	1254
840	1379	1545	708	1922	46
842	707	1549	779	1943	95
850	35	1559	1373	1944	40
867	180	1566	168	1946	1121
869	223	1578	92	1949	56
919	763	1581	1219	1955	137
925	1095	1586	1324	1957	15
955	1276	1591	188	1960	1321
958	1061	1605	844	1961	16
973	297	1617	365	1962	7
996	187	1625	1120	1965	22
1006	1118	1642	1235	1967	34
1011	23	1647	1161	1969	494
1012	10	1649	51	1972	5
1026	131	1651	1256	1977	253
1029	594	1656	107	1978	299
1068	722	1660	97	1982	159
1075	1361	1674	762	1987	32
1091	744	1696	326	1992	1368
1096	1037	1699	77	1997	31

Assembly Bill	Chapter
2001	163
2003	246
2004	30
2005	80
2008	1432
2012	234
2018	174
2020	972
2023	483
2032	340
2033	47
2036	114
2040	283
2042	143
2043	893
2048	1399
2049	48
2050	358
2054	148
2055	79
2057	1372
2059	66
2060	52
2062	49
2069	21
2075	29
2076	1339
2077	284
2078	247
2085	236
2087	484
2090	643
2091	464
2092	1325
2095	210
2097	1199
2099	1016
2102	64
2103	420
2104	540
2106	485
2109	1306
2110	467
2111	142
2116	978
2117	511
2118	509
2119	120
2120	468
2121	81
2122	9
2123	167
2124	55
2125	164
2129	1317
2130	970
2132	1015
2137	339
2138	887
2139	1082
2142	701
2147	421
2151	4
2152	1386
2153	478
2154	85
2155	736
2156	394
2157	1017
2158	1266
2159	486
2160	765
2168	237
2175	1029
2176	644
2179	877
2180	567
2181	1305
2182	1400
2183	1396
2184	1183
2186	886
2189	121
2190	359
2191	668
2192	146
2195	175
2198	3
2199	285
2200	469
2201	135
2202	666
2203	667
2204	654
2206	470
2207	1230
2211	67
2213	513
2214	211
2217	176
2222	212
2223	487
2224	1376
2225	413
2228	122
2229	495
2230	286
2232	165
2233	580
2236	488
2238	136
2245	454
2248	655
2249	1401
2252	350
2258	124
2260	325
2262	217
2264	170
2265	232
2266	395
2267	1184
2269	798
2270	312
2271	177
2273	832
2278	489
2280	238
2281	266
2282	294
2283	1347
2284	149
2286	309
2288	1025
2291	1035
2293	106
2297	190
2298	196
2299	191
2300	239
2302	756
2303	755
2309	182
2311	942
2314	1040
2319	36
2321	1366
2322	1130
2325	373
2334	471
2336	364
2337	512
2338	534
2343	496
2344	656
2345	166
2349	218
2350	219
2351	807
2352	1394
2353	912
2355	1166
2357	584
2360	931
2362	349
2364	1064
2365	556
2368	267
2372	482
2373	248
2374	125
2375	141
2376	126
2377	230

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
2379	702	2490	305	2605	202
2380	306	2491	1225	2609	271
2381	361	2492	240	2611	1049
2384	1125	2495	25	2614	491
2385	226	2496	347	2615	888
2386	754	2498	241	2616	242
2387	348	2501	659	2618	272
2388	858	2502	526	2619	1062
2389	200	2505	250	2620	1402
2393	657	2506	796	2621	1215
2394	455	2510	370	2623	530
2395	665	2511	900	2624	457
2397	1157	2512	201	2629	1129
2398	664	2513	498	2630	225
2400	158	2518	909	2631	273
2401	1172	2519	527	2632	329
2402	127	2521	423	2634	685
2403	194	2522	424	2636	885
2404	806	2524	1360	2640	224
2405	700	2525	115	2641	684
2406	941	2528	1390	2643	894
2407	1074	2529	399	2644	1271
2408	268	2531	528	2646	473
2410	1048	2534	490	2650	288
2411	1126	2535	1382	2651	274
2414	338	2537	1380	2656	800
2418	1171	2538	661	2657	345
2419	520	2539	1122	2660	474
2420	1392	2540	1226	2663	1388
2424	1238	2544	535	2664	1193
2425	335	2545	1170	2665	906
2426	805	2546	1371	2666	898
2427	663	2547	1304	2668	499
2428	440	2550	195	2670	1403
2431	472	2551	252	2673	235
2434	1022	2552	660	2675	203
2436	969	2553	354	2677	492
2439	298	2555	1303	2679	500
2440	269	2559	1204	2684	1066
2441	759	2560	1343	2685	801
2442	1210	2561	979	2686	313
2443	1173	2562	662	2690	952
2448	1124	2563	1182	2695	243
2454	916	2565	1127	2696	1174
2456	1336	2566	687	2697	178
2461	1227	2567	351	2699	753
2463	576	2572	439	2707	950
2465	682	2575	346	2712	531
2468	902	2578	723	2714	289
2471	422	2582	1180	2719	220
2472	287	2588	456	2721	949
2474	688	2593	1128	2722	977
2477	249	2594	251	2724	475
2479	270	2595	799	2727	964
2480	804	2599	833	2729	905
2481	71	2600	1274	2730	1326
2484	192	2601	366	2735	244
2485	497	2603	529	2736	414

Assembly Bill	Chapter
2737	183
2741	481
2742	735
2743	515
2745	204
2746	802
2747	300
2749	290
2750	962
2752	953
2754	834
2759	742
2761	1252
2768	797
2774	683
2775	795
2780	1018
2781	679
2785	396
2790	975
2792	1242
2796	907
2797	458
2798	1251
2799	974
2803	973
2806	699
2807	1309
2811	245
2814	827
2815	714
2816	501
2823	939
2825	1113
2826	255
2830	480
2831	677
2835	1240
2840	1153
2841	1091
2843	1359
2844	678
2846	676
2849	1110
2851	1243
2853	826
2855	673
2861	825
2866	940
2867	1112
2868	674
2871	1273
2874	824
2877	476
2878	1389
2881	1365
2886	823
2888	822
2890	1362
2891	821
2894	675
2896	517
2898	820
2902	1209
2905	809
2907	901
2911	1314
2913	963
2915	1194
2916	775
2918	672
2922	681
2923	1090
2927	971
2930	819
2940	574
2942	958
2943	1333
2945	1250
2949	976
2953	532
2954	1342
2955	1109
2956	961
2957	713
2958	1329
2959	903
2960	1330
2961	1328
2964	1045
2965	493
2966	911
2968	1334
2970	945
2971	578
2975	897
2976	1089
2978	645
2984	1102
2988	904
2989	818
2990	1042
2991	1043
2994	425
2996	817
3008	1404
3012	1007
3015	956
3020	1364
3021	896
3023	943
3028	163
3030	816
3032	1009
3037	895
3038	1216
3042	815
3044	1327
3046	1367
3052	1233
3053	776
3056	1290
3059	814
3061	592
3063	955
3067	1370
3074	649
3075	1058
3076	1176
3080	378
3082	944
3083	840
3084	841
3086	947
3087	648
3088	1053
3089	1050
3090	1052
3091	1051
3093	1307
3094	838
3095	843
3103	1200
3105	1236
3106	1320
3111	1294
3112	1291
3113	647
3117	948
3119	1319
3121	1345
3122	1315
3131	711
3136	781
3140	502
3141	946
3142	533
3143	1197
3147	1340
3148	1108
3154	1107
3155	650
3160	1106
3161	1088
3165	777
3166	951
3167	275
3168	996
3169	839
3170	716
3174	1249
3178	1105
3180	328
3184	337

Assembly Bill	Chapter
3186	965
3187	778
3191	314
3192	479
3193	651
3194	1047
3205	830
3206	1391
3213	1405
3214	1101
3216	1080
3222	536
3223	553
3228	831
3231	988
3235	686
3236	344
3241	477
3243	869
3244	717
3245	868
3246	854
3247	1100
3248	1185
3250	1154
3257	537
3258	652
3259	720
3261	860
3262	745
3263	653
3267	585
3272	1056
3273	718
3274	1232
3275	1406
3280	1222
3281	1223
3282	1248
3284	1224
3292	803
3293	859
3294	1287
3296	646
3297	669
3300	705
3304	1181
3306	1063
3309	813
3313	847
3315	1032
3322	1284
3324	1155
3331	670
3333	985
3341	315
3347	316
3348	1079
3351	851
3353	892
3356	899
3357	426
3358	319
3360	748
3363	1247
3364	311
3367	861
3372	1295
3374	991
3376	671
3379	317
3383	631
3384	862
3391	632
3393	583
3394	1288
3395	633
3396	634
3397	635
3400	318
3402	870
3406	863
3408	1407
3409	636
3410	812
3412	1078
3413	1244
3414	1245
3416	855
3417	1057
3422	852
3423	1231
3429	1246
3430	343
3436	1077
3439	637
3454	984
3463	1073
3470	848
3474	990
3475	1335
3477	1220
3478	1076
3479	291
3480	867
3487	1189
3488	427
3496	342
3497	1069
3500	1408
3502	1116
3505	1084
3507	341
3515	1286
3516	992
3517	507
3518	1214
3521	1070
3530	917
3534	254
3535	849
3539	1156
3547	811
3548	1322
3550	872
3552	381
3554	1409
3555	1192
3560	293
3562	638
3564	689
3572	1293
3577	1289
3579	1083
3584	690
3586	1164
3588	1285
3589	857
3590	721
3596	875
3598	1002
3599	538
3603	1410
3606	691
3608	853
3609	1087
3610	692
3611	1003
3613	693
3618	1177
3620	751
3621	1323
3622	1187
3623	1159
3624	406
3625	320
3628	549
3631	438
3635	402
3637	400
3638	552
3641	1168
3642	428
3644	1393
3645	1039
3646	810
3651	873
3653	709
3660	591
3662	710
3663	1257
3664	957
3665	391
3667	1411

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
3669	1188	3718	749	3782	1369
3670	1165	3720	1272	3785	1283
3671	1318	3722	277	3791	703
3677	1221	3725	871	3792	1041
3678	551	3733	980	3793	850
3680	704	3734	227	3794	712
3681	864	3736	1086	3798	550
3685	547	3742	539	3799	310
3687	750	3744	1160	3800	382
3689	995	3747	1072	3802	569
3690	866	3760	1412	3803	590
3692	503	3765	308	3807	1046
3693	1218	3768	729	3808	981
3704	327	3771	575	3821	1114
3707	1270	3772	1044	3832	1413
3708	276	3774	1085	3834	1081
3716	1229	3778	1358		

SENATE BILLS

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
1	24	1021	1019	1311	53
23	69	1027	1139	1316	1259
29	90	1038	61	1317	441
103	229	1043	793	1318	1071
117	43	1051	1316	1319	20
119	925	1057	582	1321	172
130	385	1063	98	1324	431
154	292	1068	908	1325	1014
156	1162	1069	91	1327	322
205	1005	1073	213	1329	68
212	321	1078	581	1330	1021
238	1148	1082	1213	1331	103
246	506	1100	596	1333	147
251	1398	1106	1239	1334	1004
254	89	1108	128	1338	109
259	116	1116	41	1339	118
279	442	1126	1260	1340	769
295	783	1127	790	1341	179
321	57	1130	784	1342	789
369	1262	1139	102	1343	445
373	1	1140	845	1344	278
381	727	1174	1395	1345	598
396	595	1175	930	1349	96
411	846	1185	153	1350	446
415	1149	1186	63	1351	719
433	924	1188	27	1359	1258
472	1211	1189	99	1362	743
479	70	1194	58	1363	836
490	1152	1196	100	1364	62
533	1263	1205	597	1366	12
551	28	1206	205	1367	1416
559	101	1214	263	1370	1300
583	132	1223	393	1374	541
594	6	1227	466	1376	1034
651	87	1234	1140	1378	1261
672	1414	1237	785	1381	768
688	584	1239	82	1382	138
697	108	1246	94	1384	214
708	1346	1254	84	1386	922
709	579	1259	50	1391	133
740	715	1263	42	1392	110
768	1241	1265	44	1393	279
779	171	1270	105	1394	1297
803	739	1272	1163	1395	150
851	747	1274	45	1397	1357
853	443	1279	154	1398	134
875	1060	1286	83	1399	968
910	1354	1289	72	1402	119
915	444	1290	1415	1403	927
930	152	1295	117	1404	398
941	1055	1301	829	1405	1383
966	884	1305	1141	1410	432
993	430	1308	521	1413	731
1012	889	1309	993	1418	231
1017	695	1310	8	1419	323

Senate Bill	Chapter
1420	772
1425	151
1426	228
1429	874
1430	59
1431	169
1432	890
1433	111
1434	112
1436	630
1437	1201
1440	694
1441	139
1442	184
1444	738
1445	865
1446	997
1449	770
1451	386
1452	773
1453	856
1454	376
1456	560
1457	352
1458	954
1459	771
1460	1417
1462	1023
1463	780
1471	397
1472	1348
1473	1059
1475	1350
1479	1308
1481	1146
1483	599
1485	842
1486	1111
1488	1237
1490	794
1492	206
1493	878
1494	412
1496	1234
1497	600
1498	837
1501	542
1503	336
1505	601
1506	602
1507	304
1510	928
1511	207
1512	522
1513	1175
1514	221
1517	1030
1518	1341
1521	447
1522	374
1523	375
1524	572
1525	301
1530	1292
1534	193
1536	222
1537	1020
1539	1067
1540	828
1544	1137
1545	145
1548	1418
1550	208
1551	603
1555	879
1556	561
1557	256
1560	726
1564	1419
1565	880
1571	353
1572	389
1576	392
1577	390
1582	604
1583	448
1584	257
1585	1001
1586	377
1587	787
1589	433
1590	987
1591	303
1596	429
1602	155
1603	185
1609	405
1610	363
1611	605
1617	209
1618	140
1619	388
1620	766
1623	568
1626	1277
1627	258
1628	260
1631	724
1633	982
1634	1142
1635	606
1639	1278
1640	1313
1641	782
1643	296
1644	1144
1645	929
1646	1138
1647	764
1648	259
1650	728
1656	1207
1659	379
1660	1255
1661	404
1663	788
1664	1301
1665	1143
1666	543
1668	932
1669	403
1671	307
1674	607
1677	554
1678	1356
1679	261
1681	608
1682	1268
1686	835
1687	280
1691	609
1692	1269
1694	725
1695	1279
1698	387
1705	411
1706	737
1714	1312
1716	1311
1717	1310
1719	1202
1721	1115
1722	410
1724	610
1726	1178
1730	1186
1733	356
1735	577
1736	611
1737	1349
1738	696
1739	331
1741	562
1744	1145
1750	460
1751	544
1752	732
1767	1012
1768	612
1769	1302
1770	524
1773	1385
1776	1097
1779	518

Senate Bill	Chapter
1780	680
1785	921
1787	883
1790	1205
1792	1420
1795	1355
1797	926
1798	757
1799	1150
1805	1010
1807	1134
1809	618
1810	746
1811	563
1813	1151
1814	1332
1818	589
1822	740
1826	1191
1828	1196
1834	933
1836	1375
1847	613
1851	937
1853	938
1855	1011
1859	1013
1866	983
1867	1000
1873	1075
1875	614
1877	914
1878	1135
1879	555
1884	741
1888	372
1889	619
1892	615
1893	1028
1894	791
1896	1331
1899	915
1900	409
1901	1006
1902	733
1903	1337
1904	616
1905	1351
1908	1198
1910	913
1912	617
1917	362
1918	383
1919	264
1926	1132
1928	557
1929	1387
1931	730
1933	1421
1934	910
1935	989
1937	1353
1939	545
1940	1104
1946	1422
1947	1423
1948	1280
1949	1384
1950	1195
1952	262
1953	418
1954	1206
1956	1024
1960	919
1962	966
1965	1275
1969	504
1970	505
1971	1136
1972	698
1980	1282
1981	588
1991	434
1993	417
1997	767
1999	435
2001	1190
2002	570
2003	760
2005	1217
2006	936
2009	998
2011	302
2015	1424
2016	761
2019	881
2020	281
2023	1096
2026	774
2027	935
2030	1425
2031	1397
2033	1253
2034	622
2035	436
2036	408
2039	1167
2041	621
2045	1264
2046	620
2047	587
2050	565
2052	380
2058	1344
2061	697
2062	629
2063	1094
2066	1008
2071	1426
2072	1093
2079	564
2080	333
2082	416
2085	1103
2086	156
2088	355
2093	891
2098	1427
2099	593
2100	334
2101	437
2102	1428
2105	1208
2106	449
2107	786
2111	1296
2113	371
2114	628
2115	625
2117	1267
2119	1031
2120	1033
2123	523
2124	792
2126	450
2127	626
2129	571
2131	546
2132	1429
2133	734
2135	558
2136	1036
2137	548
2138	566
2142	559
2144	1430
2148	923
2149	415
2151	758
2153	407
2154	999
2162	1212
2163	960
2164	920
2166	1299
2167	934
2169	623
2170	401
2175	959
2177	1431
2178	918
2180	369
2182	624
2187	586

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
2188	627	2207	1298	2226	882
2196	1377	2208	368	2229	994
2197	1374	2209	1352	2230	459
2198	1131	2211	1179	2238	330
2199	295	2212	332	2241	1281
2201	451	2213	452	2242	510
2202	1092	2220	1098	2247	986
2204	367	2222	1203		

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
4	77	47	72	71	54
34	6	53	78	82	97

ASSEMBLY CONCURRENT RESOLUTION

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
7	112	90	7	130	125
12	87	93	117	131	126
28	113	98	63	137	127
31	4	100	98	138	29
43	22	101	17	139	68
45	48	103	66	143	139
54	9	104	43	144	99
55	11	105	27	146	140
56	114	106	15	147	141
57	115	107	118	148	51
58	47	108	119	151	100
61	116	109	88	156	142
66	5	110	120	165	57
71	50	113	121	167	143
74	23	115	122	168	79
75	34	117	89	175	92
80	1	119	138	176	144
82	18	120	123	177	145
85	65	124	90	179	146
86	42	126	124	180	147
88	60	127	67	181	148
89	49	128	91		

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
17	41	69	36	89	61
20	93	70	37	91	62
25	35	73	26	92	73
31	3	74	38	94	69
53	12	76	30	95	74
55	13	78	129	96	134
61	64	79	130	97	101
62	94	80	131	100	135
65	44	83	132	102	136
66	128	86	133	105	137
68	14	88	95		

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
45	2	65	56		
60	85	67	76		

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
52	10	75	81	86	86
56	70	76	53	87	104
58	39	77	109	91	111
61	75	78	28	92	59
62	16	79	40	94	103
70	80	80	102		
73	71	82	82		

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
5	31	32	21	45	45
6	32	33	46	46	105
13	8	34	25	47	106
17	33	36	52	51	107
23	96	38	83	52	108
28	20	39	55	53	110
30	19	40	84		
31	24	43	58		

BILLS VETOED BY GOVERNOR

1978

ASSEMBLY BILLS

162, 469, 699, 833, 1073, 1356, 1532, 1633, 1861, 1913, 1963, 2016, 2261, 2276, 2396, 2399, 2433, 2462, 2517, 2568, 2574, 2591, 2607, 2649, 2674, 2704, 2760, 2764, 2766, 2770, 2801, 2974, 3013, 3092, 3123, 3175, 3317, 3340, 3380, 3421, 3447, 3449, 3511, 3525, 3629, 3632, 3633, 3649, 3650.

SENATE BILLS

376, 532, 686, 724, 934, 1244, 1260, 1314, 1332, 1337, 1415, 1416, 1476, 1532, 1567, 1580, 1625, 1675, 1728, 1747, 1757, 1774, 1806, 1882, 1974, 1978, 1990, 1994, 1996, 2051, 2064, 2179, 2183, 2214, 2217