Volume 4

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1979

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Special Election, November 6, 1979

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

1979–80 Regular Session

Compiled by
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CALIFORNIA LEGISLATURE

1979–80 REGULAR SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments) Adopted in 1979

and

1979 Statutory Record

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PREFACE

Digests

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

ABBREVIATIONS

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

EFFECTIVE DATES

Regular Session

The 1979–80 Regular Session convened on December 4, 1978, and the interim recess commenced on September 14, 1979. Statutes enacted in 1979, other than those taking immediate effect, will become effective January 1, 1980. In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect.

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

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

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

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

DIGESTS OF STATUTES
ENACTED IN 1979

1979–80 REGULAR SESSION

BILL CHAPTERS

Ch. 1 (AB 311) Mori Personal income tax: individual retirement accounts.

Existing provisions of the Personal Income Tax Law provide that contributions made by or on behalf of a qualified individual to an individual retirement account or for an individual retirement annuity or bond may be deducted from the individual's gross income. Such contribution must be made not later than 45 days after the end of the taxable year.

This bill would provide that the contribution must be made not later than the time prescribed by law for filing the return for the taxable year.

This bill would be applied to taxable years beginning on or after January 1, 1978.

This bill is an urgency measure and would take effect immediately

Ch. 2 (AB 143) M. Waters. School districts classified employees: restricted positions.

Prior to January 31, 1979, a provision of law defined the categories of positions in the classified service for which the governing board of a school district may establish eligibility restrictions based on low income or area of residence. Such provision of law was repealed January 31, 1979

This bill would re-enact such provision of law and would repeal it June 30, 1979.

This bill would take effect immediately as an urgency statute.

Ch 3 (SB 373) Nejedly State litter control, recycling, and resource recovery assessment

Existing law provides for the imposition of an annual litter control, recycling, and resource recovery assessment on persons holding a sellers permit under the Sales and Use Tax Law and certain wholesalers and manufacturers, to terminate on July 1, 1983. Such assessment is due and payable on the last day in February

This bill would eliminate the assessment imposed on persons holding a sellers permit and ~~would impose the assessment~~* on manufacturers and wholesalers which employ an average of [less than three] ~~at least 3 or more~~* employees annually ; ~~at a graduated amount, according to the average number of employees which are employed annually.~~*

This bill would provide that the assessments imposed in 1978 shall be due and payable on or before September 30, 1979, instead of February 28, 1979.

This bill would provide, upon appropriation by the Legislature, a refund to taxpayers who have paid their Litter Control, Recycling, and Resource Recovery Assessment but who have been relieved of the obligation to pay the assessment by reason of this act.

This bill would take effect immediately as a tax levy.

Ch 4 (SB 239) Craven Property taxation possessory interests

Existing law permits the placement of possessory interests in real property on the secured roll in all counties for the 1978–79 fiscal year under specified conditions, and permits such placement only in counties with a population of 4,000,000 or more for fiscal years after 1978–79

This bill would permit the placement of such possessory interests in real property on the secured roll in all counties irrespective of population.

The bill would take effect immediately as an urgency statute.

Ch 5 (SB 193) Marks Local taxes.

Existing law exempts from property taxation certain cargo containers principally used in the transportation of cargo by vessels in ocean commerce Such exemption is operative from the lien date in 1975 to the lien date in 1978, inclusive, and after that date shall have no further force or effect.

This bill would provide that the exemption shall be operative to the lien date in 1980 and would require the Legislative Analyst to report to the Legislature on the net effect of the exemption on or before July 1, 1983, and to recommend the renewal or the repeal of such exemption

Existing law provides for the continuous appropriation, up to the 1978–79 fiscal year, to reimburse local agencies for lost revenues as a result of the exemption.

This bill would provide that notwithstanding any other provision of law, there shall be no reimbursement or appropriation made by this act and no appeal to the State Board

of Control

Under existing statutes, cities and counties are authorized to impose a sales and use tax, and certain transit districts are authorized to impose a transactions tax Taxes imposed pursuant to such statutory authorization must contain a provision that there is excepted from such taxes 80% of the gross receipts from the sale or use of personal property to operators of certain waterborne vessels

This bill would, as of January 1, 1984, eliminate such requirement from the statutory authorization for the imposition of the local sales and use taxes and transaction taxes.

This bill would take effect immediately as an urgency statute.

Ch 6 (SB 87) Marks Redevelopment reporting

Present law requires every redevelopment agency to annually report as prescribed to its legislative body The report is required to include an opinion of the agency's compliance with laws, regulations, and administrative requirements governing activities of the agency, but such opinion for the 1977–78 fiscal year is not required to be submitted until March 1, 1979

This bill would postpone the requirement for including such opinion in the report until the report for the last fiscal year ending before January 1, 1980 This bill would require the State Controller to prepare guidelines for preparation of the opinion and to appoint an advisory committee for that purpose

This bill would permit the legislative body to elect to delete from the audit portion of such report agency activities which are exclusively federally funded and subject to federal audit

This bill would take effect immediately as an urgency statute.

Ch 7 (SB 189) Craven. Local government funding.

Existing law provides for the distribution of an amount appropriated pursuant to specified provisions of law relating to subventions to local agencies, to special districts in accordance with specified procedures for the purpose of implementing Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978, ballot)

The existing law prescribes a schedule for the distribution of such funds under which the final allocation of 34% would be made on May 10, 1979

This bill would instead, require such final allocation to be made on May 10, 1979, or earlier, upon the request of the local governing body, as defined, if such body certifies that such funds are needed in order to continue providing necessary services.

This bill would take effect immediately as an urgency statute

Ch 8 (SB 51) Roberti County property leases

Existing law generally requires that lessees of county-owned property be selected by competitive bidding

This bill would allow a county of 4,000,000 or more to enter into an operating lease or management contract, for a term not exceeding 40 years, with any nonprofit corporation or association or public or private school, college or university for the management, operation or maintenance of any real property that has been gift-deeded to the county for art institutes or other artistic or cultural purpose if the gift-deed was executed before January 1, 1920, without calling for competitive bids, and would permit such lease or contract to include county-owned property contiguous to the gift-deeded property if both have been heretofore operated by the county for such purposes

The bill would take effect immediately as an urgency statute

Ch 9 (AB 95) Young Elections. community colleges, school districts, and county boards of education

(1) Existing law authorizes the Long Beach Unified School District and Long Beach Community College District common governing board to determine that a separate community college governing board be established, and authorizes community college governing board elections to be held on the same date as elections for board members of the Long Beach Unified School District Existing law also specifies that the term of office of incumbent community college district governing board members expires on the last day of November of odd-numbered years

This bill would provide that the term of office of a member of the Long Beach

Community College District Governing Board commences on the first day of the calendar month next succeeding his election instead of in the succeeding November The bill would also require the term of the predecessor of such members to expire on the first day of the calendar month next succeeding such election This bill would also require each person elected at a regular biennial governing board member election to hold office for a term commencing on the last Friday in November

(2) Existing law requires vacancies on school and community college district governing boards or county boards of education to be filled by appointment or election, under various specified circumstances

This bill would authorize, between December 1, 1978, and July 31, 1979, such boards to make provisional appointments to fill such vacancies unless district or county voters petition, according to a specified procedure, that the vacancy remain open until it can be filled in the election on the first Tuesday after the first Monday in November, 1979 In case of such petition, such vacancy shall remain open until it can be filled in such November election

The bill would also require that future vacancies on county boards of education be filled in the same manner in which vacancies are filled on school district and community college district governing boards, rather than requiring such vacancies to be filled in a prescribed manner applicable only to such county boards

(3) Existing law provides generally that the governing board members of any school district or community college district shall be elected on the first Tuesday after the first Monday in November of each odd-numbered year to fill offices of members whose terms expire on the last Friday in November next succeeding the election Existing law also establishes different election dates and terms of office for specified school district governing boards and boards of education

This bill would require such governing board members and board of education members to be elected on the first Tuesday after the first Monday in November of each odd-numbered year to fill offices of members whose terms of office expire on the last Friday in November and would make related conforming changes in the law

(4) Existing law also provides for recall procedures, including procedures for recall of nonvoting student members of community college district governing boards

This bill would repeal such provision

(5) Existing law states that no election shall be held on any day other than a Tuesday nor shall any election be held on the day after a state holiday

This bill would provide a certain exception to the above provision

(6) Existing law requires the clerk to certify the results of an election to the governing body within 28 days of the election

This bill would require such certification to be made by the last Monday before the last Friday of November after the conduct of certain school and special district elections.

This bill would also make related technical changes

This bill would take effect immediately as an urgency statute

Ch 10 (AB 99) Mello County superintendent of schools submission of budget

Existing law requires that county superintendents of schools submit a budget to the Superintendent of Public Instruction on or before April 1st of each year

This bill would change the date for submitting the budget to the Superintendent of Public Instruction to be on or before June 30th of each year

This bill would take effect immediately as an urgency statute

Ch 11 (SB 136) Zenovich Fresno Unified School District lease-purchase of facilities

Existing law requires that before entering into a lease or agreement relating to real property, the governing board of any school district must conduct an election in a specified manner

This bill would authorize the Fresno Unified School District to change the site of one of the facilities approved by district voters in such an election

This bill would take effect immediately as an urgency statute

Ch 12 (SB 31) Nejedly Special districts allocation of state funds.

Existing law provides for the distribution of $162,000,000 appropriated pursuant to specified provisions of law relating to subventions to local agencies, to special districts in accordance with specified procedures for the purpose of implementing Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978, ballot)

Existing law also appropriates $870,000,000 from the General Fund for transfer to the Local Agency Emergency Loan Fund to provide short-term loans to local agencies for operational purposes

This bill would appropriate $35,710,000 † from the Local Agency Emergency Loan Fund to the State Controller for allocation to governing bodies, as defined, including boards of supervisors, for distribution to special districts, as defined The bill would provide for the distribution of funds allocated to boards of supervisors to those special districts which the respective board of supervisors finds have critical unmet funding needs and meet certain specified criteria. The bill would provide for reimbursement from funds, as specified, to any governing body, as defined, which made funds available from its own sources for the 1978–79 fiscal year to any eligible special district, as defined

This bill would authorize counties and cities to use their own revenues to fund the needs of special districts, as specified. The counties and cities would also be authorized to loan funds to special districts in anticipation of additional state fiscal relief to such districts and would state a priority for repayment of such funds.

This bill would make specified changes in the criteria for distribution of a portion of the amounts previously appropriated for distribution to specified special districts

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

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

This bill would take effect immediately as an urgency statute

Ch 13 (AB 121) Berman. Discrimination based on pregnancy

Existing provisions of the Fair Employment Practice Act, operative January 1, 1979, generally prohibit discrimination, among other things, on the basis of pregnancy, childbirth, or related medical conditions Existing law also provides that certain of such provisions are inapplicable with respect to employers covered by proposed amendments to Title VII of the federal Civil Rights Act of 1964

This bill would instead specify that employers subject to the federal law will not be subject to specified provisions of the Fair Employment Practice Act

Existing unemployment compensation disability law provides disability benefits for 3 weeks before the birth of a child and 3 weeks after the termination date of a normal pregnancy

This bill would, instead, provide for the payment of disability benefits during any 6-week period of a normal pregnancy

Existing law requires the Employment Development Department to reimburse employers with private disability plans or paid sick leave plans, or both, for payments made by such employers for pregnancy benefits to the extent such benefits would have been otherwise payable.

This bill would revise such reimbursement provisions and would also specify that they would only be applicable between January 1, 1979, and the effective date of this bill

The bill would make other technical, nonsubstantive changes in the law

The bill would take effect immediately as an urgency statute and would specify that its provisions are retroactive to January 1, 1979

Ch 14 (AB 12) McCarthy Democratic State Central Committee

Existing law prescribes the membership, organization, operation, and functions of the Democratic State Central Committee

This bill would substantially revise such body of law

Existing law also regulates the various other political parties

This bill would make certain technical changes in such law

Existing law provides, in the part of the Elections Code governing the Democratic

† Appropriation reduced to $30,000,000 by action of the Governor

Party, that a county central committee of the American Independent Party must meet on a specified date, except that in any year in which a national convention of such party includes that date, the executive committee must set the date of the meeting, not to exceed 30 days after such date

This bill would restate such provision of law in the part of the Elections Code which governs the American Independent Party

Ch 15 (AB 194) Torres Small claims court.

Existing law provides for a small claims court monetary jurisdiction experiment

This bill corrects an erroneous cross reference in such provisions, to take effect immediately as an urgency statute

Ch 16 (SB 291) Carpenter School districts state school building aid

Existing law provides for the deferment of state school building aid repayments in certain circumstances where an acquiring district assumes liability for a portion of apportionments previously made to another school district part of whose territory is acquired by the acquiring district.

This bill would make clear that these provisions apply to a newly formed unified school district, as specified, and would provide for the manner of calculating the amount of such deferment

Ch 17 (AB 249) Hughes. Private postsecondary educational institutions

Under current law, a private postsecondary institution, or representative thereof, is prohibited from using, or allowing the use of, any reproduction or facsimile of the Great Seal of the State of California on any diploma, and any person, firm, association, partnership, or corporation willfully violating that prohibition is guilty of a felony and is punishable by imprisonment in the state prison not exceeding 5 years, or by a fine of not less than $1,000, or both such fine and imprisonment

This bill would remove the reference to the length of the prison term, thereby making the punishment for a violation a fine of not less than $1,000 or imprisonment in the state prison for 16 months or 2 or 3 years, or imprisonment in the county jail not exceeding 1 year, or both imprisonment and a fine

Ch 18 (SB 61) *Nejedly Vehicles· handicapped parking private property*

Existing law permits a city or county to declare, by ordinance or resolution, that designated private off-street parking facilities are generally held open for a public purpose Enactment of such a resolution or ordinance makes Vehicle Code provisions relating to speed, speed contests, reckless driving, and illegal parking in spaces reserved for the handicapped applicable to the designated private off-street parking facilities and the city or county has the responsibility for citing violations in the parking facilities.

The bill would provide that after enacting an ordinance or resolution declaring that a private off-street parking facility is held open for a public purpose, the city or county would only be responsible for enforcing the prohibition against vehicles parking in spaces designated for the exclusive use of the handicapped in private parking facilities *unless otherwise specified in the ordinance*

The bill would take effect immediately as an urgency statute

Ch 19 (AB 400) Fenton. Depositions.

Under existing law, the officer taking a deposition is required to keep the deposition for 6 months following the final disposition of the case, except as specified.

This bill would provide that the officer taking the deposition shall keep it for 6 months unless the parties agree on the record that the party noticing the deposition shall do so

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

Ch 20 (SB 161) Nimmo Public pension and retirement systems· audits

Under present law, every state and local public retirement system is required to have an attest audit of the system performed by a qualified public accountant, as defined, for purposes of preparation of, and submission annually to the State Controller, an audited financial statement

This bill would provide that the audit be performed by a qualified person and, in addition, that a county auditor in any county which has adopted a pension trust plan

pursuant to certain designated provisions qualifies for these purposes.

This bill would take effect immediately as an urgency statute

Ch 21 (AB 44) Fenton County employees retirement

The County Employees Retirement Law of 1937 authorizes various alternative retirement benefit formulas.

This bill would authorize the Los Angeles County Board of Supervisors to elect to make a reduced member contribution and benefit structure applicable to new members.

This bill would take effect immediately as an urgency measure

Ch 22 (SB 141) Craven County water authorities.

Under existing law, a county water authority, a separate public entity with designated powers, may be organized by 2 or more public agencies in any county in accordance with prescribed procedures

This bill would permit a public agency whose corporate area is wholly within the corporate area of another public agency which is already included within a county water authority as a separate unit, to also become a separate unit of such county water authority in accordance with prescribed procedures.

The bill would go into immediate effect as an urgency statute

Ch 23 (SB 107) Johnson. Special elections

Existing law provides for the use of absent voter ballots for special elections conducted by local entities which have no more than 300 registered voters residing therein

This bill would provide for the use of such ballots for special elections conducted by cities, counties, and special districts, with 5,000 or less registered voters calculated as of the time of the last report of the county clerk to the Secretary of State, if the measures on the ballot are restricted to the imposition of special taxes within the city, county, or district.

This bill would take effect immediately as an urgency statute

Ch 24 (AB 160) Mello Property tax administration

Under existing law, applications for reductions in assessments are required to be filed within specified time periods in various counties

This bill would authorize the counties to extend such time periods for the 1978–79 fiscal year only

This bill would take effect immediately as an urgency statute.

Ch. 25 (SB 19) Rodda. Accountancy titles.

Existing law prohibits persons from using titles or designations relating to the practice of accountancy which are likely to be confused with "certified public accountant" or "public accountant," or "C P A " or "P A "

This bill would permit a person enrolled as an agent under federal law to practice before the Internal Revenue Service and recognized as an enrolled agent to use the abbreviation "E A "

Ch 26 (AB 488) Wyman Schools continuous school programs

Under current law, a school district governing board must publish its intention to operate a mandatory continuous school program no later than November 1 of the school year prior to the school year in which the program is to be established Existing law also provides that a school district which discontinues a continuous school program may not return to a continuous school program for at least 2 years

This bill would permit the governing boards of the Hesperia School District, the Apple Valley School District, and the Bear Valley Unified School District to each establish and operate a continuous school program for the 1979–80 school year without complying with such requirements if the appropriate governing board finds that a school housing emergency exists and that the continuous school program would reduce the effects of such emergency

This bill would take effect immediately as an urgency statute

Ch 27 (AB 426) Duffy Property taxation

Under existing law, any person may elect to pay delinquent property taxes in installments at any time prior to June 30 of the fifth year after the property was sold to the state, and prior to the deeding of such property to the state, with the exception that if such installment payments are started and the required amount is not paid as required or failure to timely pay property taxes for the current fiscal year results in the default of such installments in any fiscal year, such payments generally may not again be started until July 1 of the second succeeding fiscal year after that in which the default occurs

If the assessee or his agent can convince the tax collector that the required payment was made through no fault of the assessee, the tax collector may reinstate the account of a payment of an amount reflecting the installment due, plus interest, provided the payment is made prior to the time the property is deeded to the state or prior to June 30 of the current fiscal year, whichever occurs first

This bill would authorize a county tax collector to authorize a taxpayer to elect to resume payments under an installment plan if the taxpayer defaulted on an installment in the fourth or fifth fiscal year after the property was sold to the state, in specified circumstances, upon a finding that the taxpayer's failure to make a timely payment is 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, in certain circumstances

This bill would apply to any default on a delinquent property tax installment payment account occurring in the 1978 calendar year, and would take effect immediately as an urgency statute

Ch 28 (AB 198) Papan State Capitol Restoration Project

Under existing law, interest derived by the state from the undisbursed balance in the original appropriation of $42,000,000 to the Capitol Improvement Fund and the subsequent appropriation thereof for the restoration for the west wing of the State Capitol is credited to the General Fund

This bill would appropriate, of all interest heretofore earned from such undisbursed balance, the sum of $18,828,000 as follows $17,728,000 to the Contingent Funds of the Assembly and Senate, for use on the restoration project, and $1,100,000 to the Department of General Services for necessary electrical work for both the east and west wings of the State Capitol in connection with the restoration project

The bill is an urgency statute, to take effect immediately

Ch 29 (SB 55) Mills Public finance interest rates. redevelopment financing.

(1) Pursuant to Section 16 of Article XVI of the California Constitution, the Legislature has authorized counties and cities to pledge a portion of the property tax revenues produced by property in a redevelopment project area to secure bonds and other indebtedness incurred to finance redevelopment This method of financing redevelopment is commonly referred to as "tax-increment financing " On June 6, 1978, the voters approved addition of a new Article XIII A to the California Constitution, which substantially reduced property tax revenues available for repayment of redevelopment indebtedness Subsequent to the adoption by the voters of Article XIII A, an urgency statute was enacted creating a Local Agency Indebtedness Fund administered by the Pooled Money Investment Board, and counties and cities may borrow from such fund in order to meet current debt service on redevelopment indebtedness

This bill would authorize counties and cities that have utilized tax-increment financing, to levy special assessments for the purpose of supplementing property tax revenues available for repayment of (1) redevelopment indebtedness incurred prior to July 1, 1978, and (2) loans from the Local Agency Indebtedness Fund extended for the purpose of meeting debt service requirements with respect to such indebtedness Only property within a redevelopment project area, as it existed on July 1, 1978, could be so assessed, and the assessments could only be levied where tax-increment revenues will be insufficient to repay indebtedness incurred for redevelopment prior to July 1, 1978 The bill would require all tax-increment revenues generated by property in a redevelopment project for which such an assessment district is established to be used first to pay indebtedness, as defined in the bill The bill would prohibit levy of the assessment if the tax increment revenues actually available exceed specified projections

This bill would authorize a city or county establishing a special assessment pursuant to the bill to designate only a portion of the redevelopment project area as subject to

the special assessment, if the governing body of the city or county determines such portion of the project area is specially benefited by redevelopment The bill would specify a procedure by which owners of a majority of the area of property to be assessed under the bill could protest the assessment Such a majority protest could, however, be overridden by a four-fifths vote of the legislative body of the city or county

This bill would specify a time limitation for instituting judicial action to contest the validity of assessments levied under the bill Proceedings under the bill would be exempt from the California Environmental Quality Act and the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

This bill would require any city or county levying assessments under its provisions to pay any such assessment which is levied upon property used or reserved, as prescribed, for residential occupancy by persons and families of low or moderate income However, if such property is also used for other purposes, the bill would require the city or county to pay only the portion of the assessment attributable to the dwelling units occupied by persons and families of low or moderate income

In the event the provisions of the bill which would authorize a city or county to make such payments are held invalid, the bill would prohibit establishment of a new assessment district thereafter which includes such housing, would prohibit future assessments respecting such property in then existing assessment districts, and would discharge the obligation and lien of any then existing assessment upon such property In the event that a court holds the above provisions of the bill also invalid, then no assessment could thereafter be levied under the bill upon any property within an assessment district which contains any dwelling units occupied by persons and families of low or moderate income

(2) Article XIII A of the California Constitution generally restricts the ad valorem tax levy upon real property to 1% of the "full cash value" of the property, as defined This limitation on the tax rate, however, does not prohibit levy of a special ad valorem property tax to pay indebtedness approved by the voters prior to July 1, 1978 Present statutory provisions governing determination of the rate of such a special property tax do not expressly require such tax rate to be increased to compensate for allocation of a portion of the levy to repay redevelopment indebtedness payable from the so-called "tax increment," as described above

This bill would enact such a provision, which the bill would specify is declaratory of existing law Additionally, the bill would specify procedures for increasing the 1978–79 tax levy accordingly or would alternatively authorize a further, one-time increase in the tax levy imposed for the 1979–80 tax year in jurisdictions which did not adjust the above-described special property tax during the 1978–79 tax year to compensate for redevelopment tax-increment financing The amount of such increase would be limited to the deficiency caused by failure to make such adjustment in the 1978–79 levy

(3) Under present law, the interest rate on redevelopment agency bonds is limited to 8%, except that the bonds may be discounted not more than 5% below par value Under present law, the interest rate on housing authority bonds is limited to 8%. Under present law, the interest rate on bonds and other indebtedness of counties and cities is, in the absence of a special statutory authorization, limited to 8%

This bill would exempt from the above interest-rate limitations, indebtedness or obligations payable to, or guaranteed by, the federal government This bill would also require that such indebtedness or obligations be in the form and denomination, have the maturity, and be subject to the conditions prescribed by the federal government or agency or instrumentality thereof

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

Ch 30 (AB 94) W. Brown Property tax assistance and postponement

Under existing law, qualified persons 62 years of age or older and qualified persons who are totally disabled, as defined in Section 12050 of the Welfare and Institutions Code, 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 qualified persons 62 years of age or older may be postponed

This bill would specify that qualified persons who are disabled, as defined in Section 12050 of the Welfare and Institutions Code, are authorized to claim such property tax reimbursement, would permit persons who are blind, 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 apply with respect to the 1978–79 fiscal year and fiscal years thereafter

This bill would take effect immediately as an urgency statute

Ch 31 (AB 135) McAlister Property taxation eminent domain proceedings

The existing provisions of law governing the apportionment, payment, and cancellation of ad valorem property taxes on property subject to eminent domain proceedings are contained in the Eminent Domain Law of the Code of Civil Procedure and in the Revenue and Taxation Code

This bill revises existing statutory provisions relating to ad valorem property taxation of property subject to eminent domain proceedings, to make substantive and clarifying changes, to incorporate recommendations of the California Law Revision Commission.

Ch 32 (AB 278) 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

Moreover, the allowable exemption is $15,000 for otherwise eligible persons whose incomes do not exceed specified amounts, as a result of the passage of Assembly Bill 955 of the 1977–78 Regular Session of the Legislature

Existing law also incorporates additional changes to Section 205.5 of the Revenue and Taxation Code as a result of the enactment of Assembly Bill 2871 and Senate Bill 1656 of the 1977–78 Regular Session of the Legislature

This bill would make minor technical revisions to accurately reflect the changes made in Section 205 5 of the Revenue and Taxation Code by Assembly Bill 2871 and Senate Bill 1656 of the 1977–78 Regular Session of the Legislature

Ch 33 (SB 167) Presley School facilities 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 Corona-Norco Unified School District to continue to lease facilities from the United States government for 2 years commencing with the 1980–81 school year, permit the continued use of a specified building in the Pioneer Union School District for the 1979–80 school year, and permit the continued use of one nonconformity facility in the Clear Creek Elementary School District until June 30, 1979. This bill would require that there be posted upon such facilities a public notice, as specified, indicating the facilities do not meet structural standards for earthquake safety This bill would additionally exempt these facilities from provisions of the so-called Field Act during such periods, respectively

This bill would take effect immediately as an urgency statute

Ch 34 (AB 639) Vicencia Horseracing

Existing provisions of the Horse Racing Law authorize the California Horse Racing Board to allocate a maximum of 12 additional weeks of harness racing and 12 additional weeks of quarter horse racing to a lessee of the California Exposition and State Fair.

This bill would delete the limitation on the maximum number of additional weeks that may be allocated for such harness and quarter horse racing

This bill would take effect immediately as an urgency statute

Ch 35 (AB 51) Mello County sanitation districts Monterey Regional County Sanitation District

(1) Existing law provides for county sanitation districts which are governed by boards of directors The composition of a board of directors is provided by existing law depending upon the existence of other public entities in the territory of the sanitation district.

This bill would require that the Monterey Regional County Sanitation District be constituted in such a manner as each city, other sanitation district, public agency, as defined, and unincorporated territory is represented by one member on the district board It would require such member to be appointed by such member's governing

body, as specified

It would prescribe that any board member may call for a weighted vote on any matter before the board, as specified

It would also prescribe a method for filling vacancies, voting, and depositing district funds It would make a conforming change in existing law with respect to depositing funds for operation and maintenance purposes to permit such district to place such funds in a depository or depositories.

This bill also would declare the necessity for a special statute

(2) Existing law does not prescribe a method for appointing certain alternate members to the governing board of a county sanitation district

This bill would prescribe such a method.

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

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

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

Ch 36 (AB 277) Bane Real estate

Existing law exempts persons licensed by the Savings and Loan Commissioner to act as agents of savings and loan associations from various provisions of the Real Estate Law, including the necessity of being licensed as a real estate broker

This bill would, instead, exempt from the various provisions of the Real Estate Law any person authorized in writing by a savings and loan association to act as an agent of that savings and loan association

This bill would also take effect immediately as an urgency statute

Ch 37 (AB 380) W Brown Charter commissions.

Existing law does not specifically prescribe the manner in which a vacancy is filled in a charter commission for a city or city and county

This bill would require the mayor of the city or city and county for which the commission is established to fill any vacancy arising in the charter commission

This bill would take effect as an urgency statute

Ch 38 (AB 719) Deddeh School finance

The Budget Act of 1978 (Ch 359, Stats 1978) requires school districts, community college districts, and county superintendents of schools to maintain certain levels of service for specified programs as a condition to receiving specified state funds for fiscal year 1978–79

This bill would impose a penalty, as specified, in lieu of the complete denial of such state funds, on certain elementary school districts which fail to maintain such required levels of service

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

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

This bill would take effect immediately as an urgency statute

Ch 39 (AB 228) Knox County clerk records.

Existing law permits a county clerk to destroy a copy of the "articles," as defined, of any corporation in his possession.

This bill would permit the county clerk to destroy the original as well as a copy and would expand the definition of "articles" to also include dissolution certificates and

merger certificates

Ch 40 (SB 76) Nimmo Schools fire warning systems fire drills.

Existing law requires that every public, private, or parochial school building having an occupant capacity of 50 or more students or more than one classroom be provided with a fire warning system Presently, the fire alarm signal must be sounded at least once a month, but a two-year community college is excluded from such requirement Regulations of the Superintendent of Public Instruction prescribe that a fire drill shall be conducted in each school at least once each school month

This bill would require that such a fire alarm signal be sounded at least once a month at the elementary and intermediate levels and at least twice yearly at the secondary level A two-year community college would continue to be excluded from such requirement

This bill would further require secondary level schools to hold a fire drill at least twice every school year

Ch 41 (AB 360) Chappie Municipal water district promissory notes

(1) Existing law authorizes a municipal water district to issue negotiable promissory notes to acquire funds for any district purpose in an amount which may be at least $75,000, but which may not exceed the lesser of $2,500,000 or 3% of the assessed valuation of the taxable property in the district

This bill would authorize the Otay Municipal Water District to issue negotiable promissory notes to acquire such funds in an amount not to exceed the lesser of $3,500,000 or 3% of the assessed valuation of taxable property in the district

(2) Existing law, in addition, authorizes a municipal water district to issue negotiable promissory notes for the purpose of acquiring funds to finance the construction or acquisition of administrative offices, construction headquarters, commercial offices, or facilities for similar district purposes and for the acquisition of land for district purposes in an amount which may be at least $50,000, but which may not exceed the lesser of $1,500,000 or 1% of the assessed valuation of the taxable property in the district Existing law also specifies that no more than 50% of the increased borrowing capacity made available pursuant to amendments enacted at the 1975–76 Regular Session may be used for land acquisition purposes

This bill would authorize the Otay Municipal Water District to issue negotiable promissory notes for such purposes in an amount at least equal to $50,000, but not exceeding the lesser of $2,000,000 or 1% of the assessed valuation of the taxable property of the district, and would also delete such restriction on the use of increased borrowing capacity for land acquisition purposes.

(3) The bill would make findings and declarations that a special law is necessary and a general law cannot be made applicable

Ch 42 (AB 514) Bosco Sonoma County wastewater projects

Existing law authorizes any county by a prescribed procedure to appropriate any of its available moneys to a revolving fund not to exceed $500,000 to be used by certain districts, located wholly within the county, for specified purposes. Existing law also provides for the reimbursement of such money made available to a district in a specified manner

This bill would authorize the County of Sonoma to appropriate any of its available moneys to such a revolving fund not to exceed $4,000,000 to be used by certain districts for various purposes which are determined to be a public purpose of the County of Sonoma, as determined by the Board of Supervisors of Sonoma County

This bill would declare the necessity for a special statute

This bill would take effect immediately as an urgency statute.

Ch 43 (SB 290) Stiern Housing authority commissioners per diem

Existing law permits a housing authority commissioner to receive a per diem payment not to exceed $30 per day for attendance at not more than 4 meetings per month of the authority

This bill would increase such per diem to an amount not to exceed $50 per day

Ch 44 (SB 150) Holmdahl Power facilities and site certification

Under the Warren-Alquist State Energy Resources Conservation and Development Act, the State Energy Resources Conservation and Development Commission is vested with responsibility for certification of thermal powerplant and electrical transmission line sites and related electrical facilities The act requires the commission to comply with environmental impact reporting procedures of the California Environmental Quality Act with respect to such certification and to complete an environmental impact report within 1 year after receipt of the application for certification

This bill would delete such provisions on the duties of the commission with respect to environmental impact reports The bill would instead require the commission to be the lead agency for all projects requiring certification and projects exempted from certification pursuant to Section 25541 of the Public Resources Code The bill would require the commission to complete such required environmental impact reports within 1 year after receipt of application unless the commission's regulatory program governing site and facility and related proceedings has been certified by the Resources Agency pursuant to provisions of the California Environmental Quality Act If the regulatory program is approved, any other public agency would be required to use the documents prepared pursuant to such regulatory program in the same manner as they would use an environmental impact report or negative declaration

This bill would take effect immediately as an urgency statute

Ch 45 (SB 166) Rodda School building aid

Existing law validates certain final apportionments of state school building aid based on conditional apportionments made prior to January 1, 1979, and validates certain final apportionments of school building aid funds re structurally inadequate school facilities based on conditional apportionments made prior to January 1, 1979, 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, 1980

Ch 46 (SB 275) Smith Arbitration

(1) Existing law, operative July 1, 1979, will require compulsory arbitration in certain superior court actions of $15,000 or less, and would authorize compulsory arbitration, by court rule, in other superior and municipal court actions of such amount, with specified exceptions The Auditor General would be required to study and report on the effects of such law

This bill would, operative July 1, 1979, remove class actions from the list of such exceptions, and add to such list of exceptions actions in courts participating in a pilot project on economic litigation It would also specify that the studying and reporting duties of the Auditor General be conducted in conjunction with the Judicial Council, the State Department of Finance, and local agencies, and specify certain factors to be considered in such studies

(2) Existing law contains no special provisions for the arbitration of public construction contracts

This bill would provide that such contracts may contain specified provisions relating to the judicial review of such arbitration

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

Ch 47 (SB 267) Stiern Wiping rags

Existing law does not exclude reusable rental cloths or towels from the sanitation requirements in the Health and Safety Code applicable to wiping rags.

This bill would enact such an exclusion

Ch 48 (AB 45) Fenton Veterans' farm and home purchase benefit limits

Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 permit the Department of Veterans Affairs to expend up to $43,000 for acquisition of an existing home for sale to a veteran or for a contract with a veteran for the construction of a home, subject to specified conditions, and authorize the department to expend not more than $48,000 for acquisition of a home equipped with solar energy heating devices.

This bill would increase the maximum limit of expenditure for construction or acquisition of a home to $55,000, or to $5,000 in excess of this sum in the case of construction or acquisition of a home equipped with solar energy heating devices

The bill would take effect immediately as an urgency statute

Ch 49 (SB 17) Holmdahl Property taxation assessments

The Jarvis-Gann Initiative was an initiative constitutional amendment, which appeared as Proposition 13 on the ballot for the Direct Primary Election held on Tuesday, June 6, 1978, and added a new Article XIII A to the California Constitution to provide new methods of assessing and taxing real property, using 1975 as a base year The Legislature later implemented the new method of valuing property in Section 110 1 of the Revenue and Taxation Code (Sec. 5, Ch 576, Stats 1978)

This bill would provide that ~~the full cash value of property which was appraised for the 1975/76 fiscal year, as of the 1975 lien date, shall be the value of such property at the tax levels for the 1975/76 fiscal year as indicated on the tax bill for such fiscal year~~ [if the value of any real property as shown on the 1975–76 roll was determined pursuant to a periodic appraisal under Section 405 5, such value shall be the 1975 lien date base year value of the property]*

This bill would also authorize the determination of a new base year value of property which has not been appraised, for assessment purposes, for the 1975–76 fiscal year, would prohibit certain escape assessments for such 1975–76 fiscal year resulting from such determination, and would specify what factors and indicia of fair market value that may be used in such determinations, and would specify when property was appraised or reviewed for the 1975–76 fiscal year

This bill would establish a rebuttable presumption that property was appraised for the 1975–76 fiscal year if the assessor's determination of the value of the property for such fiscal year differed from the value used for purposes of computing the 1974–75 fiscal year tax liability for the property.

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

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

This bill would take effect immediately as an urgency statute, and would be applied to the 1978–79 fiscal year and thereafter

Ch 50 (AB 379) Agnos Local agencies financial affairs

Existing law authorizes the treasurer of a local agency, as defined, to deposit funds with a depositary for a term agreed upon between the treasurer and the depositary but not to exceed one year The term limitation does not, however, apply to the treasurer of any county with a population of six million or more

This measure would remove the term limitation for all local agencies, as defined

Ch 51 (SB 260) Rodda Public schools state support

Existing law appropriates 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 prescribes a method for computing state support for school districts and county superintendents of schools

This bill would alter such method of computation for county superintendents of schools, would reappropriate specified unallocated balances in the State School Fund for the purposes of county superintendents of schools, as specified, and would appropriate the additional amount of $28,800,000 to be allocated to certain county superintendents of schools according to a specified formula.

This bill would take effect immediately as an urgency statute

Ch 52 (SB 63) Mills California Historical Society

Existing law does not provide for an official state historical society in California

This bill would provide that the California Historical Society is the official state historical society

Ch 53 (AB 438) Lancaster Lighting districts

(1) Existing law requires a hearing prior to formation of, annexation to, or construction of improvements in, a district established under the Landscaping and Lighting Act of 1972 Notices of hearings for formation of an assessment district or for the annexation of territory to an existing district are required to be posted at intervals of not more than

300 feet along all streets within the proposed district or territory to be annexed Notices are also required to be mailed to each property owner

This bill would authorize dispensing with posting notices of a formation change in organization or consolidation under the act if notices have been mailed to property owners

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

Ch 54 (AB 421) Chappie Validations

This bill would enact the First Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities

This bill would take effect immediately as an urgency statute

Ch 55 (AB 132) Boatwright County Employees Retirement Law of 1937 administrative costs

Existing County Employees Retirement Law of 1937 requires, in some counties, the entire administrative costs of the retirement system to be charged against the earnings of the retirement fund, but limits such charge to not more than 0 10% of the total assets of the system, except in Alameda County and Orange County where the limit of such charge is 0 18%

This bill would increase the limit of the charge against the earnings of the retirement fund for administrative expenses to 0 18% in all counties except a county of the first class, where the charge would be limited to 0 13%

Existing law requires personnel hired by the boards of retirement and investment to be subject to county civil service

This bill would specify that such personnel are county employees

This bill would take effect immediately as an urgency statute

Ch 56 (AB 183) Alatorre State civil service PERS

Existing law permits an appointing power to reinstate state civil service employees separated from their positions for specified reasons, including service retirement Such reinstatement is required to be within three years, with specified exceptions

This bill would require, as to any state employee who was a miscellaneous member and who retired prior to January 1, 1979, due to mandatory retirement age provisions then in effect, such reinstatement to be within five years, and would make such reinstatement subject to certification regarding eligibility pursuant to specified provisions, if applicable

Existing Public Employees' Retirement Law requires every person who has attained the mandatory retirement age at the time he becomes a member to be retired forthwith

This bill would not require such retirement if the individual is otherwise eligible to continue in employment

This bill would take effect immediately as an urgency statute

Ch 57 (AB 627) Rogers. Vegetable standards garlic and onions for dehydration

Until January 1, 1982, the existing law, generally, provides for standards of quality for garlic or onions for commercial dehydration and requires the Director of Food and Agriculture to prescribe standards for such garlic or onions The law requires the director to inspect all sales or contract deliveries of garlic or onions and to issue a certificate, upon inspection of such deliveries, which shows designated information

This bill would exempt garlic or onions grown and dehydrated by a common principal owner and garlic or onions specifically exempted by regulations from the inspection requirements by the director It would require the director, by regulation, to exempt any type of delivery of onions or garlic to a dehydrator from the inspection and certification requirements, if the director makes a prescribed finding The bill would revise the information that is required to be shown on the certificate for inspected garlic or onions. It would require the director to adopt a schedule of fees to defray the cost of administering all the provisions regulating garlic or onions for commercial dehydration, rather than limiting to defraying the cost of inspection and of the certification which are required under designated provisions Also, the bill would make conforming and corrective changes

The existing law provides for the establishment of the Garlic and Onion Dehydration Advisory Committee, with prescribed powers and duties, to be advisory to the director on matters pertaining to quality standards for garlic and onions for dehydrating purposes The committee is composed of members appointed by the director for specified fixed terms

This bill would require appointment of alternate members, by the director, on the committee to serve at committee meetings in the absence of members

The existing law permits a board of supervisors of a county to establish a schedule of fees for certificates for fruits, nuts, or vegetables, to be paid by owners, shippers, or other interested parties that request such certification, which is to be based on the cost of inspection to determine that the fruits, nuts, or vegetables have met designated requirements

This bill would, as an alternative, permit a board of supervisors to establish such a schedule of fees for certification inspection of such fruits, nuts, or vegetables.

The bill would take effect immediately as an urgency statute

Ch 58 (AB 340) Hannigan Yolo County Flood Control and Water Conservation District

Under existing law, the maximum interest rate which any bond or evidence of indebtedness issued by the Yolo County Flood Control and Water Conservation District may bear is 8 percent per year

This bill would permit the rate of interest on any indebtedness or obligation of the district which is payable to the federal government or any instrumentality thereof, to be at a rate higher than the limitations established in any other law if such rate is the rate established by the federal government or instrumentality thereof

The bill would take effect immediately as an urgency statute

Ch 59 (SB 138) Beverly Schools regional occupational centers and programs.

Existing law authorizes a regional occupational center and program to budget and accumulate specified amounts for "general reserve" and "appropriation for contingencies" It generally provides that (a) net ending balances of a regional occupational center and program in excess of 15% of prior year expenditures are deemed to be excessive regardless of the year accumulated, (b) such amounts must be returned to the school districts participating in the center or program, and (c) such amounts must be deducted from the amount of money to be raised by the school district's general purpose taxes

This bill would exempt the Southern California Regional Occupational Center and its participating districts from (a), (b), and (c) above and would authorize the expenditure of the net ending balance in excess of 15% at the end of the 1977–78 and 1978–79 fiscal year for any lawful purpose Such provisions would be repealed on July 1, 1980

The bill would take effect immediately as an urgency statute

Ch 60 (SB 33) Petris Housing relocation of displaced persons

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, and in some instances requires, a public entity to make payments to, and to provide advisory assistance to, a person who moves from a dwelling or moves or discontinues a business as the result of a rehabilitation or demolition program or the enforcement of building codes.

This bill would also allow such payments and assistance to be made to persons displaced or potentially displaced by rent increases resulting from building rehabilitation or housing or health code enforcement and would permit payments, as prescribed, to persons who remain in a dwelling during rehabilitation

Additionally, the bill would allow the Department of Housing and Community Development, from funds appropriated by the Legislature, to grant funds to local agencies for the purpose of providing relocation benefits to persons and families of low or moderate income who are displaced or who may be displaced as a result of direct code enforcement activities of the department, disasters for which an emergency has been proclaimed by the Governor, or fires which damage or destroy residential structures The bill would permit the department to obtain specified federal financial assistance for use

in providing relocation benefits

This bill would take effect immediately as an urgency statute

Ch 61 (SB 326) Petris Special education programs

Existing law prescribes an extensive system for providing educational programs for individuals with exceptional needs and provides therein the intent of the Legislature that such programs provide an educational opportunity for individuals with exceptional needs which is equal to or better than that provided prior to the implementation of such programs

This bill would additionally specify that individuals to be provided an educational opportunity equal to or better than that provided prior to the implementation of such programs include, but are not limited to, individuals previously served in a development center for handicapped pupils.

Ch 62 (SB 30) Petris Housing regulation of buildings.

(1) The State Housing Law provides that in the event of the nonenforcement of certain designated building regulations by a city or county, the Department of Housing and Community Development is required to enforce such regulations, as specified

This bill would require that if such enforcement by the department of regulations with respect to structural fire safety and fire-resistant exits in multiple-story structures let for human habitation is necessary due to the failure of any local entity to initiate proceedings to correct a specific violation, the cost of such enforcement be borne by the nonenforcing city or county

(2) Under existing law, a building constructed, altered, converted, or maintained in violation of certain building standards and regulations is subject, after proper notice or order of abatement or correction of such violation issued by an enforcement agency, to appropriate action or proceeding to prevent, restrain, correct, or abate such violation by such enforcement agency

The bill would prohibit an enforcement agency from requiring vacating of a residential building, unless it concurrently requires expeditious demolition or repair, and the bill would require that the owner have the choice of repairing or demolishing The bill would require demolition if repair work is not done as scheduled

(3) Existing law defines substandard building in a specified manner The bill would revise the definition of "substandard building" for purposes of the State Housing Law to include certain buildings not in compliance with specified fire safety standards.

(4) Under present law, the Commission of Housing and Community Development is required to adopt and enforce (if not locally enforced) rules and regulations of specified content for the provision of structural fire safety and fire-resistant exits in existing multiple story structures, let for human habitation

This bill would exempt specified existing high-rise buildings from such regulations.

(5) Under existing law, regulations of the Commission of Housing and Community Development governing alteration and repair of existing residential structures, hotels, and motels are required to permit use and extension of original materials and methods of construction which do not cause the building to be or become substandard

This bill would additionally require such regulations to permit the use of alternate materials, appliances, installations, devices, arrangements, or methods of construction which satisfy specified standards.

(6) This bill would transfer specified provisions in the Labor Code relating to the Department of Housing and Community Development and the Employee Housing Act to the Health and Safety Code

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

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

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

Ch 63 (SB 276) Alquist Local agencies funds.

The law generally 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

A limited exception exists in the case of harbor improvement districts. Until January 1, 1982, such districts are allowed, upon approval by the county board of supervisors, to expend capital outlay funds for some other purpose

This bill would remove the general prohibition against expending money in the capital outlay fund of a local agency for other than capital outlay purposes unless approved by the electorate, and would remove the limited exception to such prohibition presently made in the case of harbor improvement districts.

Ch 64 (SB 354) Garamendi State hospitals· fire, life safety, and environmental standards

The Budget Act of 1978 appropriated certain amounts to the State Department of Developmental Services and the State Department of Mental Health for various state hospital capital outlay projects

This bill would make an appropriation of $4,638,699, as specified, in augmentation of Item 468 of the Budget Act of 1978 to the State Department of Developmental Services for purposes of bringing certain state hospitals into conformity with certain fire, life safety, and environmental standards mandated by the federal government

This bill would prescribe that augmentations in excess of 20% of the amounts appropriated by this act and in Items 468 and 469 of the Budget Act of 1978 for each capital outlay project relating to such fire, life safety, and environmental improvements in certain state hospitals be deferred by the State Public Works Board until the Legislature makes additional funds available for the specific project

This bill would prohibit the expenditure of any money appropriated by this act or by Items 468 and 469 of the Budget Act of 1978 relating to such fire, life safety, and environmental improvements in state hospitals until specified review procedures are complied with

It would make certain legislative declarations of intent with respect to state hospital expenditures

It would prescribe that it is the intention of the Legislature with respect to funds appropriated by its provisions, that to the fullest extent consistent with specified federal requirements, such funds not be used for specified facilities

It would require that the State Department of Mental Health and the State Department of Developmental Services submit a plan containing specified elements regarding state hospitals on or before September 1, 1979

This bill would also make those funds appropriated pursuant to its provisions and Items 468 and 469 of the Budget Act of 1978 available for expenditure until June 30, 1982

This bill would take effect immediately as an urgency statute

Ch 65 (AB 199) Hannigan Property taxation homeowner exemption

Existing law requires the assessor to mail a notice each year to each homeowner who received the homeowners' exemption in the immediately preceding year and to each person who has filed an exemption claim during the preceding assessment year The notice informs the taxpayer of the circumstances under which the taxpayer becomes ineligible for the exemption, of the applicable penalties if he allows the exemption to continue if he is not eligible, and of the taxpayer's duty to inform the assessor when he is no longer eligible for the exemption In addition, the notice is accompanied by a notice regarding property tax assistance and postponement for senior citizens

This bill would delete the requirement that the assessor mail such notices and would provide that when the county assessor sends a tax bill to any homeowner who received the homeowners' exemption or who has filed for an exemption, the tax bill shall be accompanied by a notice concerning ineligibility for the homeowners' exemption

Ch 66 (AB 11) McAlister Wage garnishment

Under existing law, Chapter 1133 of the Statutes of 1978 revises numerous provisions relating to wage garnishment Under existing law, that statute will become operative on July 1, 1979

This bill would delay the operative date of that statute until January 1, 1980

This bill would also revise provisions relating to service of various notices or documents to permit service by first class mail rather than by certified or registered mail, and would give the judgment creditor an opportunity to require the levying officer to make service of the earnings withholding order by personal delivery This bill would also make technical revisions

This bill would take effect immediately as an urgency statute

Ch 67 (AB 89) Imbrecht Witnesses

Under existing law, a person subpoenaed to appear as a witness in a civil proceeding is entitled to receive witness fees and mileage and may demand the payment of such mileage and fees for one day, in advance Existing law also provides for the payment of witness fees and necessary expenses, in the discretion of the court, in criminal cases, except that an out-of-state witness subpoenaed to attend and testify at a criminal proceeding has a statutory right to witness fees and mileage Existing law does not require that witnesses be informed of such provisions.

This bill would require that a witness who is subpoenaed to appear as a witness be given written notice on the subpoena that he or she may be so entitled. The notice would generally indicate the manner in which a request for fees and mileage should be made

The bill would become operative on July 1, 1980

Ch. 68 (AB 148) Mori Veterans' benefits

Under existing law, a person of Japanese ancestry who was evacuated from California pursuant to presidential order and who entered the armed forces from another state is considered a veteran of this state for purposes of state veterans' benefits

This bill would provide, in addition, that a person born out of state during such period of evacuation as the child of a California resident evacuee shall be considered to have been a native of California at the time of entry into active duty for such purposes.

Ch 69 (AB 363) Chappie Child support

Existing law authorizes a court to order a parent to pay for the support, maintenance, and education of a child

This bill would provide that where a court has made such an order to a noncustodial parent, payments for the support of such child made pursuant to the Social Security Act or Railroad Retirement Act because of the retirement or disability of the noncustodial parent and transmitted to the custodial parent each month shall be credited toward the amount ordered by the court to be paid for that month by the noncustodial parent for support of the child unless such payments were taken into consideration by the court in determining the amount of support to be paid by the noncustodial parent

Ch 70 (SB 69) Presley Records of survey examination fees

Existing law requires the county surveyor to examine records of survey submitted to him, as specified, but does not authorize a fee for such service

This bill would authorize the county surveyor to charge a reasonable fee, not to exceed the cost of such service, for examining records of survey

Ch 71 (AB 518) Nolan Vehicles violations notice to correct

Existing law establishes, effective July 1, 1979, a mandatory procedure for the issuance of a notice to correct, rather than a notice to appear, in cases involving violation of a registration, license, or mechanical requirement of the Vehicle Code

This bill would make issuance of a notice to correct permissive rather than mandatory, and would specify that when a notice to appear is issued for a registration, license, or mechanical violation, the court shall dismiss the notice to appear if the arrestee provides proof of correction, as prescribed

The bill would take effect immediately as an urgency statute

Ch 72 (AB 118) Fenton Labor Governor's Reorganization Plan No 1

The Governor's Reorganization Plan No 1 of 1978 abolished the Division of Industrial Safety and created a Division of Occupational Safety and Health Administration within the Department of Industrial Relations The Division of Occupational Safety and Health Administration succeeded to all functions and responsibilities of the Division of Industrial Safety and the Occupational Health Branch within the State Department of Health

Services, except that laboratory services continue to be provided by interagency agreement with the State Department of Health Services Pursuant to the plan, occupational health and occupational safety units were created within the division to assist in the performance of occupational health and safety functions assigned to the division An occupational carcinogen control unit was also created within the occupational health unit with responsibility for implementing the division's obligations, formerly performed by the State Department of Health Services, under the Occupational Carcinogen Control Act

The plan also specified that certain provisions of existing law were intended to implement, within the State Department of Health Services, a research and development capability and a repository of hazardous substances capability for purposes of reinforcing and strengthening the administration of the California Occupational Safety and Health Act

This bill would codify the changes made by the Governor's Reorganization Plan No 1 of 1978, except that the name of the Division of Occupational Safety and Health Administration would be changed to the Division of Occupational Safety and Health, and would also make other technical, nonsubstantive changes

Ch 73 (AB 640) Vicencia Horseracing purses

Existing Horse Racing Law authorizes an association conducting a racing meeting to make payments for purses based on the estimated handle For any racing meeting other than a thoroughbred meeting, any excess payment for purses is deducted from, and any deficiency is added to, the payments made for purses at the racing meeting in the following calendar year

This bill would authorize any 2 associations conducting a meeting pursuant to Section 19612 5 or 19612 6 of the Business and Professions Code to combine their excesses or deficiencies from prior meetings, with the approval of the California Horse Racing Board, if the associations and the organizations representing the horsemen all agree

This bill would take effect immediately as an urgency statute

Ch 74 (SB 1106) Cusanovich Data communication consolidation

Existing law provides for construction of a data communication consolidation project for the Department of Motor Vehicles and the Department of Justice

This bill would appropriate $532,000 payable $200,000 from the General Fund and $332,000 from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles for construction of the project

The bill would take effect immediately as an urgency statute

Ch 75 (AB 949) Cline State park system

The Budget Act of 1978 appropriated $1,650,000 to the Department of Parks and Recreation from the Park and Recreation Revolving Account in the General Fund for the acquisition of Santa Susana Mountains lands subject to a proviso that the appropriation be first used to augment a specified appropriation from the State, Urban, and Coastal Park Fund for specified phase 1 and phase 2 acquisitions

This bill would remove such proviso, thereby making an appropriation

The bill would take effect immediately as an urgency statute

Ch 76 (AB 58) Robinson Workers' compensation volunteers

Existing law excludes specified persons from being "employees" for workers' compensation purposes One such exclusion applies to any person performing voluntary service for a tax-exempt private nonprofit organization and who receives no compensation for such services other than meals or transportation, provided that the organization is participating in specified federal programs at the time of the volunteer's injury

This bill would instead provide that such exclusion applies to any person performing voluntary service for a public agency or a private nonprofit organization who receives no remuneration for such services other than meals, transportation, lodging, or reimbursement for incidental expenses

Existing law provides that, notwithstanding the above exclusions, a person who performs voluntary service without pay for a public agency or a tax-exempt private nonprofit organization shall be deemed an employee of the public agency or the organization

for workers' compensation purposes while performing such service, when the governing body of the public agency, or the board of directors of the organization, in its sole discretion, so declares

This bill would delete the requirement that the private nonprofit organization be a specified tax-exempt organization, and would specify that voluntary service without pay includes the performance of services by a person who receives no remuneration for such services other than meals, transportation, lodging, or reimbursement for incidental expenses

This bill would also provide that nothing in the bill is to be construed to affect the status of a specified category of peace officers as set forth under the Workers' Compensation Law

Ch 77 (AB 250) Lockyer Business and professions

Existing law provides for the renewal of various licenses issued pursuant to provisions of the Business and Professions Code upon the meeting of various specified conditions usually involving the payment of a specified fee on or before a specified date

This bill would specify that any licensee licensed by an agency, board, bureau, commission, committee, or entity within the Department of Consumer Affairs who has complied with provisions relating to the renewal of any such license prior to expiration shall not be deemed to be engaged illegally in the practice of his or her business or profession during any period between any such renewal and receipt of evidence of such renewal which may occur due to delay not the fault of the applicant

Ch 78 (SB 147) Presley Weapons curios and relics

Existing law makes the possession of specified weapons and ammunition an alternate felony-misdemeanor

This bill would expressly exempt from such prohibition certain firearms and ammunition classified as curios and relics under federal law and other specified weapons in the nature of a combination of a shotgun and a pistol when in the possession of a person permitted to possess such items under federal law Any person prohibited under specified state laws from possession of such items who obtains title to such firearms, ammunition, or weapons by bequest or intestate succession would be permitted to retain title for one year, would not be permitted to have possession during such time, and would be required to transfer title to the items within such year

This bill would take effect immediately as an urgency statute

Ch 79 (SB 151) Holmdahl Appropriation peace officer training

The Budget Act of 1977 contained an appropriation from the Peace Officers' Training Fund to the Commission on Peace Officer Standards and Training for allocation to local governments for the purpose of peace officer training

This bill would appropriate $650,000 from the Peace Officers' Training Fund to the Commission on Peace Officer Standards and Training for allocation to local governments and districts for the purpose of reimbursing such jurisdictions for peace officer training in augmentation of the Budget Act of 1977

The bill would take effect immediately as an urgency statute

Ch 80 (AB 459) Roos Augmentation of 1978 Budget Act correctional programs

The Budget Act of 1978 contains an appropriation from the General Fund for support of the Department of Corrections and the Department of the Youth Authority

This bill would augment the Budget Act of 1978 for correctional purposes by appropriating $1,089,762 for support of the Department of Corrections and $2,153,270 for support of the Department of the Youth Authority

This bill would take effect immediately as an urgency statute

Ch 81 (AB 644) Calvo Long Beach-Midland project environmental impact reports

(1) Title V of the federal Public Utility Regulatory Policies Act of 1978 provides an expedited procedure for acting on applications for all federal permits, licenses, and approvals required for the construction and operation of the Long Beach-Midland project, as defined

This bill would declare that it is the policy of the state that all state, regional, and local

agencies expedite, to the maximum possible extent, final decisions with respect to any lease, permit, license, certificate, or other entitlement for use required for the construction or operation of the Long Beach-Midland project In furtherance of such policy, the bill would

(a) Require any action or proceeding to attack, review, set aside, void, or annul a determination, finding, or decision in connection with, or to in any way challenge, such issuance to be commenced in superior court within 30 days after the effective date of this act or within 30 days after such issuance, whichever time period is longer, and provide that if no such action or proceeding is filed during the time period, such issuance shall be conclusively presumed to comply with all requirements of law

(b) Require any such action or proceeding, including any hearing on appeal, to be given preference over all other civil actions or proceedings in the matter of setting it for hearing or trial and in hearing it

(c) Request the Supreme Court of California to exercise original jurisdiction in any such action or proceeding

(d) Provide, depending on the type of action or proceeding, that, in any such action or proceeding, the court's determination is either restricted to whether the decision is supported by substantial evidence in light of the whole record or that the inquiry shall extend only to whether there was prejudicial abuse of discretion

(2) Under the California Environmental Quality Act, public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project, as defined, they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment

Under such act, if an action or proceeding is commenced alleging that an environmental impact report does not comply with the act, agencies responsible for approving or disapproving the project are required to issue a conditional approval or disapproval

This bill would require such conditional approval or disapproval only if an injunction is issued prohibiting the project from being carried out or approved pending final determination of the issue of compliance and would provide that if no injunction is issued, the responsible agency shall approve or disapprove such project Approval in such case would constitute permission to proceed with the project at the applicant's risk pending final determination of such action or proceeding

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

Ch 82 (AB 482) Bosco School buildings Field Act

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

This bill would permit specified school buildings and facilities in the Mendocino Unified School District and the Modoc Joint Unified School District to be used until June 30, 1982, or until permanent replacements have been constructed and are ready for occupancy and would exempt such buildings from the provisions of the so-called Field Act during the period of such continued use This bill would also permit specified school buildings and facilities in the Bolinas-Stinson Union School District to be used until June 1980, and would exempt such buildings from the provisions of the so-called Field Act during the period of such continued use This bill would also permit a specified building in the Planada School District to be used until September 1, 1979, and would exempt such building from the provisions of the so-called Field Act during the period of such continued use

The bill would take effect immediately as an urgency statute

Ch 83 (AB 247) Hayden County road [commissioners] ~~commissioner~~ ~~Santa Clara County~~

Existing law requires the board of supervisors of each county except Orange County to appoint a road commissioner who is required, with specified exceptions, to be a registered civil engineer The road commissioner is given specific duties which include carrying out the policy of the board of supervisors as to county road matters

The bill would authorize a county board of supervisors of any county to abolish the post of road commissioner if the duties of such commissioner are transferred to a county

director of transportation

The bill would relieve such director from any requirement of having any special permit, registration, or license

The bill would also require that any civil engineering function carried out formerly by the road commissioner be performed by a registered civil engineer under the authority of such director

Ch 84 (AB 1567) Vasconcellos CSUC health facilities

(1) Current law authorizes the Trustees of the California State University and Colleges to acquire, construct, and improve student health centers through proceeds collected from student fees. Under existing law, capital outlay projects in excess of $65,000 to be paid from such fees must be approved by the Legislature

This bill would approve the construction and improvement of a student health center at San Jose State University The construction and improvement of the student health center, additionally, would be subject to approval by the State Public Works Board

This bill would further approve and validate the construction and improvement of student health facilities set forth in previous specified adopted resolutions

(2) The Budget Act of 1978 appropriated $10,854,000 from the State Construction Program Fund to the Trustees of the California State University and Colleges for working drawings and construction of a library at San Jose State University

This bill would amend and supplement the Budget Act of 1978 by adding a section thereto to augment such appropriation by appropriating $878,000 to the Trustees of the California State University and Colleges, subject to specified provisions

This bill would take effect immediately as an urgency statute

Ch 85 (AB 139) Duffy 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 It also requires 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

This bill would delete the reference to any "district" hospital and instead refer to any hospital

It would also repeal all of such provisions of law effective July 1, 1982

Ch 86 (AB 377) Nestande Day care facilities for children

Existing law does not specify how day care facilities for children, which are licensed as community care facilities, are to be treated or classified under local zoning and related ordinances.

This bill would require that a day care facility for 6 or fewer children, excluding resident children, which also serves as the licensee's residence be considered a residential use of property, rather than a business, for purposes of all local ordinances The bill would, with specified exceptions, prohibit imposition of special local requirements applicable to such facilities which are not also applicable to single-family dwellings in the same zone The bill would provide that use of a single-family dwelling for such a facility shall not constitute a change of occupancy for purposes of state law or local building codes However, the bill would not supersede provisions of existing law pertaining to the State Fire Marshal's fire and panic safety standards

This bill would declare the intent of the Legislature to encourage the development of such facilities

Ch 87 (AB 299) Mangers. Schools administrative credential

Existing law authorizes an examination in administrative services to be taken in lieu of certain prescribed training as partial fulfillment of the requirements for issuance of a services credential with a specialization in administrative services

This bill would delete such authorization

This bill would take effect immediately as an urgency statute

Ch 88 (AB 1267) Mori District elections

Existing law permits the use of mailed ballots for use in general district elections

This bill would allow the governing body of the Dublin-San Ramon Community Services District, by resolution, to revoke the adoption of the all-mailed ballot procedure and consolidate its general district election with any election scheduled in the same territory It would be operative only until January 1, 1980, and as of such date it would be repealed

This bill would take effect immediately as an urgency statute

Ch 89 (AB 645) Chappie Electrified fences electrical controllers

The existing law prohibits 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.

This bill would, in addition, include under such exemption electrified fences where electric current is limited and regulated by an electrical controller which meets the specifications of New Zealand Standards Institute or Standards Association of Australia.

Ch 90 (AB 634) Cline Improvement Act of 1911 assignment of warrants, assessments, and diagrams

Existing law provides that, in performing contracts financed by assessments under the Improvement Act of 1911, the contractor has a lien on such assessments to pay for the contract work Existing law also authorizes the contractor to assign the warrants, assessment, and diagram to the legislative body of the contracting public entity and for progress payments to be made to the contractor by such public entity Existing law restricts such assignment and such progress payments to contracts where the assessable portion thereof does not exceed $100,000

This bill would delete such limitation

Ch 91 (AB 102) Duffy Elections.

Existing law prescribes procedures for the incorporation of new cities, requiring, among other things, approval of a proposed incorporation by the local agency formation commission and the county board of supervisors, and confirmation by the voters of the affected territory Existing law requires that a special election on the question, as well as an election to elect members of the city council, and to select a name for the city, be held on the next regular election date occurring at least 75 days after the date on which the county board of supervisors adopted a resolution ordering the incorporation The regularly established election dates in 1979 occur in March, June, and November

This bill would permit a county board of supervisors which, on or after April 1, 1979, and prior to the effective date of this act, had adopted a resolution ordering the incorporation of territory, to call a special election to be held on any Tuesday, not following a state holiday, occurring at least 60 days after the effective date of this act, whether or not such special election would fall on a regularly established election date The bill would require such special election to otherwise be called and conducted in the manner prescribed for incorporation elections

This bill would take effect immediately as an urgency statute

Ch 92 (AB 27) Young. Carriers.

Under existing law, a person operating under a radial highway common carrier permit may on or before December 31, 1978, file an application for conversion of the permit to a certificate of public convenience and necessity to operate as a highway common carrier or a permit to operate as a highway contract carrier, and may continue to operate under the radial permit during 1978 and any period during which the commission is acting on the application for conversion Such permit or certificate shall be granted if, among other things, the carrier has been in operation continuously since July 1, 1978

This bill would alter such requirement to provide that any radial highway common carrier who was in operation on July 1, 1978, or at any time thereafter and on the date of filing is eligible to file an application for conversion, would extend the filing deadline until October 1, 1979, and would direct the commission to issue the new permit or certificate on or after January 31, 1980

The bill would also provide that any person acting under a radial permit on January 1, 1978, may continue to operate under the radial permit during 1979 and while the

commission is acting on the application for conversion

Existing law authorizes a highway carrier operating as an agricultural carrier and filing before December 31, 1978, to be issued an agricultural carrier permit for a fee of $25

This bill would extend the time for filing pursuant to this provision until before October 1, 1979

This bill would declare legislative intent and would take effect immediately as an urgency statute

Ch 93 (SB 338) Petris 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 authorize the continued use of Oakland Senior High School in the Oakland Unified School District until completion of replacement facilities, or until June 30, 1980, 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 94 (SB 146) Presley School meals for needy pupils

Under existing law, every school district and county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, is required to provide a free or reduced-price meal to each needy pupil during each schoolday Existing law prescribes that such meal must meet the daily allowance as established by the National Research Council

This bill would eliminate these requirements, until January 1, 1982, for the Bear Valley School District because of the circumstances specified

This bill would, instead, prescribe five food groups which the school district must offer as prescribed

This bill would provide that a meal as prescribed constitutes a reimbursable meal

This bill would require the Legislative Analyst to monitor the program and report to the Legislature thereon by March 1, 1982

Ch 95 (AB 520) Deddeh County Employees Retirement Law of 1937

(1) Existing County Employees Retirement Law of 1937 requires the retirement board, upon the basis of the investigation, actuarial valuation, and recommendation of the actuary, to recommend to the board of supervisors necessary changes in the rates of interest, the rates of member contributions, and the county and district appropriations.

This bill would require that such retirement board recommendations to the board of supervisors be made at least 60 days prior to the beginning of the succeeding fiscal year

(2) Existing County Employees Retirement Law of 1937 requires the county auditor to certify at the end of each month or pay period the amount of compensation paid to employees and to transfer appropriate amounts to the retirement fund at such time

This bill would authorize the board of supervisors to authorize the county auditor to make advance payment of all or a part of the county's annual contributions to the retirement fund, with adjustments to be made at the end of the fiscal year

Ch 96 (SB 23) Foran. Housing finance

(1) Existing law provides for the responsibilities and duties of the Department of Housing and Community Development and the California Housing Finance Agency in carrying out state housing policies and programs

This bill would redefine and define various terms for purposes of the Zenovich-Moscone-Chacon Housing and Home Finance Act, including definitions affecting the locations where certain housing programs may be constructed and definitions specifying income limitations for borrowers and tenants benefitted by loan programs thereunder The bill would make various provisions in such act which are now applicable only to rental housing, also applicable to a cooperative housing corporation The bill would revise provisions respecting the maximum percentage of development costs which may be loaned for housing developed by cooperative housing corporations or for rental housing developed by local public entities and nonprofit sponsors

This bill would provide that appointed members of the Board of Directors of the California Housing Finance Agency may include residents of rental or cooperative housing, rather than tenants living in rental housing

This bill would also make various related technical changes in such act

(2) Present law requires the California Housing Finance Agency to establish or require housing sponsors to establish a grievance procedure for resolving disputes between sponsors of housing financed by the agency and tenants. Existing law also prescribes specified procedures for eviction of tenants from such housing.

This bill would make such procedures applicable to resident shareholders of cooperative housing developments

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

Ch 97 (SB 22) Foran Housing duties of state entities

(1) Existing law provides for responsibilities and duties of the Business and Transportation Agency, the Department of Housing and Community Development, and the California Housing Finance Agency in carrying out state housing policies and programs

This bill would revise provisions specifying responsibilities and duties of such agencies, including, but not limited to, (1) assignment of responsibility to the department for encouraging housing and community development in rural areas and among Indian residents of the state, and (2) requiring the California Housing Finance Agency to seek to attain reductions in the cost of mortgage financing for rental and cooperative housing to provide lower rent for persons and families of low or moderate income and to reduce the cost of mortgage financing for home purchases by persons and families of low or moderate income The bill would specify that a portion of it is declaratory of existing law as to the respective roles and responsibilities of the above agencies and department, and is not to be construed to create additional responsibilities.

(2) Under existing law, the California Housing Finance Agency is entitled to first allocation of federal aid received by the state in the form of housing subsidies, and the Secretary of the Business and Transportation Agency may not allocate such aid to other divisions of state government until the California Housing Finance Agency has sufficient subsidies for its purposes

This bill would revise such provisions to specify that the California Housing Finance Agency has priority over other units of state government for receipt of housing subsidies which are to be used in connection with its lending and insurance programs.

(3) Under present law, the Department of Housing and Community Development is required to prepare proposed annual revisions of the California Statewide Housing Plan for submission to the Commission of Housing and Community Development and the Legislature

This bill would require such proposed revisions to be prepared on a biennial, rather than annual, basis

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

Ch 98 (SB 130) Dills State employer-employee relations

Existing provisions of the State Employer-Employee Relations Act (SEERA) generally include, with specified exceptions, civil service employees of the state within the SEERA for purposes of employer-employee relations with the state Among the specified exceptions are state managerial and confidential employees who are covered by other specified provisions of law relating to employer-employee relations between the state and any employee

This bill would remove state managerial and confidential employees from coverage under such other specified provisions, would specify that employees of the California Maritime Academy are not covered by such other specified provisions, and would prohibit state managerial and confidential employees from holding elective office in an employee organization which also represents state employees covered by the SEERA.

Existing law requires that the SEERA not be construed to contravene the spirit of intent of the merit principle in state employment

This bill would also require that the SEERA not be construed to limit the entitlements of state civil service employees provided by the state civil service laws.

Existing law provides that qualified employees of the Legislative Analyst and the Office of the Auditor General who are exempt from state civil service pursuant to

specified provisions of the California Constitution, and who have five consecutive years of service in an exempt position, shall be eligible to receive three career credits on open nonpromotional civil service examinations

This bill would instead provide such career credits to all fulltime state employees exempt from state civil service pursuant to such specified provisions of the California Constitution, including, among others, elected officers, legislative and judicial employees, members of boards and commissions, officers appointed by the Governor, and employees of the University of California and the California State University and Colleges Such employees would be required to have 12 consecutive months of service in an exempt position to receive such credits

The bill would take effect immediately as an urgency statute

Ch 99 (SB 449) Sieroty Youths

Existing law provides for state subventions to counties for numerous programs and services relating to the juvenile justice system Any funds not used for actual expenditures for the funding year revert to the state, except as specified

The bill would provide that all funds allocated to counties for the fiscal year 1978–79 which are unexpended or unencumbered at the end of such fiscal year shall not revert to the state but rather shall be carried over and shall be available for use in fiscal year 1979–80 It would provide that any such funds shall be allocated only to programs that were in existence in fiscal year 1978–79 and that such funds shall not be considered in determining a base for increased levels of funding under the subvention program

It would also take effect immediately as an urgency statute

Ch 100 (AB 571) Ellis Fictitious business name statements.

Existing law provides for a fee of $10 for filing a fictitious business name statement

This bill would provide that the fee is $10 for the first name filed and $2 for each additional name filed on the same statement and doing business at the same location

Existing law provides for a fee of $2 for filing a statement of abandonment of use of a fictitious business name

This bill would increase that fee to $5

Ch 101 (SB 448) Stiern Miscellaneous dairy products definition

Under existing law, the Director of Food and Agriculture by regulation defines and specifies the bacterial, compositional, packaging, and labeling requirements with regard to sterilized whipped cream or sterilized cream topping, or sterilized sour cream Such regulations also define milk with lactobacillus acidophilus culture added

The bill would codify such regulations

Ch 102 (SB 212) Foran Highways. select systems

Under existing law, a prescribed portion of the revenue derived from the Motor Vehicle Fuel License Tax is apportioned monthly from the Highway Users Tax Account in the Transportation Tax Fund among counties and cities in accordance with specified formulae Former law provided that these funds were not to be expended on roads and streets not included in the select systems, as prescribed, of cities and counties. In 1977 this limitation was removed However, current law contains references to select systems and provides that no apportionment shall be made to any city or county which does not have a select system

This bill would repeal the provision relating to establishment by counties and cities of select systems and would clarify that apportionments of Motor Vehicle Fuel License Taxes would no longer be dependent on the existence of a select system

The bill would delete existing references to select systems and make other related changes

Ch. 103 (AB 868) Wyman Public Employees' Retirement System contracting agencies

Existing Public Employees' Retirement Law permits various local governmental agencies to become contracting agencies

This bill would permit a municipal hospital, as specified, to become a contracting agency and authorize a separate contract from the city which has established the municipal hospital and make necessary related changes

The bill would take effect immediately as an urgency statute

Ch 104 (SB 386) Greene Public social services

The Budget Act of 1978 contains an item of appropriation to provide for the state's share of Medical Assistance Program expenditures for fiscal intermediary services

This bill would appropriate $903,300 to the Department of Finance for allocation to the State Department of Health Services in augmentation of such item

This bill would also require the department, whenever it changes the definition of "claims," to forthwith notify the Legislature of the change

The Budget Act of 1978 contains an item of appropriation to provide assistance for the genetically handicapped person's program to cities, counties and local public and private nonprofit agencies

This bill would appropriate $696,944 to the Department of Finance for allocation to the State Department of Health Services in augmentation of such item

Ch 105 (SB 520) Stiern School finance miscellaneous funds

Existing law requires that annual state equalization aid to a school district be reduced by 50% of the miscellaneous funds, as defined, which the district has received during the fiscal year

This bill would, for the 1978–79 fiscal year, limit such reduction so that no district's revenue is reduced below 85% of the sum of the district's projected revenues, pursuant to Chapter 292 of the Statutes of 1978, as amended, plus the miscellaneous revenues of the district for the 1978–79 school year

This bill would take effect immediately as an urgency statute, and would be deemed operative retroactively on July 1, 1978

Ch 106 (SB 634) Stiern Schools funding

Existing law provides for the distribution of state funds to school districts for the 1978–79 fiscal year

This bill would appropriate $986,887 from the General Fund to Section A of the State School Fund for apportionment to the Bakersfield City School District during the 1978–79 school year and would provide for a corresponding reduction in state funds which would otherwise be available to such district in the 1979–80 school year pursuant to specified provisions

The bill would take effect immediately as an urgency statute

Ch 107 (SB 102) Smith Labor Commissioner enforcement of labor laws

Existing law permits the Labor Commissioner to provide for a hearing in any action to recover wages, penalties, or other demands for compensation, provides for findings of fact and orders, decisions, or awards by the commissioner, and permits the parties to seek review of such order, decision, or award in the superior court

This bill would permit the parties to seek review in the municipal court, in addition to the superior court, in accordance with the appropriate rules of jurisdiction

Existing law provides that a judgment of the court based on a final order of the Labor Commissioner in such cases shall be enforced in the same manner as any other judgment of the court in which it is entered

This bill would, in addition, provide that enforcement of such judgment shall receive court priority

This bill would take effect immediately as an urgency statute

Ch 108 (AB 557) Ellis Aircraft repair

Existing law does not require estimates to be given to customers for service or repair work on aircraft

This bill would provide that any person who has any noncommercial aircraft in for repairs or service has the right to request a written estimate or may specify a maximum charge of the total cost of repairs or service to be performed and would prohibit any work or charges in excess of such estimated price until authorization is obtained from the customer

Ch 109 (AB 704) Knox Health care service plans

The provisions of the Knox-Keene Health Care Service Plan Act of 1975 authorize the Commissioner of Corporations to issue cease and desist orders respecting violation of such act but, except under specified circumstances, provide an automatic stay of such order if a timely request for a hearing is made.

This bill would add to the circumstances when an automatic stay is not provided

This bill would take effect immediately as an urgency statute

Ch. 110 (AB 579) Imbrecht Youth Authority.

Existing law does not specifically authorize the establishment of canteens at institutions and camps under the jurisdiction of the Youth Authority

This bill would authorize the establishment of such canteens, to operate on a nonprofit basis It would specify, however, that if sales should exceed costs, such surplus shall be deposited in a special fund, to be designated the "Benefit Fund", to be used for the benefit of the wards resident at the institution or camp.

Ch 111 (AB 706) Deddeh Local agencies taxation.

(1) Under existing law, local governmental agencies which are created or have had boundary changes must file a statement and map or plat of the new boundaries with the assessor and the State Board of Equalization by January 1st in order for such changes to be effective for assessment and taxation purposes for the ensuing fiscal year

This bill would permit any exclusion of territory from an improvement district of a municipal water district pursuant to specified provisions enacted by the Legislature in 1978 which is completed prior to February 26, 1979, to be effective for assessment and taxation purposes for the 1979–1980 fiscal year if the required statement and map or plat is filed on or before March 1, 1979

The bill would also permit any county service area which is formed to provide street lighting services, the formation of which is completed by January 26, 1979, to be effective for assessment and taxation purposes for the 1979–80 fiscal year if the required statement and map or plat is filed on or before March 28, 1979

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

This bill would provide that there shall be no reimbursement pursuant to Section 2231 or 2234 nor shall there be an appropriation made by the bill for a specified reason

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

Ch 112 (AB 355) N Waters Credit unions

Existing law provides for the organization and regulation of credit unions

This bill would reorganize the law It would also make the following substantive changes.

No provision of existing law requires a credit union to have a specified number of directors

This bill would require a credit union to have at least 5 directors

The bill would also give to the board of directors of a credit union various new powers, among them, the power to appoint a credit committee, unless such power is reserved to the members in the bylaws

Existing law provides that members of the supervisory committee of a credit union may not also serve on the credit committee or board of directors

This bill would prohibit them, in addition, from being employees

Under existing law the credit committee with the approval of the board of directors of a credit union may appoint one or more loan officers who are authorized to approve loan applications within certain limits. However, they may not approve any extension agreement or the refinancing of any delinquent loan

This bill would permit the commissioner to promulgate regulations setting forth the circumstances under which such officers could approve extensions or refinancing.

Existing law requires credit unions to create and maintain a guarantee fund

This bill would require them, in addition, to establish special reserves when required by regulation or when found necessary by the board of directors of the credit union or the commissioner

Existing law requires that loans made by a credit union to its directors, officers and members of its credit or supervisory committees be reported to the commissioner

This bill would delete the requirement

Ch 113 (AB 661) Kapiloff Tear gas.

Existing law authorizes the possession and use of tear gas weapons by specified persons The Departments of Justice and Health Services determine which type of tear gas may be used The law specifies that regulations shall be made pertaining to the type of warning to be placed on any "mace container and tear gas weapon"

This bill would delete the word "mace" and substitute the term "tear gas."

Ch 114 (AB 484) Lancaster Bond act local assistance grants.

The Budget Act of 1978 appropriated moneys from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and from the State, Urban, and Coastal Park Fund for specified local assistance grant projects, subject to proviso, and reverted to such funds the unencumbered balance of specified prior local assistance grant appropriations

This bill would amend and supplement the Budget Act of 1978 by adding sections thereto to appropriate a total of $697,107 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and a total of $2,855,571 from the State, Urban, and Coastal Park Fund for specified local assistance grant projects, subject to the same proviso, and revert to such funds the unencumbered balance of specified prior local assistance grant appropriations

This bill would take effect immediately as an urgency statute

Ch 115 (AB 523) Ivers County Employees Retirement Law of 1937 membership exclusion

Existing County Employees Retirement Law of 1937 specifies that persons otherwise eligible who are not expressly excluded from membership in a county retirement system are members of the system

This bill would expressly exclude any person employed pursuant to the Comprehensive Employment and Training Act of 1973, as amended, from membership in such a county retirement system The exclusion would not apply to specified active fire suppression personnel

This bill would take effect immediately as an urgency statute The bill would become operative July 1, 1979

Ch 116 (AB 38) Bane Disability insurance performance of physical therapy

Under existing law, as an alternative to total exclusion of physical therapy services from the benefits provided under a disability insurance policy, such a policy may provide that payment for such services will only be made if rendered pursuant to a method of treatment prescribed by a physician and surgeon

This bill would require that such physical therapy services be performed by a physical therapist licensed under specified state law

Ch 117 (SB 79) Nejedly County prisoners. parole supervision

Under existing law, county boards of parole commissioners are authorized to release county and city prisoners on parole and such prisoners remain in legal custody and under the control of the board

This bill specifies (1) that no prisoner shall be paroled without supervision, and (2) that a county prisoner be paroled under the supervision of a parole officer of the county board of parole commissioners and would provide that, with respect to the first statement, such addition to the law does not constitute a change in, but is declaratory of, existing law

Ch 118 (SB 458) Beverly Homesteads

Chapter 993 of the Statutes of 1978 increased the value of property which may be selected and claimed as a homestead. That chapter became operative on January 1, 1979 Chapter 993 did not amend a preexisting provision of law which provided that any declaration of homestead which was filed prior to January 1, 1977, shall be deemed amended on such date by increasing the value of property selected and claimed to the value permitted on such date to the extent that the increase doesn't impair certain rights

of creditors

This bill would amend that preexisting provision to provide that any declaration of homestead filed prior to the operative date of any amendments to the homestead provision which increases the value of property which may be selected and claimed as a homestead shall be deemed amended on such date by increasing the value of property selected and claimed to the value permitted on that date to the extent that the increase doesn't impair certain rights of creditors.

The bill would provide that it was the intent of the Legislature in enacting Chapter 993 of the Statutes of 1978 to provide that any declaration of homestead which had already been filed shall be deemed amended to reflect the increased value of property which may be selected and claimed to the extent that the increase doesn't impair certain rights of creditors

Ch 119 (AB 445) Lehman Public schools state support

Existing law appropriates 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 prescribes a method for computing state support for school districts

This bill would alter such method of computation for school districts with average daily attendance of less than 10,000 which maintain necessary small schools

This bill would take effect immediately as an urgency statute

Ch 120 (AB 281) Hayden Public Employees' Retirement System

(1) Existing provisions of the Public Employees' Retirement Law require the Board of Administration of the Public Employees' Retirement System to submit an annual report to the Governor 30 days prior to the opening day of the Legislature each year and to the Legislature 5 days after the opening day

This bill would instead require the filing of the report with both the Governor and the Legislature on the first working day of the calendar year

(2) Existing law provides for the collective determination of both state and contracting agency obligations with respect to miscellaneous members and for a uniform computation of employer contribution rates and provides that any contracting agency which elects optional benefits shall not be included in these provisions Existing law also specifies the circumstances under which a contract may be terminated by the board and by the contracting agency

This bill would provide that termination of a contract shall also result in exclusion from such collective obligations and uniform employer contribution rate provisions It would provide that a contracting agency may not terminate a contract during the first 5 years it is in effect, and that where termination is pursuant to an agreement to transfer assets from the Public Employees' Retirement Fund to a retirement system established under the County Employees Retirement Law of 1937 the amount transferred shall not exceed the amount of accumulated contributions with any amount in excess thereof credited to a reserve against deficiencies

(3) Under present law a member who terminates employment or leaves state service may withdraw his accumulated contributions in the retirement fund

This bill would provide in addition that a member who becomes one of a class of persons excluded from membership may withdraw his contributions whether or not he has left state service

(4) Present law allows certain state and local members, other than patrol and safety members, to continue employment beyond age 70 upon specified certification Present law also permits a member to retire with less than 5 years of service if the retirement is mandatory because of age

This bill would allow a member who has continued in employment under these provisions to retire with less than 5 years of service

(5) Existing law provides for a monthly allowance for the surviving spouse of a patrol or state safety member equal to half the member's retirement allowance or, if the member was coordinated with social security, one-quarter of the member's allowance

This bill would extend the coverage of these provisions to certain additional patrol and state safety members who retired prior to April 1, 1972.

(6) Existing law provides that for purposes of social security coverage persons employed by a county superintendent of schools whose salaries are paid from the county

school service fund are county employees.

This bill would provide that if the board determines that the office of a county superintendent of schools is fiscally independent it shall be considered a separate public agency for these purposes and its employees shall be considered employees of the superintendent's office

(7) Under existing law, certain specified employees, who receive full-service credit with less than full-time service may enroll in a health benefit plan

This bill would provide instead that such employees may continue enrollment in such a plan

(8) This bill would take effect immediately as an urgency measure

Ch 121 (AB 3) Chacon Cal-Vet deferred amortization financing

(1) Under existing law, the Department of Veterans Affairs may provide farm and home purchase benefits to veterans and establishes first, second, and third preference categories of veterans for these purposes

This bill would, in addition, provide for postponement of commencement of payment of the principal balance for not to exceed 5 years, provided the veteran's current income meets standards for purchase on such terms and that the department determines that the veteran's income can reasonably be expected to increase sufficiently within the 5-year period to make the transition to fully amortized principal and interest payments and provided that the total term of the contract of purchase does not exceed 40 years

(2) Existing law requires that a veteran reside on the property within 60 days of acquisition or construction

This bill would require continuance of such residence until all payments due the department have been paid or the farm or home is sold, unless the occupancy requirement is waived pursuant to other provisions of law

(3) Existing law limits expenditure by the department for construction of a house to $43,000 and for purchase of a mobilehome to $30,000

This bill would reorganize these provisions without substantive change

(4) Existing law requires an annual report to be submitted by the department to the Legislature commencing January 1, 1977, on the utilization of the Cal-Vet program by lower income veterans, including the utilization of longer term financing to make financing available to such veterans

This bill would require such report to include the utilization of lower initial monthly payments as well as longer term financing to make financing available to lower income veterans It would also require this report to incorporate 2 other reports required by other provisions of law.

(5) This bill would make additional changes in Section 987 65 of the Military and Veterans Code proposed by AB 45 to be operative only if AB 45 and this bill are both chaptered and this bill is chaptered after AB 45

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

Ch 122 (AB 345) Perino. County Employees Retirement Law of 1937 financial statement

Existing County Employees Retirement Law of 1937 requires the county treasurer, before March 31 of each year, to file a financial statement on the condition of a county retirement system at the close of the preceding calendar year

This bill would change the required reporting date of such financial statement to April 30 of each year The bill would authorize the board of supervisors to require alternatively a financial statement before October 31 on the condition of a county retirement system at close of a preceding fiscal year ending on June 30

Ch 123 (AB 847) Mello Community colleges classified employees holidays

Existing law requires that school district governing boards and community colleges not designating September 9, "Admission Day," as a paid holiday for classified employees shall provide a substitute holiday Existing law requires school district governing boards to provide that the substitute holiday provide for at least a three-day weekend There is no such requirement for community college district governing boards

This bill would require community college district governing boards to provide that the substitute holiday provide at least a three-day weekend

Ch 124 (SB 211) Petris. Prisoners hospitalization· counties

Existing law authorizes a superior court judge to order the hospitalization of a city or county prisoner, as specified

This bill would authorize any judge to make such order with respect to a prisoner confined in any city or county jail within the jurisdiction of the court

Ch 125 (SB 243) Holmdahl Sales tax. exemptions

Existing provisions of the Sales and Use Tax Law impose a sales tax measured by the gross receipts from the retail sale of tangible personal property in this state Existing law also provides for various exemptions from the sales tax

This bill would provide that the gross receipts from the lease of tangible personal property to the United States or to an agency or instrumentality of the United States shall be exempt from sales tax if the sale would have been exempt from sales tax prior to January 1, 1979, if the lease was pursuant to a contract which was in existence on September 26, 1978, and if the contract did not expressly provide for reimbursement to the lessor of any sales tax imposed upon the lessor

Existing law provides that the state will reimburse counties and cities, but not transit districts, for revenue losses caused by enactment of sales and use tax exemptions

This bill would provide that notwithstanding any other provisions of law, there shall be no reimbursement or appropriation made by this act, that there shall be no presentation of claims for sales and use tax revenue losses to the State Board of Control, that there shall be no presentation of claims to the Legislature, and that the Department of Finance shall not review this act to determine costs or revenue losses.

This bill would provide that the operative date of this act shall be January 1, 1979

This bill would take effect immediately as a tax levy

Ch 126 (SB 1068) Johnson State Board of Forestry

Under existing regulations of the Fair Political Practices Commission, which interpret the conflict of interest provisions of the Political Reform Act of 1974, a material financial effect of a governmental decision on a public official's financial interest is distinguishable from its effect on the public generally, unless the decision will affect the official's interest in substantially the same manner as it will affect all members of the public or a significant segment of the public In the case of appointed officials, such as the members of the State Board of Forestry, after January 1, 1979, an industry, trade, or profession constitutes a significant segment of the public if the statute providing for their offices contains a legislative finding to the effect that such officials are intended to represent and further the interest of the industry, trade, or profession and that such representation and furtherance will ultimately serve the public interest

This bill would make such a finding with regard to certain members of the board

The bill would take effect immediately as an urgency statute

Ch 127 (SB 70) Roberti Minors' acts· parental liability.

Existing law imputes to the parents having custody and control of a minor the willful misconduct of the minor which results in injury or death to another person, in injury of the property of another, or in the defacement of property of another, and such parents are jointly and severally liable with such minor. The extent of such liability is limited to $2,000 for each tort

This bill would increase such liability to $5,000 ; [and]* extend the liability to include guardians

Existing law provides that the parent or guardian of a minor whose willful misconduct results in injury or death to any student or any person employed by or performing volunteer services for a school district or community college district or who willfully injures property belonging to a school district or community college district shall be liable for such damages up to a maximum of $2,000

This bill would increase such maximum liability to $5,000

Ch 128 (SB 680) Dills. Alcoholic beverages.

Existing law provides that on and after January 1, 1978, no new alcoholic beverage club license shall be issued for any club, organization, or association which has not been in existence for at least two years

This bill would provide that on and after January 1, 1980, no such club license shall be issued to any club which has not been in existence for at least one year

Ch 129 (SB 965) Dills Temporary restraining orders renewal costs.

Existing law provides for the issuance of a temporary restraining order for the purpose of preventing a recurrence of actual domestic violence and assuring a period of separation of the parties involved Such a temporary restraining order remains in effect, in the discretion of the court, not to exceed 30 days, unless otherwise terminated by the court

This bill would change from 30 to 90 the maximum number of days such a temporary restraining order could remain in effect, in the discretion of the court

Ch 130 (AB 353) Knox. Arbitration

Existing law provides for the mandatory submission of civil actions to arbitration in certain cases if the amount in controversy in the opinion of the court will not exceed $15,000 for each plaintiff

Existing law provides that where every defendant stipulates in writing that the amount in controversy exceeds $15,000, the determination to submit the case to arbitration shall not be made

This bill would instead provide that such determination not be made if all parties stipulate in writing that the amount in controversy exceeds $15,000

Under existing law, the determination of the amount in controversy is without prejudice to any finding made by the arbitrator or at trial

This bill would also provide that any stipulation of the amount in controversy is without prejudice to any finding by the arbitrator or at trial.

Ch 131 (AB 798) Lehman District attorneys mutual assistance.

Existing law permits a district attorney to act jointly with district attorneys of other counties in prosecuting a civil action of benefit to his own county in a court of the other jurisdiction

This bill would, in addition, permit a district attorney, with the concurrence of the district attorney of another county and the boards of supervisors of both counties, to provide to the district attorney of such other county legal and investigative services pertaining to the prosecution of a civil action in such other county by the district attorney of that county The bill would require the county receiving such services to compensate the county providing the services, at a rate mutually agreed upon by the counties

Ch 132 (SB 982) Holmdahl Vehicles towing and loading equipment

Existing law requires that every towed vehicle be coupled to the towing vehicle with a drawbar, tongue, or other connection, and a safety chain Safety connections are required to be of sufficient strength to control the towed vehicle if the main coupling device fails A towed vehicle is required to be coupled to the towing vehicle by a rigid structure, as specified.

This bill would exempt trailers or dollies used to support booms attached to truck cranes if they are connected by certain types of coupling devices and secured to the boom with a chain, cable, or equivalent device strong enough to control the trailer or dolly if the coupling device fails

Ch 133 (AB 108) Egeland Water conservation district charges

Under existing law, a water conservation district organized pursuant to the Water Conservation District Law of 1931 may levy a ground water charge in accordance with prescribed procedures, but existing law specifies that in any fiscal year the sums raised by any ground water charge levied by the district in any zone or zones, together with any sums raised in that fiscal year by any general tax or assessment in such zone or zones, may not produce funds for district purposes in excess of the maximum which the district could have raised by such general tax or assessment under the Water Conservation District Law of 1931 in such zone or zones without the addition of any ground water charge

This bill would delete such restriction and specified related provisions, but would limit the sums raised by any such ground water charge to such amount as is deemed necessary by the district board to be used in furtherance of district purposes in the replenishment, augmentation, and protection of water supplies

The bill would go into immediate effect as an urgency statute

Ch 134 (SB 665) Mills. Conciliation courts

Existing law authorizes the appointment of counselors of conciliation and specifies the duties thereof The powers of such counselors vary in counties of different sizes

This bill would expand the powers of the counselor of conciliation in San Diego County to authorize him to (a) act as a domestic relation case investigator, (b) make designated investigations, reports, and recommendations, and (c) upon order of the superior court, charge a fee for specified child custody investigations.

It would also make technical changes

It would also take effect immediately as an urgency statute

Ch 135 (SB 870) Marks. Regional centers services for the developmentally disabled

Under existing law, the State Department of Developmental Services contracts with regional centers to provide services to developmentally disabled persons

This bill would appropriate $1,500,000 to the department for allocation to regional centers for such services and prohibit expenditure of such funds for administrative costs. The bill would also require the department within 5 days of its effective date to enter into a supplemental contract with each regional center to continue providing services for which a specified amount of such appropriation is allocated for the remainder of the 1978–79 fiscal year

This bill would take effect immediately as an urgency statute

Ch 136 (AB 64) Duffy Pest-infected citrus trees compensation

The existing law authorizes any citrus pest control district to pay specified limited compensation to the owner of any citrus tree infected with quick decline (tristeza) which is removed by the district or the owner, within 60 days after written notice of such inspection to the owner by the district, and prior to March 1, 1980

This bill would, instead, apply such provisions to trees infected with citrus tristeza virus and extend to March 1, 1990, the date by which any such tree is required to be removed in order for the district to pay compensation

Ch 137 (AB 136) Chappie State Fire Marshal arson investigation

Existing law requires the State Fire Marshal to investigate any explosion or fire occurring within the jurisdiction of a fire department or fire protection district, upon the request of the chief fire official or the governing body thereof, in which there is suspicion of arson

This bill would, in addition, require the State Fire Marshal to investigate such suspected arson in an area where there is no operating arson investigation unit upon the request of a police chief or sheriff

Ch 138 (AB 137) Chappie Horseracing Appaloosa or Arabian racing days

Existing provisions of the Horse Racing Law permit a maximum of 100 racing days for Appaloosa or Arabian racing and limit allocation of such racing days to the California State Fair and Exposition or a county or district agricultural association fair

This bill would delete such existing law and instead authorize the California Horse Racing Board to allocate within the state a maximum of 20 weeks of Appaloosa racing annually to such fairs The bill would require that such racing be conducted by a person other than a fair

Ch 139 (AB 226) Chappie County clerks fees.

The law presently specifies the amount of fees payable for various services of the county clerk in connection with the filing of documents, issuance of licenses and certificates, and performance of marriages

This bill would increase each of the specified fees

Ch 140 (AB 784) Chappie Reclamation districts time warrants

Under existing law, a reclamation district may issue and sell time warrants based upon, and in anticipation of, the collection of any operation and maintenance assessment, but such assessment is required to be paid in annual installments over a period of not to exceed 5 years Existing law, however, authorizes time warrants to be issued with a maturity longer than 5 years if approved by the voters of the district at a special election.

This bill would permit the annual installments to be paid over a period exceeding 5 years where the time warrants are so issued with a maturity longer than 5 years

This bill would go into immediate effect as an urgency statute

Ch 141 (AB 1592) Statham Prisoners county jails

Existing law requires the placing in separate rooms in county jails of persons committed on criminal process and detained for trial, persons convicted and under sentence, and persons committed upon civil process

This bill would permit persons committed on criminal process and detained for trial to be kept or put in the same room with persons convicted and under sentence for the purpose of participating in supervised activities

Ch 142 (SB 628) Rodda Reimbursement to local taxing authorities appropriation

The Budget Act of 1978 appropriates funds, in Item 404, for reimbursement to local taxing authorities for revenue lost because of the repeal or reduction of the property tax on specified classes of property

This bill would appropriate $10,600,000 in augmentation of such appropriation

This bill would take effect immediately as an urgency statute

Ch 143 (SB 242) Roberti Records

(1) The Information Practices Act of 1977 restricts disclosure of personal and confidential information, as defined, contained in records which would otherwise be public Certain records, compiled during any stage of the process of enforcement of the criminal laws from the arrest or indictment stage through release from supervision, are defined as confidential Such act does not specifically provide that records relating to extradition or executive clemency are confidential

This bill would specify that extradition and executive clemency are included within the process of enforcement of the criminal law and that records pertaining thereto are confidential

(2) Under existing law, records which are subject to disclosure under the California Public Records Act may not be disclosed if they contain personal information which would clearly be disparaging of or threatening to the reputation or rights of an individual as specified in the Information Practices Act of 1977

The bill would provide instead that the Information Practices Act of 1977 does not prohibit the disclosure of information subject to disclosure pursuant to the California Public Records Act

(3) The Information Practices Act of 1977 does not prohibit the disclosure of nonpersonal information, as defined, which generally includes the names and addresses of persons, except that an individual's name and address may not be distributed for commercial purposes, sold, or rented by a state agency unless such action is specifically authorized by law

The Information Practices Act of 1977 further declares that nothing in such act shall prohibit the release of only names and addresses of persons possessing licenses to engage in professional occupations

The bill would define "commercial purpose " The bill would in addition declare that nothing in such act shall prohibit the release of only the names and addresses of persons applying for licenses to engage in professional occupations for the sole purpose of providing applicants with information regarding professional educational materials or courses

(4) Existing law permits disclosure of information to a legislative committee or to a Member of the Legislature where such member has permission from the subject of the information to obtain the information

The bill would specify that information may be disclosed to the staff of a Member of the Legislature when the Member has permission to obtain the information, or provides reasonable assurance that he is acting in behalf of the individual to whom the information pertains, and has authorized the staff, in writing, to obtain the information

(5) The Information Practices Act of 1977 does not, generally, supersede the California Public Records Act

The bill would specify that provisions of the Information Practices Act of 1977 prohibiting the distribution for commercial purposes and the sale or rental of an individual's name and address by a state agency is intended to supersede the California Public

Records Act.

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

Ch 144 (SB 867) Carpenter Postsecondary education student aid

Existing law requires that the Student Aid Commission, in consultation with postsecondary educational institutions, develop a single, common application form and a single, common financial statement for all federal and state student aid programs, as specified

This bill would authorize the Student Aid Commission to select at least every 3 years, from recommendations submitted by a prescribed technical advisory committee, using specified criteria, an organization to provide financial need analysis and related services and to serve as the sole processor of such application form and financial statements

This bill would further provide for an exemption for postsecondary institutions from using the sole processor, as specified

This bill would take effect immediately as an urgency statute

Ch 145 (SB 116) Roberti Arson

Existing law provides for the punishment of acts of arson against various specified structures and property and of other related acts.

This bill would repeal and revise such provisions of law to punish acts of arson, unlawfully causing a fire, and attempted arson with respect to structures, forest lands and property, as defined

Existing law provides that, upon a felony conviction of arson, the court may impose a fine not to exceed $50,000

The bill would also permit a court, upon conviction of a person of violation of these and other provisions relating to arson, when the violation was committed for pecuniary gain, to impose, instead of the fine now permitted, a fine of twice the anticipated or actual gross gain

This bill would make other changes in the penalties for arson and related acts, including specific provisions relative to great bodily injury

Ch 146 (AB 722) Felando Motor vehicles license plates mounting.

Existing law requires, with one exception, that the rear license plate on a vehicle be mounted not less than 12 inches nor more than 60 inches from the ground

This bill would provide another exception by requiring that the rear license plate of a tank vehicle hauling hazardous waste or asphalt be mounted not less than 12 inches nor more than 90 inches from the ground

Ch 147 (SB 362) Beverly Mechanics' liens proof of notice

Under existing law pertaining to private works of improvement, a person who claims a mechanics' lien is entitled to enforce the lien only if that person has given a preliminary 20-day notice, if required by the particular circumstances, and has made proof of service of such notice Proof of service of the preliminary 20-day notice may be made by an Acknowledgment of Receipt of Preliminary 20-Day Notice by the recipient of the notice, if the service was by personal delivery, or by affidavit of the person who made the service of the notice with the receipt of certification or registration attached thereto

This bill would delete the Acknowledgment of Receipt of Preliminary 20-Day Notice as a means of proof of service of the notice

The bill would define a "proof of service affidavit" which may be used to prove service by personal delivery, or to prove service by mail if accompanied by the return receipt of certified mail or registered mail, or a photocopy of the post office record of delivery and receipt, showing the delivery date and to whom delivered, or the returned envelope, in the event of nondelivery

Ch 148 (SB 432) Craven Cities annexation of noncontiguous territory

Existing law generally prohibits annexation to a city of territory which is not contiguous to the city

A limited exception to this prohibition presently exists, permitting the annexation to a city of noncontiguous territory consisting of 100 acres or less, situated in the same county as the city, and which is owned by the city and used by it for municipal purposes The law also presently allows annexation to a city of certain noncontiguous territory

owned by the United States government or by the State of California.

This bill would allow noncontiguous territory of up to 160 acres to be annexed to a city, under the conditions presently specified in the law for the annexation of up to 100 acres of noncontiguous territory

Ch 149 (SB 973) Craven Improvement Bond Act of 1915

(1) Under the Improvement Bond Act of 1915, a city or county may bring an action in the superior court to foreclose a lien on any land on which there is a default in the payment of any assessment installment to it within 4 years of the due date of last installment from the land

This bill would authorize a city or county, by resolution adopted prior to the issuance of bonds, to covenant for the benefit of the bondholders that it would commence and diligently prosecute to completion any foreclosure action regarding delinquent installments of assessments which secure the bonds that are to be issued The resolution could also include other reasonable terms and conditions regarding such foreclosure action.

(2) Under the act, a city or county may transfer its tax revenues to a redemption fund to discharge delinquent assessment payments

The bill would authorize, in the proceeding for the issuance of bonds, the creation of a special reserve fund for those bonds, not to exceed 15% of the total amount of the assessments to be levied under the proceedings

The bill also would specify the procedure in administering and liquidating the fund.

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

Ch 150 (SB 1036) Nielsen 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 any recreational purpose (including such activities as 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 include sport parachuting among the enumerated recreational activities

Ch. 151 (AB 146) Rosenthal Civil procedure trial

Existing law gives preference to the trial of certain specified actions

This bill would provide that a civil action shall be granted preference upon the motion of a party who has reached the age of 70 years, except as specified, or, in the discretion of the court, upon the motion of a party presenting specified medical documentation satisfying the court that the interests of justice will be served by such preference The bill would also provide that the court may in its discretion grant a motion for preference if the interests of justice will be served, as specified

The bill would also make a technical, nonsubstantive change

Ch 152 (AB 614) Wray Vehicles registration violation

Existing law prohibits any person driving, moving, or leaving standing upon a highway any vehicle, subject to registration pursuant to the Vehicle Code, which is not properly registered Driving or moving a vehicle which has not been registered or which has an invalid registration is an infraction

This bill would specify that when a disabled vehicle is being towed and the vehicle is not properly registered the violation shall be charged pursuant to specified provisions of law relating to responsibilities of owners, lessees, and other persons.

Ch 153 (AB 786) Hallett Market milk degrade

(1) Existing law provides for an immediate degrade or exclusion of market milk or a product of market milk whenever the standard for such milk or products is violated by 3 of the last 5 bacteria counts, coliform determinations, or cooling temperatures

This bill would make such provision effective only when the action taken is not based on a sample over 180 days old

(2) Existing law permits milk samples to be taken, as specified, and requires reinstatement of the market milk or products of market milk when 2 consecutive samples taken within a 7-day period again meet the standard

The bill would require that analysis of such samples commence within 36 hours from their taking, and would require reinstatement of such milk or products when 2 consecutive samples taken within a 7-day period following notice of degrade again meet the standard

Ch 154 (AB 716) Hart California halibut taking

Under existing law, no California halibut which weighs less than 4 pounds in the round, 3¼ pounds dressed with the head on, or 3 pounds dressed with the head off may be taken, possessed, or sold, and within California halibut trawl grounds, when trawl nets are used, no California halibut which weighs less than 4 pounds each in the round may be possessed aboard trawl vessels

This bill would provide instead that no California halibut which measures less than 22 inches in total length, as measured from the top of the jaw or snout to the tip of the longest lobe of the tail, may be taken, possessed, or sold, and would make this provision applicable within California halibut trawl grounds when trawl nets are used It would also allow within such grounds when trawl nets are used that the holder of a commercial fishing license may possess during one day for noncommercial use not more than 30 pounds of California halibut less than 22 inches long if taken incidentally in commercial fishing

Existing law provides that within such grounds when trawl nets are used, not more than 500 pounds of fish other than halibut may be possessed

The bill would add the exception that any amount of sharks, skates, or rays may be taken or possessed, and would also make a technical change in existing law

Ch 155 (SB 1035) Alquist Highways city streets

Under existing law, a city is authorized to acquire property to construct streets within the city

This bill would authorize a city to acquire, by purchase or eminent domain, property outside its boundaries in the unincorporated area of the county in which the city is located, if it is necessary to connect or widen existing streets of the acquiring city and if the county consents to the acquisition

The bill would deem any portion of the acquired property used to connect or widen a city street to be a city street for all purposes

Ch 156 (AB 919) Wyman Recreation and park districts contracts

Under existing law, the board of directors of a recreation and park district is empowered to enter into and perform all necessary contracts for the district

This bill would allow the board to delegate contracts, as specified, for the operation or provision of recreational facilities and activities in an amount not exceeding $25,000 to the purchasing agent of the supervising authority, as specified, when the authority so consents

Ch 157 (SB 232) Craven Community services district

(1) S B 31 (Ch 12, Stats. 1979) authorizes counties and cities to distribute funds to any special district from any available county or city sources, as specified The cities and counties are also authorized to loan any of their available funds to certain special districts, as specified

This bill would add to the special districts to which such funds may be distributed or loaned those community services districts specified by this bill

(2) Existing law authorizes a community services district, on formation or as adopted, to exercise specified powers, including opening, widening, extending, straightening, and surfacing streets in the district Such specified powers do not expressly include maintaining such streets

This bill would add such power to the express powers of a community services district

(3) Under existing law, when a community services district 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 community services district and a map of the boundaries are filed with the local assessor and the State Board of Equalization

This bill would provide that a community services district formed to provide street maintenance and repair services, the formation of which was completed by March 1, 1979, is effective for assessment and taxation purposes during the 1979–80 fiscal year if the required statements and map or plat were filed on or before March 14, 1979

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

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

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

Ch 158 (SB 285) Beverly Local agency investments

Existing law specifies the investments that may be made by a local agency with surplus funds

Among other things, a local agency with a population of 250,000 or more, may invest such funds in "prime" quality commercial paper of corporations and in negotiable certificates of deposits purchased from a nationally or state-chartered bank or a state or federal savings and loan association

This bill would require that the negotiable certificate of deposit be issued by, rather than purchased from, such a bank or such a savings and loan association It would also permit such investments to be made by any local agency with a population of 100,000 or more, rather than only those local agencies with a population of 250,000 or more

Ch 159 (SB 296) Beverly Holidays

Existing laws provide that Saturday is a holiday for banks organized under the laws of or doing business in this state

This bill would provide that if January 1st, July 4th or September 9th falls on a Saturday, the following Monday is a holiday, and that if December 25th falls on a Saturday, the preceding Friday is a holiday This bill would also make conforming changes in the provisions of the Commercial Code relating to commercial paper

Ch 160 (AB 1126) Boatwright Appropriation Budget Act augmentation contingencies or emergencies

The Budget Act of 1978 appropriated moneys from the General Fund for expenditure for contingencies or emergencies upon written authorization from the Department of Finance

This bill would appropriate $11,000,000 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 161 (SB 620) Mills Transportation

(1) Under existing law, the Department of Transportation is authorized to contract for intercity bus transportation or feeder services to and from rail passenger terminals.

This bill would delete the restriction that the intercity bus transportation be to and from rail passenger terminals.

(2) Under existing law, the department is authorized to contract for commuter and intercity passenger rail services

The bill would authorize the department to purchase and lease passenger cars and to acquire, lease, design, construct, and improve track lines and related facilities

The bill would specifically state that the department has no authority to operate railroads

(3) Under the Mills-Alquist-Deddeh Act, a performance audit is performed every 3 years on the operation of each entity receiving funds under the act

The bill would permit the performance audit, with respect to an operator, to include performance evaluations for the entire system and for the system excluding special, new, or expanded services The reference to "motor vehicle" would be deleted and, instead, a definition would be added for "transit vehicle" so that performance audits also would

be required to be performed on operators with rail transit systems

The bill would revise the definition of "operating cost" for purposes of performance audits

(4) Under the act, in determining the number of employees for purposes of performance audits of operators, an employee is deemed to be paid for 2,080 hours of employment in 1 year

The bill would reduce that figure to 2,000 hours

(5) Under the act, after allocations for specified purposes, apportionments of funds for those areas served by operators in counties of 500,000 or more, except counties with more than 4,500 miles of maintained county roads, are required to be allocated only for public transportation purposes.

The bill would impose this restriction, with the above exception, only on counties of 500,000 or more, as determined by the 1970 federal decennial census.

(6) Under the act, funds are allocated to counties and cities which have entered into contracts with the department to contract with the National Railroad Passenger Corporation (AMTRAK) for passenger rail services pursuant to a specified statutory provision

The bill would delete the requirement for such allocations to counties and cities that the department contract with AMTRAK for passenger rail services

(7) Under the act, operators are required to submit annual reports of their operation to the transportation planning agencies having jurisdiction over them

The bill would require any claimant for funds for public transportation purposes or for special transportation services to submit such audited reports, including additional data regarding fare revenue ratios discussed in (10) below, to the transportation planning agencies and to the State Controller, within 120 days of the end of the fiscal year The State Controller would be required to send an annual report to the Legislature on revenues and expenditures under the act

(8) Under the act, operators may file claims for public transportation purposes

The bill would authorize operators to file claims to make contributions for grade separation projects as discussed in (21) below

The bill would also authorize a city or a county contributing the funds it is eligible to receive for public transportation purposes to a joint powers entity of which it is a member to operate a public transportation system to file a claim to provide transportation services using vehicles for the exclusive use of elderly and handicapped persons.

The bill would authorize a transit district to file claims to make bulk purchases of passenger tickets for passenger rail services, if so authorized by its enabling legislation

The Orange County Transit District would be authorized to make bulk purchases of passenger tickets for scheduled passenger rail services provided by AMTRAK during specified hours for resale to district residents at less than the cost to the district

(9) Under the act, notwithstanding the limitation that an operator may not be allocated funds exceeding 50% of its budget after its 5th year of operation, or 75% of its budget during its 5th year of operation, an operator may budget and expend, until June 30, 1980, funds allocated to it for public transportation operating purposes in order to secure the maximum amount of federal funds for such purposes.

The bill would delete the June 30, 1980, date and thus would make the authorization permanent

(10) Under the act, an operator may not be allocated funds exceeding 50% of its budget after its 5th year of operation In addition to the above exception, the California Transportation Commission is authorized to grant a waiver from the 50% and 75% requirements for a period not exceeding 2 years to operators in a county with a population of less than 500,000 or more than 4,500 miles of maintained county roads.

The bill would repeal, on July 1, 1980, the authority of the commission to grant such a waiver and the exemption from the 50% requirement during the first 5 years of operation of an operator

The bill would authorize any operator which is required to comply with the 50% requirement to be allocated any of its apportionment it could not receive because of the 50% requirement, if the operator maintains, for the fiscal year, a ratio of fare revenues to operating cost at least equal to ¼ or to the ratio it had during the 1978–79 fiscal year, whichever is greater

The bill would require any operator which is serving an urbanized area, and which was not required to meet the 50% requirement during the 1978–79 fiscal year or which

commenced operation after that fiscal year, to have a ratio of fare revenues to operating cost equal to at least 1/5 or to the ratio it had during the 1978–79 fiscal year, whichever is greater, in order to be eligible for funds for the 1980–81 fiscal year and thereafter. Such an operator would also be required to maintain at least the ratio of the sum of fare revenues and local support to operating cost it had during the 1978–79 fiscal year if it exceeded 1/5

In the case of an operator serving a nonurbanized area, the required minimum ratio of fare revenues to operating cost would be at least 1/10 instead of 1/5 for an operator serving an urbanized area. For that service of an operator using vehicles provided exclusively for the elderly and handicapped, the required ratio would be at least 1/10

(11) Under the act, except for the period from July 1, 1978, to June 30, 1980, no funds may be allocated to an operator if there is a reduction in the support of its public transportation system from all local sources, excluding fares and funds allocated from the State and Local Government Fiscal Assistance Trust Fund, below the average of such funding for the 2 preceding fiscal years

The bill would delete this requirement

(12) Under the act, the Auditor General, in conjunction with the Legislative Analyst and the department, is required to conduct an evaluation, beginning not later than July 1, 1979, of the community transit service programs. A report is required to be submitted to the Legislature by January 1, 1980

The bill would delay the starting date of the evaluation until July 1, 1980, would require submittal of the report by January 1, 1981, and would delete the required participation of the Legislative Analyst and the department The bill would add a local evaluation of needs met by the program to the factors to be considered in the evaluation

(13) Under the act, funds may be allocated for community transit services until July 1, 1980

The bill would extend the termination date to July 1, 1982.

(14) Under the act, funds may not be allocated for a community transit service program unless there is a reasonable farebox recovery of the cost of operation.

The bill would make the fare revenue ratios discussed in (10) above also applicable to such programs

(15) Under the act, claims may be filed with the transportation planning agency by cities or counties for public transportation, and transportation services for any group requiring special transportation assistance, until July 1, 1980

The bill would extend such authorization to July 1, 1982.

(16) Under the act, counties and cities, in areas where the funds are not required to be expended only for public transportation purposes and for pedestrian and bicycle facilities, may be allocated funds for the development and construction of county and city streets and highways

The bill would authorize funds to be allocated also for the maintenance of such streets and highways

(17) Under the act, the allocation to a city or county under contract for services described in (15) above may not exceed 50% of its cost for such services, excluding fare revenues for such services not received by the city or county, as the case may be.

The bill would specify that the city or county in such a case is an operator subject instead to the requirements discussed in (10) above

(18) The bill would redesignate the Transportation Planning and Research Account in the State Transportation Fund as the Transportation Planning and Development Account in that fund

(19) Under existing law, excluding the amount appropriated to the department for an intercity corridor demonstration program, not more than one-half of the funds transferred to the account, pursuant to existing law as discussed in (23) below, are available, upon appropriation, to the Secretary of the Business and Transportation Agency for allocation for transportation planning and for training and research by the Institute of Transportation Studies The remaining transferred funds, upon appropriation, would be available for the construction of public transportation projects to improve the interface of various transportation modes

(a) The bill would authorize funds to be appropriated from the account to the department for specified planning purposes and its mass transportation responsibilities, to the secretary for allocation to the Institute of Transportation Studies for training and re-

search, and to the commission for specified activities

(b) The bill would require the secretary to allocate funds from the account, from funds appropriated for such purpose, for public transportation purposes to those areas with special public transportation needs which cannot be met otherwise

(c) The bill would require the secretary to allocate funds, from funds appropriated from the account for such purposes, to each transportation planning agency and county transportation commission, and the San Diego Metropolitan Transit Development Board, an amount determined on the basis of the ratios of the population, and urbanized population, of the area under its jurisdiction to the population, and the urbanized population, of the state respectively In determining the allocation to the transportation planning agencies, the bill would exclude the population, and the urbanized population, of the areas under the jurisdictions of the county transportation commissions and the transit development board For the 1982–83 fiscal year and thereafter, one-half of the amount transferred to the account, as discussed in (23) below, which remains, after first deducting the amounts appropriated for purposes specified in (a) above, would be appropriated to the secretary for such allocation

(d) The bill would require the transportation planning agencies and the county transportation commissions, and the transit development board, in turn, to allocate the funds to the operators, and to counties and cities excluded from the restriction discussed in (5) above for specified transportation purposes, within the areas on which their allocations were based The funds would be allocated only to those operators, counties, and cities eligible for funds under the Mills-Alquist-Deddeh Act The funds could be allocated to an operator for its operating cost only if it would not be precluded, by any contract entered on or after the effective date of this act, from employing part-time drivers or contracting with common carriers of passengers. No person who was a full-time employee of an operator, on the effective date of this act, would have his or her employment terminated or his or her regular hours of employment, excluding overtime, reduced by the operator as a result of it employing part-time drivers or contracting with such common carriers The bill would declare legislative intent regarding the allocation of these funds

(e) The bill would revert to the account those funds not committed for a capital expenditure for which an application is pending for federal or state funds, or funds not encumbered, within 3 years after allocation by the secretary

(f) The Governor would be required to include in the Budget Bill an appropriation from the account to fund exclusive mass transit guideway projects, including the acquisition of rolling stock, to serve nonurbanized areas within the jurisdiction of a statutorily-created transportation planning agency having jurisdiction over portions of 2 counties or to serve urbanized areas

(g) The bill would authorize public entities in counties which have adopted a proposition authorizing the use of state-imposed highway users tax revenues for the construction of such guideways, and public entities in such nonurbanized areas, to apply to the department for the funds to be allocated on the basis of priorities established by the commission, following a specified procedure. The public entity would be required to indicate in the application that it would contribute funds in an amount at least equal to 5% of the guideway project cost

(20) Under existing law, the department is required to submit annually to the Legislature a priority list of rights-of-way of abandoned railroad lines that may be developed for public transportation uses

The bill would require the department, following a specified procedure, to allocate funds appropriated for the acquisition of such rights-of-way selected by the commission to be developed for busway or exclusive public mass transit guideway projects

(21) Under existing law, the Public Utilities Commission is required to establish annually a priority list of grade separation projects

The bill would require the department, following a specified procedure, to allocate funds appropriated for the construction of grade separation projects selected by the commission on railroad lines over which 4 or more railroad passenger trains operate daily The railroad corporation's share of the cost of such a project would be 5%

(22) The bill would specify the crew requirement for intercity and commuter train services funded by funds appropriated from the account to the department to contract for such services as discussed in (2) above

(23) Under existing law, the State Board of Equalization, with the concurrence of the Department of Finance, estimates and transfers from the Retail Sales Tax Fund to the Transportation Planning and Research Account, redesignated as indicated in (18) above, at the end of each calendar year, an amount equal to the increase in the sales and use tax revenues resulting from imposing the tax at a 3¾% rate and on motor vehicle fuel instead of at a 4% rate and not on motor vehicle fuel.

The bill would require, commencing with the estimate for the calendar quarter commencing July 1, 1979, that such estimates and transfers be made quarterly from the Retail Sales Tax Fund to the account at 4¾% and 5% rates instead. The amount transferred would be limited to $110,000,000 in any fiscal year, with adjustments in the Consumer Price Index (but not to exceed the change in the state per capita personal income) and in the state's population, with the 1979–80 fiscal year as the base year.

The board would be required to transfer, not later than October 1, 1979, to the account the amount estimated to be transferred for the first 2 quarters of 1979 under existing law.

(24) Under existing law, the department is authorized to construct fringe and transportation corridor parking facilities along the state highway system when such construction is financed with nonstate funds.

The bill would authorize the department to construct, maintain, and operate such parking facilities that would reduce motor vehicle congestion or improve highway safety, and would delete the restriction that such construction be financed with nonstate funds.

The bill would specify that only facilities included by transportation planning agencies in a regional transportation improvement program could be constructed. The bill would limit the amount of state funds appropriated for state highway construction that could be expended each year for such parking facilities to $2,000,000. For any such facility costing more than $30,000, the state funds could only be used to match federal or local funds, or both.

(25) Under existing law, the secretary has the power of general supervision over the Business and Transportation Agency.

The bill would require the secretary to undertake a program to investigate the practicality and cost effectiveness of alternative motor vehicle fuel.

(26) The bill would require the Legislative Analyst to submit to the Legislature, not later than January 10, 1982, a report on his findings and recommendation on funds allocated by the secretary, as discussed in (19) (c) above.

(27) The bill would require the department to submit to the Legislature not later than January 1, 1980, a report on its plan to implement expenditures for passenger cars and track lines as discussed in (2) above.

(28) The bill would require the department to include in its annual proposed budgets for the 1980–81 and 1981–82 fiscal years, for purposes of information to the Legislature, the amounts to be expended for purposes specified in (2) above.

(29) The bill would require the transportation planning agencies, the county transportation commissions, and the transit development board to submit to the Legislature, not later than January 10, 1981, a report on programs, services, and projects funded, and to be funded, from funds allocated to them, as discussed in (19) (c) above.

(30) The bill would delete obsolete provisions.

(31) The bill would make related and conforming changes.

(32) The bill would appropriate the following amounts:

(a) One hundred million dollars ($100,000,000) from the Motor Vehicle Account in the State Transportation Fund to the reserve account established pursuant to (b) below.

(b) All money in or due in the State Highway Account in the State Transportation Fund on June 30, 1979, and all money appropriated from the State Highway Account for expenditure in fiscal years subsequent to the 1978–79 fiscal year, to a reserve account which the bill would establish in the State Highway Account.

(c) From the Transportation Planning and Development Account, $84,891,995 and, after first deducting the sum of the amounts appropriated for purposes specified in (19) (a) above and $7,891,995, one-half of the amount transferred during the 1979–80 to 1981–82 fiscal years, inclusive, to the Transportation Planning and Development Account as discussed in (23) above as follows:

(i) To the California Transportation Commission, $5,000,000 for projects to improve transportation interface

(ii) To the department, $59,891,995, to be allocated as follows $1,000,000 for intercity bus transportation as discussed in (1) above, to be available for encumbrance only until June 30, 1980, $21,000,000 for commuter and intercity passenger rail services as discussed in (2) above, $15,000,000 for passenger cars and track lines as discussed in (2) above; $9,000,000 for rights-of-way as discussed in (20) above, to be available for encumbrance only until June 30, 1980, $10,000,000 for grade separation projects as discussed in (21) above, to be available for encumbrance only until June 30, 1980; $2,891,995 for specific projects to improve transportation interface and its administrative cost related thereto, and $1,000,000 for plans, specifications, and estimates with respect to the report discussed in (27) above

(iii) To the secretary, after first deducting the amounts appropriated for purposes specified in (19) (a) above and $7,891,995, one-half of the amount transferred during the 1979–80 to 1981–82 fiscal years, inclusive, to the account, for allocation as discussed in (19) (c) above, $10,000,000 for allocation, until June 30, 1980, for public transportation purposes as discussed in (19) (b) above, $10,000,000 for the alternative motor vehicle fuel program as discussed in (25) above.

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

Ch 162 (SB 613) Mills Orthomolecular medicine Medi-Cal, insurance—health care services

Existing statutes provide for a demonstration program on coverage by Medi-Cal of orthomolecular medicine, pursuant to a prescribed schedule and will repeal effective July 1, 1979, require submission of an evaluation report to the Governor and the Legislature pursuant to a prescribed schedule and by January 1, 1980, and will repeal effective February 1, 1980

This bill would specify that the State Director of Health Services may, in order to control the demonstration program costs, impose limits on the number of participating patients, as specified, ~~require the evaluation report to include specified conclusions;~~* extend the effective dates of the repeals to, respectively, July 1, 1980, and June 30, 1981, extend the prescribed date for the evaluation report from January 30, 1980, to March 1, 1981, and make related changes in the schedules, make related and other changes

Existing statutes which require disability insurance policies, health care service plans, self-insured employee welfare benefit plans, and nonprofit hospital service plans to offer coverage for orthomolecular medicine, as specified, will repeal effective July 1, 1979

This bill would extend the effective date of the repeal to July 1, 1980

This bill would take effect immediately as an urgency statute

Ch 163 (AB 271) Mello Harbor districts contract competitive bidding notice

Under existing law, notice of the proposed letting of a contract required to be awarded upon competitive bidding by a harbor district is required to be given for a period of 2 weeks by advertisement or by publication in a newspaper of general circulation, published, printed, and circulated in the district.

This bill would also allow the Board of Harbor Commissioners to authorize additional publication of such notice in other newspapers of general circulation in the district when it deems that such publication would best serve the public interest

Ch 164 (AB 537) M Waters. Dissolution of marriage

Existing law provides that if any appeal is taken from an interlocutory judgment of dissolution of marriage, or if a motion for a new trial is made, final judgment shall not be entered until such motion or appeal has been finally disposed of, nor then, if the motion has been granted or judgment reversed

This bill would provide that notwithstanding the foregoing, the filing of an appeal or a motion for a new trial shall not stay the granting of a final judgment insofar as it relates to the dissolution of the marriage status, unless the appealing or moving party specified an objection thereto in the notice of appeal or motion for new trial. It would preclude the making of such objection unless it also was made at the time of trial

Ch 165 (AB 212) McAlister Probate Code construction

The existing Probate Code does not expressly provide that its provisions are severable, in the event any of them are held invalid, that the singular number includes the plural, and the plural, the singular, that the present tense includes the past and present, and the future, the present, or that designations of distinct portions within the code, without specific reference to the code, means such portion of the Probate Code.

This bill would make specific each such provision

Ch 166 (AB 630) Leonard Highways county

Under existing law, the board of supervisors is required to award contracts in excess of $10,000 for maintenance or repair of county roads, or for purchase of materials needed to do the work, or both, on the basis of competitive bidding

This bill would authorize the board of supervisors to waive bidding procedures for contracts in excess of $10,000 in specified emergency situations, upon a finding by the board that public interest and necessity demand immediate action to safeguard life, health, or property The bill would also authorize the board to permit the county road commissioner to change existing contracts for work being performed on county roads, provided the changes did not exceed $5,000 for contracts of $50,000 or less, or 10% of contracts over $50,000 up to a maximum limit of $25,000

Ch 167 (SB 128) Beverly Property taxation exemptions

Under existing law, personal property owned and operated by an organization incorporated by an act of the United States Congress whose purposes are to provide adequate facilities to assist in meeting local and national emergencies and to promote the public welfare and provide aviation and aerospace education and training is exempt from taxation This exemption will have no force or effect beyond the lien date in 1980

In addition, existing law provides that revenue loss due to the exemption of property for purposes of ad valorem property taxation enacted by the Legislature shall be reimbursed by the state

This bill would extend the exemption until the lien date in 1985

This bill would also provide that there shall be no state reimbursement of local governments as there is no actual loss of revenue since the property exempted by this act has never in fact been taxed

Ch 168 (SB 345) Wilson Real estate developments

Existing law provides that owners' associations of condominiums, community apartment projects, or individual interest subdivisions projects have standing to sue as a real party in interest for any damages to the commonly owned lots, parcels or areas occasioned by the acts or omissions of others, without the joinder of the individual owners of such projects.

This bill would provide that owners' associations of planned developments also have such standing to sue as a real party in interest and that all such owners' associations have such standing to sue, in addition, for any damages to individually owned lots, parcels, or areas which they are obligated to maintain, preserve, or repair

Ch 169 (AB 1705) Frazee Prisoners

Existing law makes it a crime for a peace officer to willfully refuse to receive a person charged with a criminal offense, and variously classifies county jails and prisoners but does not make any provision relative to the designation of facilities as holding or reception facilities or other use for particular classes of prisoners

This bill would authorize the sheriff to determine whether any jail, institution, or facility under his direction shall be designated as a reception, holding, or confinement facility, or shall be used for several of such purposes, and to designate the class of prisoners for which any such facility shall be used

Ch 170 (AB 1674) Ellis Swap meets

Existing law requires any person selling or exchanging personal property at swap meets to report all such property offered for sale on a form prescribed by the Department of Justice and requires swap meet operators to obtain forms from the department for distribution to such vendors

This bill would authorize such operators to have printed such forms as are approved by the department for distribution to such vendors

Ch 171 (AB 1659) Frazee Vehicles impounding. unsafe conditions

(1) Under existing law, registration or transfer fees constitute liens upon vehicles for which they become due The Department of Motor Vehicles is authorized to seize and impound such vehicles The Department of the California Highway Patrol is required to assist [with]* the seizure and impounding of the vehicles.

This bill would also authorize municipal or county law enforcement agencies to assist with the seizure and impounding of these vehicles and would specify that no vehicle is to be impounded under such provisions unless there are outstanding registration or transfer fees due

(2) Existing law, generally, prohibits any person [from]* operating a vehicle after being notified by a traffic officer that the vehicle is in an unsafe condition or not properly equipped

This bill would specify that it is unlawful to operate a vehicle which is in an unsafe condition or not properly equipped after notice by certain peace officers, including sheriffs, police, marshals, constables, and members of the California Highway Patrol

Ch 172 (AB 1623) Thurman Decedents' estates

Existing law provides, where the public administrator has taken possession of a decedent's estate of $5,000 or less, excluding any motor vehicle, that the public administrator may apply for court authorization to sell summarily all personal property of the decedent and to gather the decedent's other assets After payment of burial and medical expenses of the decedent's last illness, the balance is used to pay other claims approved by the court

This bill would delete the necessity for court approval prior to the payment of such claims and, instead, would authorize the public administrator to pay claims presented within 4 months from the date of the order granting the above-referenced authority to the public administrator

Existing law provides, where the public administrator has taken possession of a decedent's estate of $500 or less, that the public administrator may perform specified duties without prior court authorization including paying expenses of burial or depositing money with the county treasurer without regard for any claims other than preferred claims

This bill would permit the public administrator to pay all proper claims against a decedent's estate prior to depositing the money with the county treasurer

Ch 173 (AB 1614) McVittie Interpleader.

Under existing law, where a person files a complaint or crosscomplaint in interpleader, the amount admitted to be payable may be deposited with the clerk of the court Under existing law, the court may order the deposit to be invested in an insured interest-bearing account

This bill would require the court to order the deposit to be invested in an insured interest-bearing account upon the application of any party.

Ch 174 (AB 635) Knox Securities

Under existing law neither the Commissioner of Corporations nor any of his assistants, clerks or deputies during their terms of employment may be interested as a member in any corporation which has applied for or secured the qualification of the sale of securities under the Corporate Securities Law

This bill would make an exception for members of organizations formed for religious purposes

Ch 175 (AB 623) Statham. Court reporters Trinity County

Existing law requires a per diem for court reporters pro tempore in Trinity County of $55

This bill would authorize a per diem of $75.

Ch 176 (AB 216) Mangers Clinical laboratories

Under existing law specified unlicensed laboratory personnel are authorized, until December 31, 1979, to withdraw blood for test purposes and perform blood gas analysis, under specified conditions

This bill would reenact such provisions of existing law without an expiration or limiting date It would also specify that such unlicensed personnel may include persons employed in clinical laboratories

Ch 177 (AB 617) McAlister Attachment

Under existing state law, the making of a general assignment for the benefit of creditors or the filing of a petition in bankruptcy terminates a lien of a temporary protective order or of attachment if the lien was created within 4 months prior to the making of the general assignment or the filing of the petition

This bill would reduce such time period to 90 days, consistent with the 90-day preference period of the recently enacted federal Bankruptcy Reform Act of 1978 (hereinafter act)

Existing law provides that, where a lien of attachment terminates as a result of the making of a general assignment for the benefit of creditors or the filing of a petition in bankruptcy, the assignee or, in the case of a bankruptcy, the trustee, receiver, or debtor in possession if there is no trustee or receiver, may secure the release of the attachment by filing a request therefor The recently enacted federal act prohibits a bankruptcy judge from appointing a receiver in a bankruptcy case but authorizes appointment of an interim trustee

This bill would delete receivers as a category of persons who may secure the release of attachment and substitute interim trustees, thus making state law consistent with federal law

Under current federal law, a court must determine whether or not a transfer should be preserved for the benefit of a bankrupt estate where such transfer has been avoided However, the recently enacted federal act, to take effect October 1, 1979, provides that any avoided transfer is automatically preserved for the benefit of the estate Existing state law acknowledges that, under federal law, the bankruptcy court could order a lien preserved for the benefit of a bankrupt estate

This bill would delete such acknowledgment in state law and, instead, provide, consistent with the recently enacted federal act, that a lien of a temporary protective order or of attachment terminated by the filing of a petition commencing a case under specified federal law is preserved for the benefit of the bankrupt estate

The bill would become effective immediately as an urgency measure, but would not become operative until October 1, 1979, thus coinciding with the operative date of the federal act

The bill would not apply to any bankruptcy case commenced prior to October 1, 1979

Ch 178 (AB 123) Boatwright Authorized emergency vehicles.

Existing law permits the use of flashing amber warning lights on specified vehicles under prescribed conditions

This bill would authorize vehicles owned and operated by private security agencies and utilized exclusively on privately owned and maintained roads to use flashing amber warning lights when responding to an emergency call for the immediate preservation of life or property

The bill would take effect immediately as an urgency statute

Ch 179 (AB 245) Bates Conservation easements

Existing law provides for the acquisition of an open-space easement by a nonprofit organization, as defined, under specified circumstances, but makes no provision for the creation or acquisition of conservation easements

This bill would provide for the creation of a conservation easement, for the purpose of retaining land predominantly in its natural, scenic, historical, agricultural, forested, or open-space condition, and would provide for its acquisition by a nonprofit organization, as defined

This bill would specify the requirements for creation, transfer, and termination of such an easement and the remedies available for the enforcement of such an easement

Ch 180 (SB 451) Nimmo Dies, molds and forms ownership

Under existing law, the matter of ownership of a die, mold, or form made by a molder or tool or die maker is determined pursuant to the contractual relationship between the molder or tool or die maker and the customer causing the die, mold, or form to be made

This bill would establish a procedure whereby rights and title to any such die, mold, or form may be transferred by operation of law to the molder or tool or die maker for the purpose of destroying or otherwise disposing of such die, mold, or form, if the customer does not claim possession of it within 3 years following the last prior use thereof, such period to apply retroactively in the case of dies, molds, and forms in the

possession of a molder on the effective date of the bill, and following 30 days after specified notice is given to the customer The molder or tool or die maker could then destroy or otherwise dispose of the particular die, mold, or form as the molder's own property The bill would not affect any right the customer possesses under federal patent or copyright law or any state or federal law regarding unfair competition

Ch 181 (SB 264) Greene Donation of county property

Existing law does not authorize the board of supervisors of a county to donate any or all Packaged Disaster Hospitals, or any portions thereof, not required for public purposes of the county to federally supported nonprofit private voluntary organizations providing assistance to needy developing communities in Africa, Asia, the Caribbean, and Latin America.

This bill would authorize the board of supervisors of a county to make such donation when certain specified conditions are met. It would declare that such donations are in furtherance of a public purpose

This bill would take effect immediately as an urgency statute

Ch 182 (AB 1594) Perino Weights and measures.

Existing law provides that a violation of provisions relating to tare weights, among others, constitutes a misdemeanor

This bill would provide that a violation of such provisions by a vehicle hauling bulk tomatoes that does not exceed 50% of the authorized tolerance for such vehicles shall constitute an infraction and would provide a schedule of fines to be assessed for initial and subsequent convictions

The bill would provide that the act is an urgency measure, to take effect immediately

Ch. 183 (AB 1622) Thurman Decedents' estates compromises

Existing law provides that, after the lapse of 60 days from the issuance of letters testamentary or of administration, the executor or administrator of a decedent's estate, acting with court approval, may compromise, compound, or settle any claim or demand by or against the estate or suit by or against the executor or administrator Notwithstanding such court approval, an executor or administrator could be liable to a creditor with a higher priority than the creditor involved in the compromise

This bill would revise such time period to permit such actions anytime after the time for filing creditor's claims has expired, or earlier upon a showing of good cause.

The bill also would provide that, after obtaining court approval for such action, the executor or administrator would be totally exempt from liability as a result of the compromise, composition, or settlement

Ch 184 (AB 478) McAlister Privileged publication or broadcast

Existing law provides that a privileged publication or broadcast is, among other things, one made in any legislative, judicial, or other official proceeding.

This bill would also provide that a privileged publication or broadcast is one made in the initiation or course of any other proceeding authorized by law and reviewable pursuant to the provisions of law relating to the issuance of writs of mandate

Ch 185 (AB 1804) Kapiloff Homestead.

Existing law provides for an exemption from execution for a dwelling house and provides for the declaration of a homestead and the procedures to be followed in each instance

This bill would revise the procedures relative to homesteads by incorporating the procedures presently applicable to an exemption from execution for a dwelling house, providing for the appointment of an appraiser, imposing a minimum bid in the event of sale, setting a time limit on sale following issuance of a writ of execution, and providing for the payment of costs and the manner of appeal.

The bill also would provide that the homestead provisions shall not affect any benefit or right a person has pursuant to the provisions for an exemption from execution for a dwelling house

Ch 186 (AB 1717) Knox Charitable trusts

Existing law provides that the Uniform Supervision of Trustees for Charitable Purposes Act does not apply to specified entities

This bill would include within those entities, health care service plans licensed pursuant to specified provisions of the Health and Safety Code.

Ch 187 (SB 52) Keene Aquaculture

(1) Under existing law, it is unlawful for any person to sell or purchase any rock scallops or scallops.

This bill would allow such scallops, cultivated pursuant to specified provisions, to be sold or purchased under such regulations as the Fish and Game Commission may prescribe

(2) Under existing law, every person engaged in the business of cultivating marine life, with specified exceptions, is required to procure a license for such purpose, and existing law permits the leasing, in accordance with specified procedures, of state water bottoms for the cultivation of marine life

This bill would enact the California Aquaculture Development Act to require the Director of Fish and Game to appoint an aquaculture advisory committee which includes specified representatives, require the advisory committee to conduct an investigation, as specified, relating to aquaculture development, require the director to select and the Department of Fish and Game to contract on behalf of the advisory committee with a qualified nongovernmental institution to conduct a study addressing specified matters, require the advisory committee to report to the Governor and Legislature on or before June 30, 1980, and specify related duties of the advisory committee.

The bill would make legislative findings and declarations in connection with the practice of aquaculture, and would provide for related matters

The bill would also authorize the department to identify, in conjunction with the appropriate local coastal program, coastal sites it deems appropriate for aquaculture facilities, and if such sites are identified, would require the department to take specified action It would also require the California Coastal Commission and local governments to provide for as many coastal sites identified by the department for such uses as are consistent with the coastal resources planning and management policies specified in the California Coastal Act of 1976

The bill would specify that the operative provisions of the bill shall be implemented by the Department of Fish and Game and the Resources Agency as funds are available within the department or the agency, or may hereafter become available through legislative appropriation, for the purposes of the bill

(3) The bill would reappropriate to the department for the same purpose the unencumbered balance of a $50,000 appropriation to the department from the California Environmental Protection Program Fund which was made in the Budget Act of 1978

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

Ch. 188 (AB 104) Papan Contractors

Existing language in the Budget Act of 1978 limits the money available for expenditure from the Contractors' License Fund by the Contractors' State License Board and does not provide funds to be available to meet contingencies and emergencies.

This bill would appropriate from the Contractors' License Fund an amount equal to the unencumbered balance of such fund but not to exceed $283,228 to the Contractors' State License Board to meet contingencies and emergencies.

Existing law neither requires nor prohibits the Contractors' State License Board from disclosing complaints against licensees.

This bill would prohibit such disclosure unless done pursuant to a uniform policy adopted by the Department of Consumer Affairs.

The bill would take effect immediately as an urgency statute

Ch 189 (AB 335) Mello Sport fishing license.

Existing law does not provide for the issuance of a sport fishing license which is valid for only 1 designated day

This bill would provide that such a license may be issued to any person over the age of 16 years upon payment of a $2 fee Such license would grant the privilege of taking fish, except for mollusks, crustaceans, invertebrates, and amphibians, from ocean waters, as specified It would provide that a sport fishing license stamp could not be purchased

for such license

The bill would also provide, if SB 201 is chaptered and contains specified provisions, that when SB 201 becomes operative, the above provisions would be repealed and instead the following provisions would become operative In such case, the bill would provide that a license may be issued to any person over the age of 16 years upon payment of a $2 fee Such license would grant the privilege of taking fish, except for mollusks, crustaceans, invertebrates, and amphibians, from ocean waters, as specified It would also provide that a trout and salmon license stamp is required to authorize such person to take salmon or steelhead in ocean waters, and shall be issued for a specified fee, and would provide that an inland water license stamp may not be purchased for such license

The bill would make an appropriation by providing that moneys be paid into the Fish and Game Preservation Fund, a continuously appropriated fund and would take effect immediately as an urgency statute

Ch 190 (SB 1234) 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 1979–80 fiscal year is not enacted before July 1, 1979

This bill would expressly provide that on or after June 30, 1979, 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 1979–80 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, 1979, and the effective date of the Budget Bill for the 1979–80 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 1979–80 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 1979 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 1979 to provide compensation equivalent to that which they would have otherwise received had the Budget Act of 1979 been adopted prior to July 1, 1979

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1979 may be expended to pay any obligation incurred between the commencement of the 1979–80 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, 1979, subject to the same limitations, conditions, and requirements

This bill would take effect immediately as an urgency statute

Ch 191 (AB 204) Bates Disabled individuals independent living centers

Existing law does not provide state funds for independent living centers for disabled individuals

This bill would provide for state funding of existing centers and the development of new centers to provide services to disabled individuals to assist them in achieving social and economic independence, as specified It would also require the Department of Rehabilitation to cause the centers funded by this act to be independently evaluated, as specified, by March 1, 1980, and to submit a report to the Legislature and Governor by March 30, 1980 This bill would also limit the amount of money spent for the purposes of evaluation of the centers

This bill would also appropriate $2,000,000 to the Department of Rehabilitation, for fiscal year 1979–80, to provide funds for such centers

This act would take effect immediately as an urgency statute

Ch 192 (SB 91) Alquist State employees salary increases.

(1) The Budget Act of 1978 contains various items of appropriation for salary and benefit increases for employees of the state, including employees of the University of California and the California State University and Colleges The funding for such items, however, was vetoed by the Governor

This bill would appropriate $207,669,500 from the General Fund and from special

funds, of which $207,596,000 would be appropriated from such funds to be allocated by the Department of Finance to augment specified items of the Budget Act of 1978 and for salary and benefit increases for the Chancellor of the California Community Colleges and the Director of the California Postsecondary Education Commission so that current employees on or after May 31, 1979, and specified academic year employees would receive a 7% salary increase and a lump sum payment, if any, if enacted prior to July 1, 1979, or a lump sum payment if enacted after June 30, 1979, except as otherwise specified for employees who are members of classes that receive more than the general salary increase in the 1979–80 fiscal year received by state employees generally, provide compensation equivalent to that which they would have otherwise received from October 1, 1978, through June 30, 1979, had this act become operative on October 1, 1978 This bill would provide that such lump sum payment shall also be made to those who retired between October 1, 1978, and May 31, 1979 This bill would also provide that the remaining $73,500 would be appropriated from the General Fund to the State Controller to administer the provisions of the bill

(2) Under existing law the Department of Finance is required to approve certain state funded salaries authorized by statute unless the Legislature specifically provides that approval is not required

This bill would specifically provide that such approval is not required for the salary increase provided in the bill for the Chancellor of the California Community Colleges and the Director of the California Postsecondary Education Commission

This act would take effect immediately for the usual current expenses of the state

Ch 193 (SB 217) Robbins Special election constitutional amendments

The bill would call an election to be held throughout the state on November 6, 1979

It would require that a specified constitutional amendment passed by the Legislature at the 1979–80 Regular Session of the Legislature, a specified constitutional amendment passed by the Legislature at the 1977–78 Regular Session of the Legislature, a specified initiative measure, and certain other specified measures from the 1979–80 Regular Session of the Legislature passed by the Legislature on or before July 20, 1979, be submitted to the voters at such election

The bill would require the measures referred to in the bill to be listed on the ballot in a prescribed order and would prohibit any other constitutional amendment proposed by the Legislature from appearing on the ballot

The bill would take effect immediately as an act calling an election

Ch 194 (AB 1517) Roos. Mobilehomes

(1) Existing law in the Health and Safety Code and Vehicle Code defines mobilehome as a vehicle, other than a motor vehicle, or as a trailer coach designed and equipped to contain 1 or more dwelling units to be used without a permanent foundation and which is in excess of 8 feet in width or in excess of 40 feet in length

This bill would define mobilehome in such codes as a structure, transportable in 1 or more sections, designed and equipped to contain not more than 2 dwelling units and not including a recreational vehicle, commercial coach, or factory-built housing. This bill would make other conforming changes in the Vehicle Code to make certain requirements applicable to trailer coaches applicable to mobilehomes

(2) Existing law prohibits a person from removing any axle or wheel hub from a mobilehome except for the purpose of making temporary repairs or placing it in dead storage

This bill would permit an owner of a mobilehome to remove or cause to be removed the wheels, wheel hubs, or axles from a mobilehome It would also permit a dealer or manufacturer to remove or cause to be removed the wheels, wheel hubs, or axles from a mobilehome if certain conditions are met

(3) This bill would specifically prescribe that its provisions shall not be construed to permit any person or entity to require the removal of wheels, wheel hubs, or axles from a mobilehome or to prevent the owner of a mobilehome from removing or causing to be removed such wheels, wheel hubs, or axles from such person's mobilehome

Ch 195 (AB 1728) Hannigan Open-space lands transfer to state taxation

Under existing law, persons receiving open-space land which is subject to state inheritance tax, where all the property transferred to such persons does not include sufficient money or other liquid assets to pay such tax, may transfer such open-space land to the state in lieu of the payment of inheritance tax Land so transferred to the state may be disposed of by the state only if the Secretary of the Resources Agency finds that the state has received in exchange land of comparable significance, or a combination of land and money of comparable significance, at least equal to the fair market value of the open-space land disposed of by the state

This bill would make the secretary's findings as to "comparable significance," and "fair market value," conclusive presumptions in favor of any person to whom the state land is conveyed, transferred, exchanged or granted

Ch 196 (SB 368) Johnson Air pollution burning wood waste

Existing law provides that no authorization to burn wood waste, as specified, shall be granted after January 1, 1980, or such earlier date as the State Air Resources Board may determine, based upon the finding that a feasible alternative method of disposal has been developed

This bill would delete the January 1, 1980 cut-off date, thereby providing that no such authorization could be granted after a date determined by the state board based upon such a finding

Ch. 197 (SB 678) Nejedly. Water pollution oil transfers, clean drill cuttings

(1) Existing law provides, subject to specified exemptions, that it is unlawful to cause or permit any petroleum, chemical, or other hazardous substance, as defined, to be transferred between a vessel and a shore facility or another vessel by means of a pipeline or similar conduit unless the flow is continuously monitored by a properly installed, operated, and maintained mechanism that will warn of the imminent occurrence of an overflow so that the flow can be terminated in time to avert the overflow, and unless the vessel and shore facility are each equipped with a properly installed, operated, and maintained mechanism that will warn whenever any person is no longer properly discharging his duties in connection with the transfer, is inattentive, or becomes disabled. Such provisions become operative with respect to a tank vessel that is subject to Coast Guard examination not later than the first occasion after January 1, 1979, that it is required to be drydocked or hauled out for such examination, and become operative on July 1, 1979, with respect to other vessels and any shore facility

This bill would delay such operative dates to January 1, 1980, and July 1, 1980, respectively

(2) Existing law requires that, when the State Lands Commission prepares an oil and gas lease for leasing tide or submerged lands or beds of navigable rivers or lakes, such lease shall contain specified provisions regarding the pollution and contamination of such waters.

This bill would provide that such provisions do not prohibit the deposit in waters of the ocean or any bay or inlet thereof of drill cuttings or drilling mud which are free of oil and materials that are deleterious to marine life if such activities are under authorization of a regional water quality control board

(3) The bill would make additional technical changes in existing law

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

Ch 198 (AB 1789) Mello Tenancies in mobilehome parks, subdivisions, cooperatives, and condominiums

Existing law specifies the rights of a tenant vis-a-vis the mobilehome park management with regard to the sale of the tenant's mobilehome

This bill would provide that an heir or joint tenant who gains ownership of a mobilehome in a mobilehome park through the death of the owner of the mobilehome who is a tenant shall possess those same rights.

Existing law, relating to mobilehome subdivisions, cooperatives, and condominiums, defines "tenant" as a person who has a tenancy therein It provides that such a tenant may advertise the sale or exchange of the mobilehome, authorize the management to display the mobilehome for sale, and requires such tenant to give the management notice of sale prior to the close of sale Existing law further prohibits the management from requiring removal of the mobilehome in the event of sale to a third party, except

to upgrade the quality of the subdivision, cooperative, or condominium, and only where such mobilehome meets specified width, age, and maintenance conditions

This bill would provide that a "tenant" shall instead be referred to as a "resident", would define such "resident" as a person who maintains a residence in a mobilehome subdivision, cooperative or condominium, and would delete provisions allowing the management thereof to require removal of the mobilehome for purposes of upgrading the quality of such subdivision, cooperative, and condominium

Ch 199 (SB 10) Smith Legal proceedings

Existing law prescribes separate standards and procedures for the judicial stay of administrative orders or decisions generally and those administrative orders or decisions of licensing boards governing healing arts licensees, exclusive of veterinarians

This bill would make the separate standards and procedures applicable to the latter category applicable to the judicial stay of all administrative orders or decisions of an agency which licenses osteopaths, chiropractors, or other members of the healing arts, and to the orders or decisions of other state agencies where the agency has adopted the proposed decision of the hearing officer in its entirety or with a reduction of the penalty, as specified

Existing law does not specifically authorize the appointment of pro tempore state hearing officers

This bill would authorize the Director of the Office of Administrative Hearings to appoint and maintain a staff of part-time pro tempore, as well as full-time, hearing officers

Existing law provides that when an accusation is filed with an agency, the agency shall serve a copy thereof on the respondent along with specified information

This bill would require inclusion of specified information regarding postponements

Existing law provides that, in an adminstrative adjudication, a copy of the proposed decision as prepared by a hearing officer shall be filed by the agency as a public record and shall be served by the agency on each party in the case and his attorney

This bill would provide instead that the proposed decision shall be deemed adopted by the agency 100 days after delivery to the agency, unless further action is taken as specified A copy of the decision shall be given to each party and his or her attorney and the decision shall be a public record of the agency

Existing law provides that, in an administrative adjudication, the agency may grant a continuance, or specified hearing officers of the Office of Administrative Hearings may grant a continuance for good cause

This bill would retain the above provision and would in addition specify a procedure to be used by the respondent when seeking a continuance or when seeking judicial review of the denial of a continuance

Existing law makes provision for setting aside a verdict of guilty after a defendant has fulfilled the conditions of probation or in other specified situations, at which time the court shall release the defendant from all penalties and disabilities resulting from the offense of which he has been convicted

This bill would provide that such release shall not relieve the defendant of the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for public office or for licensure by any state or local agency

Ch 200 (SB 71) Roberti Vandalism

Existing law provides specified misdemeanor or alternative felony-misdemeanor penalties, including certain fines, for vandalism, as defined, depending upon whether the injury or destruction is less or greater than $1,000

Existing law also prohibits specified defacement of property with misdemeanor punishment and authorization for restitution as a condition of probation

This bill would combine and revise such crimes as specified, and would increase the amount of the fine which may be imposed to $5,000 and require restitution or the performance of specified community service as a condition of probation except where the court finds that such condition would be inappropriate and states its reasons

This bill would also make similar provisions for probation, restitution, or the performance of specified community services for minors who commit vandalism and are subject to the jurisdiction of the juvenile court

Ch 201 (SB 1056) Vuich Fire insurers religious organizations

Existing law permits qualified religious organizations writing fire insurance solely for its members to write insurance not in excess of $10,000 on any one risk nor in excess of $60,000 in any one city block within an incorporated city without immediately reinsuring the excess over such amounts

This bill would increase such amounts to $30,000 and $180,000 respectively

Ch 202 (SB 1055) Vuich Porcelain painting

Existing law makes no provision for the characterization of porcelain painting as a fine art or a craft

This bill would provide that porcelain painting shall be considered a fine art and not a craft.

Ch 203 (SB 333) Robbins. Loans mobile dwellings

Existing law permits savings and loan associations to make loans, advance credit and purchase obligations representing such loans and advances of credit, for the purpose of mobile dwelling financing Under the regulations of the Savings and Loan Commissioner, the maximum term for loans on owner-occupied new mobile dwellings is 20 years

This bill would permit such loans to be made for terms not to exceed 30 years

This bill also provides that its provisions shall become operative only if AB 258 or SB 1179, or both, of the 1979–80 Regular Legislative Session are also chaptered

Ch 204 (SB 477) Smith Child custody

Existing law specifies certain preferences in making an award of child custody In making such an award the best interests of the child is, however, the overriding concern There is no presumption that joint custody is in the best interests of the child

This bill would specify the circumstances in which a presumption favoring an award of joint custody shall operate, and would also specifically authorize such an award in other cases, as designated

Ch 205 (SB 1171) Wilson Testimony

Existing law regulates the instances when a judge presiding at the trial of an action may testify in that same trial as a witness, but does not regulate the testimony of a judge as to a subsequent proceeding

This bill would prohibit any person who presides at a judicial or quasi-judicial proceeding from testifying in any subsequent civil proceeding as to any statement or conduct which occurred at the prior proceeding There would be an exception to such prohibition as to a statement or conduct that could give rise to civil or criminal contempt or constitute a crime

Ch 206 (SB 80) Foran Physicians and surgeons

Existing law requires the Board of Medical Quality Assurance to determine the length and content of training in the subject of human sexuality required of physicians and surgeons, to evaluate available training, and to report to the Legislature

Existing law also requires any licensing board or agency proposing to establish a training program in human sexuality to consult with other such boards or agencies which have established or propose to establish such training programs to insure compatibility

This bill would delete both requirements

Ch 207 (AB 810) Greene Infant medical dispatch centers

Under existing law which is repealed effective July 1, 1979, the State Department of Health Services is required to establish two infant medical dispatch centers that meet specified criteria Under such existing law, the department is also required to provide a central standardized data base to obtain statistical information for monitoring and evaluating the functions of such infant medical dispatch centers and to report to the Legislature with respect to such data base, as specified Under such existing law, state funds are appropriated for the dispatch centers and the data base

This bill would repeal and reenact such provisions of law and would, instead, change the existing reporting requirements to require the centers established pursuant to the bill to annually report to the Legislature, as specified in the bill

This bill would appropriate an additional $207,337 to the State Department of Health Services for allocation to such centers and for defraying personnel and administrative costs incurred by the department in connection with the infant medical dispatch center

program
This bill would take effect immediately as an urgency statute

Ch 208 (AB 25) Knox Postsecondary education student aid Cal Grants
Under existing law, the Student Aid Commission administers various student aid programs, including the Cal Grant program The commission is required to make an annual review and adjustment of the maximum award and to base such adjustment on specified factors The recommendations resulting from such review are, in certain situations, included in the Budget Bill
This bill would require an annual review and adjustment of the number of certain awards, in addition to the maximum award The commission, in making such adjustments, would also have to consider the number of applicants who were eligible to receive an award in the previous year and who did not receive such award
Existing law prescribes a formula for the distribution of specified federal funds which are received and which are in excess of amounts received in the 1978–1979 fiscal year In addition, existing law permits the Student Aid Commission to recommend variations from such formula Under specified circumstances, the recommendations are included in the Budget Bill
This bill would condition the distribution of such specified federal funds on the renewal of certain previously authorized awards In addition, the bill would require the entire Legislature, rather than the fiscal committee of each house, to review the commission's recommendations to vary the formula.
This bill would take effect immediately as an urgency statute

Ch 209 (AB 147) Lancaster School and community college districts sale or lease of real property use of proceeds.
(1) Existing law requires that school districts use proceeds from the sale of, or lease with an option to purchase, school district property, for capital outlay purposes only, except that certain moneys may be deposited in the district general fund if the district and the State Allocation Board make a specified determination
This bill would require school districts to use such proceeds in the alternative for costs of maintenance of school district property that the governing board determines will not recur within a 10-year period
(2) Existing law requires community colleges to use proceeds from the sale of, or lease with an option to purchase, district property, for capital outlay only, except that certain moneys may be deposited in the district general fund if the district and the Board of Governors of the California Community Colleges make a specified determination
This bill would require community college districts to use such proceeds in the alternative for costs of maintenance of district property that the district governing board determines will not recur within a 10-year period This bill would eliminate the requirement that the Board of Governors of the California Community Colleges make the specified determination about the moneys to be deposited in the district general fund

Ch 210 (AB 467) Deddeh School pupils possession of injurious objects
Under existing law, there is no provision regarding the retention by school personnel of injurious objects brought to school by pupils
This bill authorizes specified public school personnel to take away, and retain possession of, any injurious object, as defined, from any pupil, when such object has no academic purpose, as defined
Under prescribed conditions, the bill authorizes such personnel to return the injurious object to the pupils or their representatives at the end of the school day

Ch 211 (AB 562) 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 unless the drugs were provided by such physician and surgeon under specified circumstances, including, the transmission of an order for drugs to a registered nurse in an inpatient facility provided the physician has consulted with a registered nurse who has reviewed the patient's records and the physician was designated to serve in the absence of the patient's physician

This bill would include a licensed vocational nurse for purposes of such transmission of an order for drugs and reviewing of a patient's records

Ch 212 (AB 605) Fenton Courts

Existing law gives justice courts the same jurisdiction as municipal courts

This bill would revise various provisions of the law to make procedures for justice courts the same as those of municipal courts, and specify the authority of the Judicial Council to make rules regarding certain such procedures.

In addition, this bill would conform the provision of law setting forth the qualifications for justice court judges to existing law which requires each justice court vacancy which occurs on or after January 7, 1975, to be filled by an attorney judge

Ch 213 (AB 708) Filante. Redevelopment agency contracts competitive bidding

The Community Redevelopment Law presently requires redevelopment agencies to contract out, after competitive bids, work of grading, clearing, demolition, or construction in excess of $2,500.

This bill would require such work to be contracted for and competitively bid when it exceeds the amount prescribed by law for competitively bidding public works contracts of cities, which is presently established at $5,000

Ch 214 (AB 844) Nolan Youth Authority

Existing law authorizes the Youth Authority to withdraw up to $15,000 from the funds available for the support of the authority, without at the same time furnishing vouchers and itemized statements, for use as a revolving fund for payments for the care of Youth Authority wards paroled to private homes

This bill would remove the $15,000 limitation on such withdrawals

Ch. 215 (SB 369) Craven. Republican County Central Committee

Existing law allows the incumbents of specified state offices and the Legislature, as ex officio members of the county central committee, to appoint an alternate member to the committee.

This bill would allow incumbent Representatives in Congress to appoint such alternate members to the committee. This bill would also provide that alternate members of State Senators, Assemblymen, and Representatives in Congress need not reside in the district of the appointing power but need only reside in the county of jurisdiction of the committee.

The bill would also incorporate changes [in Section 9326 of the Elections Code,]* proposed by SB 896, to be operative only if SB 896 ~~is also~~ [and this bill are both]* chaptered [, and this bill is chaptered last.]*

Ch 216 (SB 1154) Sieroty Trial procedure

Existing law authorizes, upon the motion of a party, the trial of special defenses not on the merits of a case before the trial of other issues. Existing law also authorizes a court, on motion of a party, to require that the trial of any issue or any part thereof shall precede the trial of any other issue or part thereof

This bill, in addition, would authorize the court upon its own motion to bifurcate trials in such above-referenced manner

The bill would make additional changes in Section 598 of the Code of Civil Procedure, to be operative only if AB 351 is chaptered, and this bill is chaptered after AB 351

Ch 217 (SB 513) Rodda. Sacramento City Unified School District· elections

Existing law extends the term of members of the [Board of Education of the]* Sacramento City Unified School District who are in office on January 1, 1980, until the first day of April next succeeding the year in which their terms of office would otherwise have terminated

This bill would end the term of such members of the board of education on the last Friday of November in the year in which their terms of office would otherwise have terminated

Ch 218 (SB 381) 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

This bill would specifically provide that the employee must have been employed full time for a total of at least 5 years without a break in service during the period immediately preceding the request for a reduction in workload, and would, in addition, provide that for such purposes sabbaticals and other approved leaves of absence shall not constitute a break in service

The bill would also incorporate changes in Section 87483 of the Education Code, proposed by SB 248, to be effective only if SB 248 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered last

This bill would take effect immmediately as an urgency statute

Ch. 219 (SB 1021) Sieroty Teachers' Retirement System, State· benefits

Existing State Teachers' Retirement Law provides for retirement beginning at age 55 and also permits employers to elect to permit members with 30 years of credited service to retire as early as age 50 Reductions in allowances are prescribed under either circumstance based upon the number of years that will elapse before attainment of age 60

This bill would permit members who are community college employees with 25 years of credited service to retire with reduced allowances as early as age 50 after its effective date, and before January 1, 1983, if their employers elect to be subject to such provision and would require their employers to pay the present value of the additional benefit to the Teachers' Retirement Fund.

The bill would take effect immediately as an urgency statute

Ch 220 (SB 1181) Robbins Southern California Rapid Transit District

Under the Southern California Rapid Transit District Law, the Southern California Rapid Transit District is prohibited from operating chartered bus services.

This bill would limit that prohibition so that the district would be authorized to provide charter bus services to governmental agencies, if comparable private service is unavailable, and to special events, other than regular and preseason scheduled professional and amateur sporting events

The bill would prohibit the district from purchasing bus equipment designed solely for chartered services, require the district board to hold public hearings, with 30 days' notice to charter-party carriers operating within the district, on the adoption of charter rates and authorize the district board to adopt charter rates, as specified; and require the district charter bus services to originate and terminate within the district unless otherwise requested by a charter-party carrier

Ch 221 (AB 863) Lehman Schools community colleges county superintendents of schools budget deadlines

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 add provisions, in effect only until June 30, 1981, which change certain deadlines to a specified day following the chaptering of either (1) the Budget Act, or (2) an act providing for the appropriation and allocation of a substantial portion of the state's share of financial support for schools or community colleges, whichever is later, but in no event would any such deadline be later than a specified date

This bill would take effect immediately as an urgency statute

Ch 222 (AB 105) Fenton Employment discontinuance of health benefits

Existing law makes no provision requiring employers to give notice of discontinuation of coverage for medical, surgical, or hospital benefits to covered employees.

This bill would require public and private employers to give covered employees notice, 15 days in advance, of discontinuation of coverage for medical, surgical, or hospital benefits

Ch 223 (SB 110) Johnson Special meetings· notice

Under existing law a special meeting may be called by the presiding officer of the legislative body of a local agency, as defined, or by a majority of the members of the legislative body, by delivering in a specified manner to each member of the legislative body, and to each local newspaper of general circulation, radio station, or television station requesting notice in writing, notice of such meeting at least 24 hours before the time of such meeting

This bill would prescribe that a special meeting may be called without complying with the 24-hour notice requirement in certain defined emergency situations It would require, however, that the presiding officer of the legislative body notify such local newspapers and radio or television stations prior to such a special meeting, as specified, by telephone, unless telephone services are not functioning It would require in the instance when telephone services are not functioning that a specified notice of the meeting be provided as soon after the meeting as is possible

It would also specify that an executive session shall not be called during such a meeting It would require a specified posting to be made in a prescribed manner as soon after the meeting as possible

Ch 224 (AB 582) Mangers. Schools: security guards.

Existing law authorizes the governing board of any school district to establish a security department and employ personnel, as prescribed, for security purposes.

This bill would also authorize governing boards to engage a private licensed security agency for security purposes when the governing board adopts a resolution specifying that an emergency exists and when employed security personnel are not providing security or additional security services are needed

Ch 225 (SB 509) Nejedly. State and local government funding

Proposition 13 on the ballot for the direct primary election held Tuesday, June 6, 1978, added Article XIII A to the Constitution to place various limitations on the taxing power of the state and local governments. Chapters 292 and 332 of the Statutes of 1978 implement such proposition and provide partial financial relief to local government through the appropriation and distribution of state funds to local public agencies, as defined.

This bill would make ~~specified technical~~* changes in certain provisions relating to the distribution of property tax revenues for the 1978–79 fiscal year ~~and would specifically state that such changes are declaratory of existing law~~.*

This bill would take effect immediately as an urgency statute.

Ch. 226 (AB 368) Tanner. Physical handicap: employment

Under the existing California Fair Employment Practice Act the Division of Fair Employment Practices is authorized to provide assistance to communities in resolving certain disputes relating to discriminatory practices based on race, religious creed, color, national origin, marital status, or ancestry.

This bill would, in addition, permit the division to provide assistance to communities in resolving such disputes relating to discriminatory practices based on physical handicap, medical condition, sex, or age.

Ch. 227 (SB 832) Keene Fire protection flammable forest products residue

Under existing law, waste flammable material incident to the processing of forest products may be accumulated in a pile but is required to be disposed of by fire at a date not later than the following April 1st after the beginning of the accumulation of such waste material

This bill would redesignate "waste material" as "flammable residue" and delete the requirement for disposal by fire The bill would make numerous technical, clarifying, or conforming changes

Ch 228 (AB 529) Bannai. Peace officers first aid.

Existing law requires all policemen, sheriffs, deputy sheriffs, and members of the California Highway Patrol to be trained to administer first aid including cardiopulmonary resuscitation, with refresher courses every 3 years

This bill would require members of the California State Police to be so trained and would exclude from this requirement those policemen, sheriffs, deputy sheriffs, members of the California State Police, and members of the California Highway Patrol whose permanently assigned duties are primarily clerical or administrative, as defined

This bill would take effect immediately as an urgency statute

Ch 229 (AB 530) Bannai Peace officers and custodial officers training.

Existing law requires that, prior to actual assignment as a custodial officer, every person shall have completed specified training courses, including the Commission on Peace Officer Standards and Training course on jail operations

This bill would substitute for such required course the jail operations training course created under the minimum standards for local detention facilities established by the Board of Corrections

Existing law requires the Commission on Peace Officer Standards and Training to provide for rules establishing minimum standards of training for various state law enforcement officers

This bill would delete from the state law enforcement officers for whom such standards of training must be provided, steamboat company policemen commissioned by the Governor and would add the deputy director, assistant directors, chiefs, and assistant chiefs of the Department of Justice who are designated by the Attorney General as peace officers

Existing law requires the Commission on Peace Officer Standards and Training to prepare a draft of a guidebook for police and other citizens expressing the respective obligations of police and citizens and explaining police procedures to the public within 9 months of January 1, 1975, contingent upon funding from any source other than the General Fund or the Peace Officers' Training Fund

This bill would repeal such requirement

Existing law requires that in order for a peace officer, as defined, to prepare a written notice of violation of a provision of the Vehicle Code, which is not a felony, or of violation of a local ordinance with respect to a traffic accident, the peace officer shall have successfully completed at least 40 hours of instruction of a course or courses approved by the Commission on Peace Officer Standards and Training in the investigation of traffic accidents

This bill would delete the requirement of 40 hours of instruction so that the peace officer is required to have successfully completed a course or courses of such instruction approved by the commission

Ch 230 (SB 1091) Stiern Golden Hills Community Services District

Under existing law a community services district may sue and be sued in its own name, but such a district may not enforce covenants, conditions, and restrictions adopted for each tract, as defined in the bill, in the district and to assume and perform the duties of the architectural control committee for each such tract

This bill would authorize the Golden Hills Community Services District to enforce such covenants, conditions, and restrictions and perform such architectural control duties

The bill would declare the necessity for a special act for the Golden Hills Community Services District

The bill would take effect immediately as an urgency statute.

Ch. 231 (AB 1637) Tanner Peace officers.

Under existing law, the Commission on Peace Officer Standards and Training is required to establish minimum standards for the training of certain peace officers, and to administer state aid to local agencies adhering to such standards The commission has other powers relative to law enforcement training, but is not required to establish a certification program although it has done so by regulation, and certain statutes recognize the existence of such program

This bill would make statutory requirements for a certification program similar to that now provided by regulation

Ch 232 (AB 218) Greene Public Employees' Retirement System appropriation

The administrative costs of the Public Employees' Retirement System during the 1978–79 fiscal year are appropriated and prescribed by the Budget Act of 1978

This bill would augment that appropriation by $34,041 for administrative expenses during the 1978–79 fiscal year

This bill would take effect immediately as an urgency statute

Ch 233 (AB 206) Duffy Petroleum dealers.

Existing law makes it a misdemeanor for any distributor or broker of petroleum products to deliver gasoline in any single delivery of 5,000 or more gallons unless such gasoline is invoiced to the purchaser on the basis of temperature-corrected gallonage, as specified

This bill would include diesel fuel in such temperature-corrected gallonage invoice requirement

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

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

Ch 234 (SB 1017) Beverly Agency

Under existing law the power of an agent is terminated, among other instances, by the principal's incapacity to contract, unless the power of the agent is coupled with an interest in the subject of the agency

This bill would provide that the incapacity of a principal to contract would not terminate an agency for a period not to exceed one year after the incapacity occurs if the instrument creating the agency provides that it shall not be affected by the subsequent disability or incapacity of the principal The authority of the agent, under such circumstances, upon the disability or incapacity of the principal to engage in any transaction involving specified actions concerning real property, would be limited to real property comprising the principal place of residence of the principal

Ch 235 (AB 491) Moore Promise to appear continuance

Under existing law, a person who signs a notice to appear after being cited for a traffic offense may deposit bail, and, except where personal appearance is required by the bail schedule, forfeit such bail in lieu of a court appearance Such a person may also appear by counsel There is currently no provision permitting a defendant to request a postponement of his appearance on a traffic citation unless he appears in court and deposits bail or is released on his own recognizance

The bill would, without a deposit of bail, permit a defendant to request a continuance of his written promise to appear and would also permit a judge, as specified, to authorize a clerk to grant the continuance

Ch 236 (AB 52) McCarthy School absences

Under existing law, children between the ages of 6 and 16 years are subject to compulsory full-time education unless exempted or excused Certain absences from school are specified which are not deemed absences in computing average daily attendance.

This bill would authorize a pupil to be excused from school for justifiable personal reasons when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district Except as otherwise provided by law, such absence would be deemed an absence in computing average daily attendance and would not generate state apportionment payments The bill would require that the pupil be allowed to complete all assignments and tests missed during such absences, as specified

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234, but recognizes that school districts may pursue their other available remedies

to seek reimbursement for these costs

Ch 237 (SB 926) Stiern School finance special education

Existing law requires school districts to pay the Department of Education an amount of money for the attendance of district pupils at the California School for the Deaf, the California School for the Blind, and California diagnostic schools for neurologically handicapped children This amount is calculated with reference to tax levies which are not being made in the 1978-79 fiscal year

This bill would remove the requirement that school districts make such payments and would remove the amount districts paid for such attendance in the 1972–73 fiscal year from the calculation of district revenue limits

This bill would also appropriate $1,216,000 in augmentation of Item 313 of the Budget Act of 1979 to be allocated for the support of such schools

This bill would take effect immediately as an urgency statute

Ch 238 (SB 813) Petris Schools transportation costs

Under current law, the governing board of a school district is authorized to require parents of pupils to pay transportation costs of transporting pupils to and from school in district-owned equipment However, the amount the governing board is authorized to require parents to pay can be no greater than that paid for transportation on a common carrier or municipally owned transit system by other pupils in the district who do not use the transportation provided by the district

This bill would delete that provision which limits the amount the governing board is authorized to require parents to pay to that paid for transportation on a common carrier or municipally owned transit system by other pupils in the district who do not use the transportation provided by the district and, instead, would limit the amount to the actual cost of providing such transportation to a pupil on a common carrier or municipally owned transit system

This bill would not become operative if AB 1595 is chaptered and becomes effective on or before January 1, 1980

Ch 239 (AB 20) Levine Air pollution control

(1) Existing law requires employees of the South Coast Air Quality Management District, formerly employed by the Southern California Air Pollution Control District, to have permanent civil service employee status

This bill would, instead, require such employees to have permanent merit system employee status.

(2) Existing law does not authorize the South Coast Air Quality Management District to incur indebtedness

This bill would authorize the south coast district to borrow and incur indebtedness in anticipation of revenue for the current year and for the ensuing year, not to exceed the total of estimated revenue for either of such years.

(3) Existing law requires, in each air pollution control district, one or more hearing boards of specified membership and duties.

This bill would authorize the appointment of an alternate for each member of such hearing boards, with the same qualifications and term as such member The alternate may serve only in the absence of the member. The alternate could not hold certain single member hearings

(4) Existing law requires, in specified conditions relating to future effect of adopted rules or regulations containing a schedule of increments of progress, the owner or operator of an air contaminant source to submit a schedule or apply for a variance if such owner or operator cannot comply

This bill would change such law and instead require an application for modification of such schedule of increments, as specified

(5) Existing law authorizes emergency variances to be issued for good cause by the Chairman of the Hearing Board of the San Diego County Air Pollution Control District, or any other designated member of that hearing board, and authorizes such district board to adopt rules and regulations specifying the conditions for such variances.

This bill would extend such authority statewide, but limit such variances to 30 days' effect and prohibit their issue if sought to avoid other specified requirements.

(6) Present law authorizes the assessment of civil penalties not exceeding $500 a day against persons who intentionally or negligently violate regulations of the State Air Resources Board, an air pollution control district, or air quality management district prohibiting or limiting the discharge of air contaminants into the air from a nonvehicular source

This bill would authorize the assessment of such civil penalties for violation of other types of regulations of such entities relating to nonvehicular air pollution control The bill would specify that an action brought for recovery of a civil penalty would preclude prosecution of the person for a misdemeanor for the same offense

(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 240 (AB 260) Fenton Public Employees' Retirement System

(1) Existing Public Employees' Retirement Law requires that specified actuarial equivalents be computed on the basis of mortality tables and the actuarial interest rate in effect under the system on December 1, 1970

This bill would require the Board of Administration of the Public Employees' Retirement System to change on January 1, 1980, and at corresponding 10-year intervals thereafter, or more frequently at the retirement board's discretion, the basis for calculating actuarial equivalents to agree with the interest rate and mortality tables in effect at the commencement of each such 10-year or succeeding interval

(2) Existing law requires that the balance of unpaid redeposit contributions be paid in a lump-sum payment at the death of a member when a death benefit is payable or at the retirement of a member for industrial disability, except that the survivor of a member who retired after January 1, 1976, may elect to continue authorized deductions in lieu of making a lump-sum payment

This bill would authorize any survivor of any such member who died with a death benefit payable to elect to continue such authorized deductions in lieu of a lump-sum payment

(3) Existing law defines the terms "fire service," "police service," and "county peace officer service" for the purposes of the Public Employees' Retirement Law

This bill would repeal such definitions and instead define the term "local safety service " The bill would specify the circumstances under which past local miscellaneous service would be converted to local safety service

(4) Existing law requires that a member submit a retirement application within four months of separation from state service in order for the board to fix the effective date of retirement earlier than the first of the month in which the retirement application is received

This bill would change the 4-month requirement to a 9-month requirement

(5) Existing Public Employees' Retirement Law prohibits a person from receiving credit for the same service in 2 publicly supported retirement systems.

This bill would specify when a member receiving military retirement pay, disability retirement pay, or disability compensation the member is considered to be receiving credit in a publicly supported retirement system

(6) The bill would incorporate changes in Section 21330 of the Government Code, proposed by SB 248, to be effective only if SB 248 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

Ch 241 (AB 119) Fenton Occupational safety and health

(1) Existing law provides that the Chief of the Division of Occupational Safety and Health, and employees authorized by him, shall have free access to any place of employment to make an investigation or inspection

This bill would, in addition, provide procedures for obtaining an inspection warrant if permission to investigate or inspect the place of employment is refused, or the facts or circumstances reasonably justify the failure to seek permission

(2) Existing law requires the division to investigate the causes of any employment accident which is fatal to one or more employees or which results in a serious injury to five or more employees, and permits the division to investigate the causes of any other industrial accident or occupational illness which has caused serious injury or which has

a substantial probability of causing serious injury

This bill would, in addition, provide that if, during any such investigation, the chief or his authorized representative are refused entry by the employer, the chief or his authorized representative may issue an order to preserve physical materials or the accident site as they were at the time the accident or illness occurred if, in the opinion of the division, it is necessary to do so in order to determine the cause or causes of the accident or illness To gain access, the division would be required to make application, within a specified time, to a court for an inspection warrant as described in paragraph (1) Failure to do so would render the order to preserve void The bill would also provide that the order to preserve shall be void if the division is refused entry pursuant to such inspection warrant and does not apply to the court, within a specified time, after notice to the employer, for an extension of the order to preserve the accident site

(3) Existing law provides that it is a misdemeanor for any person to obstruct or hamper an investigation or inspection authorized by the division, and for any employer to refuse to furnish statistics, information, or physical materials related to the investigation or inspection upon demand, or to refuse to admit the chief or his representatives to a place of employment

This bill would instead provide that any person who knowingly violates an order issued by the division, as described in paragraph (2), above, shall be punished by a fine of not more than $5,000

This bill would take effect immediately as an urgency statute

Ch 242 (AB 1488) W Brown Property taxation. assessment and collection

Article XIII A of the California Constitution, as revised by Proposition 8, as approved by the voters at the general election held on November 7, 1978, revised various concepts relating to the assessment of real property Moreover, Senate Bill No 154 and Senate Bill No 2212 were enacted as Chapters 292 and 332 of the Statutes of 1978 to implement Article XIII A as added by Proposition 13 at the primary election held on June 6, 1978

This bill would further implement Article XIII A of the California Constitution

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, except that assessors are authorized to make corrections to the 1978–79 roll during such fiscal year without a prior hearing or approval by the board of supervisors and the refund of overpayments of taxes resulting from corrections to the 1978–79 fiscal year roll are authorized whether or not a claim has been filed for such refund

This bill would authorize assessors to make such corrections to the 1978–79 roll during the 1979–80 fiscal year, for the purpose of making refunds

Under existing law, Sections 2229, 2231, and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for loss of property tax revenues and for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation pursuant to Section 2229, 2231 or 2234 for specified reasons

This bill would provide that if any provision of this act is held invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision

Existing law provides for the assessment of property and for the collection of property taxes due

This bill would make various administrative and technical changes relating to the assessment of property and the collection of property taxes.

This bill would take effect immediately as an urgency statute

Ch 243 (AB 405) Deddeh Merger of redevelopment areas.

Present law authorizes redevelopment plans adopted under the Community Redevelopment Law to provide for allocation to the redevelopment agency of a prescribed portion of the tax revenues derived from property in the redevelopment project area in order to finance redevelopment Such allocation scheme is commonly known as the "tax-increment" method of financing redevelopment Present law authorizes merger of

contiguous and noncontiguous redevelopment project areas within the jurisdiction of the redevelopment agency of the City of Sacramento and the redevelopment agency of the City of San Bernardino for the purpose of application of tax revenues allocated to the agency under the "tax-increment" method of financing

This bill would similarly authorize merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the Cities of Chula Vista, San Jose, and Santa Fe Springs The purposes and rules governing use of such tax revenues would be the same as those contained in the provisions authorizing merger of redevelopment project areas in the City of San Bernardino, except that the bill would require that not less than 20% of the tax-increment revenues produced by property in project areas merged under the bill be used to finance housing for persons and families of low or moderate income

The bill would be limited to redevelopment projects for which the final redevelopment plan was adopted on or before January 1, 1979.

This bill would take effect immediately as an urgency statute

Ch 244 (AB 1113) Moorhead Record disclosure child abuse

Several provisions of existing law govern the disclosure of information and records. For example, such a provision is set forth in the Welfare and Institutions Code and provides that information and records obtained in the course of providing specified mental health services are confidential and may be disclosed only in specific cases

This bill would provide that information and records relevant to the prevention, identification, management or treatment of abused children and their parents may be disclosed between persons who are trained and qualified to serve on "multidisciplinary personnel" teams which are providing such child abuse prevention services.

This bill would also provide for such disclosure notwithstanding any other pertinent provision of law and would further provide that the information and records to be disclosed are not restricted to those obtained in the course of providing such child abuse prevention services

Ch 245 (AB 122) Berman Evidence

Existing law details a procedure for declaring a child free from parental custody and control upon a finding that the parent or parents are, and will remain, incapable of supporting or controlling the child in a proper manner because of mental deficiency or mental illness, based upon the testimony of two physicians and surgeons, as specified.

This bill would also authorize such a finding upon the testimony of licensed psychologists, as specified

Another ground for declaring a child free from parental custody and control under the above mentioned procedure is that the child has been cared for in one or more foster homes under the supervision of the juvenile court, the county welfare department, or other public or private licensed child-placing agency for 2 or more consecutive years as designated.

This bill would specify that children cared for in designated licensed residential or health facilities also may be free from parental custody and control

Existing law authorizes the establishment of a conservatorship for a person who is gravely disabled because of mental disorder or impairment by chronic alcoholism upon compliance with certain procedures. Such conservatorships automatically terminate one year after appointment of a conservator A petition for reappointment as conservator for an additional year must include the opinion of two physicians that the conservatee is still gravely disabled

This bill would allow the substitution of the opinion of two licensed psychologists, as specified, on such matter

Ch 246 (SB 24) Alquist California State University and Colleges· program for California residents 60 years of age or older

Existing law authorizes, until July 1, 1979, the Trustees of the California State University and Colleges to continue a pilot project at 2 institutions of the California State University and Colleges which allows 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 authorize the trustees to establish at any of the institutions of the California State University and Colleges a permanent program allowing persons 60 years or older to enroll in regular courses without paying the application for admission fee and regular session registration fees The bill would also authorize the continuation of existing programs as part of such program

This bill would take effect immediately as an urgency statute.

Ch. 247 (SB 119) Petris. Schools· nonimmigrant, noncitizen pupils revenue limits.

Existing law authorizes, only until July 1, 1979, school districts that provide education in kindergarten or grades 1 through 12 for nonimmigrant children or noncitizen children without immigrant status during the 1976–77 school year to increase their revenue limits by a specified amount for conducting programs for such children

This bill would extend such authorization beyond July 1, 1979, for specified school districts, and would further authorize specified school districts that provided such education during the 1977–78 school year to increase their 1978–79 revenue limit by a specified amount not to exceed the reimbursement they would have received through the county-wide tax levied for the local share of the revenue limit prior to the enactment of Chapter 890 of the Statutes of 1978

This bill would provide that the revenue limit increases authorized by this bill not be used in the computation of any maximum tax rate, and would further provide that its provisions be deemed operative for the entire 1978–79 fiscal year

The bill would also express the intent of the Legislature that school districts not identify pupils according to their immigration status in carrying out the provisions of the bill

This bill would take effect immediately as an urgency statute

Ch 248 (SB 962) Sieroty Teachers' Retirement System, State benefits.

Existing State Teachers' Retirement Law provides that the retirement allowance of members who retire prior to age 60 shall be reduced by a specified amount

This bill would permit school districts and other employing agencies to elect to provide for a lesser reduction in allowance for certain members who retire between ages 55 and 60 if the members have 30 years of credited service and retire on and after June 1, 1979, and before June 30, 1982 The employer would be required to pay the amount of the present value of the increased benefits.

The provisions would be repealed on July 1, 1982, unless such date is extended or deleted

The bill would take effect immediately as an urgency statute

Ch 249 (AB 682) Lehman School facilities 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 use of specified modular classroom trailers for educational services in the Sierra Union Elementary School District until January 1, 1985, and would exempt such trailers from provisions of the so-called Field Act during the period of such use due to unique specified circumstances, provided that the snow shed protecting the trailers is designed by a structural engineer licensed by the state who makes an application to and satisfies the Office of the State Architect that the design of such snow shed complies with the 1976 Uniform Building Code

Ch 250 (SB 976) Presley Firearms.

Existing law provides for the retention of a firearm by a law enforcement agency until the person from which it is taken upon detention or apprehension for examination of his mental condition is released without commitment, or under other specified circumstances

Under this bill the confiscating law enforcement agency would have 30 days to initiate a court hearing for a judicial determination of whether the return of such firearm would be likely to result in harm to any person If no hearing is initiated by such law enforcement agency within 30 days of the release without commitment, the firearm would be

required to be returned

The bill would incorporate additional changes in Section 8102, Welfare and Institutions Code, proposed by AB 167, to be effective if this bill and AB 167 are both chaptered and become effective on January 1, 1980, and this bill is chaptered last Such additional changes would become operative on the operative date of AB 167

Ch 251 (AB 460) Lockyer Child care

(1) Existing law authorizes the Regents of the University of California, the Trustees of the California State University and Colleges, the governing boards of community college districts, and the governing bodies of any private nonprofit institution of postsecondary education to establish and maintain child development centers on or near their respective campuses and, in the event such centers are established and maintained, conditions the receipt of 75% state matching funds on the contribution of the 25% local share

This bill would delete the provisions concerning state matching funds and the 25% local share and would require the Department of Education to encourage the continuation of child development program funding, as specified

(2) Existing law requires the Governor to appoint an advisory committee on child care to assist the Department of Education in developing a state plan for certain child development programs and specifies the members to be appointed

This bill would require that committee membership include parents whose children participate in any publicly subsidized child development program, two representatives of proprietary child care agencies, two representatives of family day care homes, one teacher currently serving in a public school children's center, and that certain members be appointed by the directors of specified state departments

(3) Current law authorizes the establishment and maintenance of alternative child care programs only until June 30, 1979

This bill would extend indefinitely the authorization for such programs

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

Ch 252 (SB 638) Robbins Stolen vehicles inspections

In order to locate stolen vehicles, members of the Department of the California Highway Patrol or specified employees of the Department of Motor Vehicles are authorized to inspect vehicles, as specified, on highways, in public garages, repair shops, and other private places of business as prescribed A member of the patrol may also inspect implements of husbandry and other special equipment in the same places and for the same purpose for which inspection of vehicles is authorized

This bill would grant the same authority to inspect vehicles, implements of husbandry and other special equipment to members of city police departments or county sheriff's offices who are primarily engaged in vehicle theft investigations

Ch 253 (SB 307) Briggs Schools earthquake safety

(1) Under current law, school districts are required to have certain buildings examined for safety for school use, and are required to repair, reconstruct, or replace unsafe buildings Such provisions are known as the Field Act Existing law authorizes the Fullerton Joint Union High School District to use certain school farm buildings until June 30, 1979, notwithstanding the Field Act

This bill would authorize such district to use such school farm buildings until June 30, 1980, notwithstanding the Field Act provisions relating to use of nonconforming facilities

(2) This bill would also appropriate $900,000 to the Fullerton Joint Union High School District to enable the district to bring its facilities into compliance with the Field Act 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 254 (SB 366) Cusanovich Flood control emergency work

Under existing law, in times of extraordinary stress and of disaster resulting from storms and floods, or where damage to watershed lands by forest fires has created an imminent threat of floods and damage by water, mud, or debris upon the occurrence

of storms, the Director of Water Resources, upon specified findings, may declare the existence of an emergency and designate the location, nature, cause, area, and extent of the emergency

This bill would appropriate $4,310,000 to the Department of Finance for expenditure during the 1978–79 and 1979–80 fiscal years for such purposes, with $3,300,000 to be allocated to the Los Angeles County Flood Control District, $910,000 to the City of Los Angeles, $50,000 to the Riverside County Flood Control and Water Conservation District, and $50,000 to the Department of Water Resources, subject to the County of Los Angeles, the County of Riverside, and the City of Los Angeles providing specified assurances relating to the exercise of land use controls, and subject to reduction by any federal funds received in reimbursement for the same expenditures.

The bill would go into immediate effect as an urgency statute

Ch 255 (SB 281) Presley Riots in places of confinement

Existing law makes the willful and intentional breaking down, pulling down, or other destruction or injury of any jail or prison or of any public property in any jail or prison punishable by a fine not exceeding $10,000 and by imprisonment in the state prison However, if the damage or injury is to city, city and county, or county jail property and is determined to be $200 or less the offense is only a misdemeanor

This bill would also punish the injury or destruction of prison property in the amount of $200 or less as a misdemeanor

Existing law provides that various functions relative to the sentences of inmates in the state prisons and other institutions are performed by the Community Release Board which replaced other boards

This bill would rename the Community Release Board the Board of Prison Terms and make conforming changes with respect to superseded boards

This bill would provide that any legislation enacted during the 1979 portion of the 1979–80 Regular Session which takes effect on or before January 1, 1980, and affects any of specified sections affected by this bill, shall prevail over this bill

Ch 256 (AB 612) Rosenthal Medi-Cal provider reimbursement rates—expeditious adoption

Under existing law, the State Director of Health Services is authorized to adopt regulations, pursuant to the Administrative Procedure Act, which set rates of payment for services rendered by providers of health care services under the California Medical Assistance Program (Medi-Cal) Such regulations may be adopted as emergency regulations to take effect immediately if the director makes a finding that the regulations are necessary for the immediate preservation of the public peace, health, and safety or general welfare A provision specifies that the director is the only person authorized to adopt regulations

This bill would require the director to adopt, to the extent permitted by federal law, regulations setting Medi-Cal provider reimbursement rates 30 days after the enactment of the Budget Act and of any other appropriation which changes the level of funding for Medi-Cal services, in order to implement expeditiously the Legislature's budgeting decisions Proposed regulations would be required to be submitted to the Department of Finance 5 days prior to the date of adoption With the written approval of the Department of Finance, the director would be required to adopt such regulations as emergency regulations This bill would also authorize the director's designee to adopt regulations

The bill would take effect immediately as an urgency statute

Ch 257 (SB 219) Alquist Impound accounts

No provision of existing law restricts the amount which may be required by the lender to be paid into an impound account

This bill would prohibit a lender or person who purchases obligations secured by real property who maintains an impound account from either requiring the borrower to deposit in such account in any month an amount in excess of that permitted in connection with certain federally related mortgage loans or from requiring the sums maintained in such account to exceed at any time the amount or amounts reasonably necessary to pay obligations as they become due

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

Ch 258 (AB 580) Papan Insurance agents and brokers

Existing law, until December 31, 1979, prohibits banks or bank holding companies from being licensed as insurance agents or brokers except such entities may be licensed to act under certain circumstances as a life and disability agent Existing law also requires the Insurance Commissioner, after notice and hearing, to revoke the license of any insurance agent or broker controlled by a bank or bank holding company, subsidiary or affiliate thereof, or any officer or employee of a bank, bank holding company, subsidiary or affiliate

This bill would delete such latter requirement and extend the application of existing law indefinitely by removing the December 31, 1979, expiration date

Ch 259 (SB 190) Rodda. Budget

Makes appropriations for support of state government for the 1979–80 fiscal year

Ch 260 (SB 287) Sieroty Taxation

Under the existing provisions of the Sales and Use Tax Law, if any person liable for sales or use tax sells out his business or stock of goods, his successor is required to withhold a sufficient amount of the sales price to cover any outstanding sales and use tax liabilities of his predecessor If the successor fails to withhold the purchase price, he becomes personally liable for the payment of the taxes due

This bill would provide that a successor may petition for a reconsideration of the amount of sales or use taxes due

The existing Sales and Use Tax Law exempts the gross receipts from the sale of, and the storage, use, or other consumption of, original works of art purchased by specified entities only if such work of art becomes part of the permanent collection of a museum

This bill would provide that such exemption shall apply if such work of art becomes part of a permanent collection of a qualified nonprofit corporation under certain specified conditions

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions

This bill provides that no appropriation is made by this act pursuant to Section 2230, but recognizes that local agencies may pursue their other available remedies to seek reimbursement for their revenue losses

Existing provisions of the Use Fuel Tax Law provide that no vehicle using fuel subject to the tax may be transferred without a written tax clearance certificate from the State Board of Equalization

This bill would provide that an excise tax clearance certificate shall not be required to transfer the ownership of a passenger vehicle

The existing Use Fuel Tax Law requires a vendor of fuel to collect the tax when he sells and delivers such fuel into a fuel tank

This bill would provide that when fuel is sold through a keylock mechanism or other unattended mechanism, there is a presumption that the vendor delivered the fuel into the fuel tank of a motor vehicle and the vendor is required to collect the tax from the user

This bill would make technical changes to the Use Fuel Tax Law

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 property limitations thereon, have been based on the assessed value of taxable property and the full value of other property Moreover, Chapter 1207 of the Statutes of 1978 provides that whenever assessed value is used as the test of such exemption, it shall be increased accordingly when the assessment ratio is increased from 25% to 100%

This bill would clarify the meaning of such section, by specifying that the property limitations on the above exemption which are based on the value of assessable property shall also be increased accordingly when the assessment ratio is increased from 25% to 100%

This bill is an urgency measure and would take effect immediately

Ch 261 (AB 549) Frazee Districts maintenance, lighting, county service areas, flood control

(1) Under the County Service Area Law, a county is authorized to fix and collect charges for a particular extended service in any county service area

This bill would authorize a county to fix and collect charges for such service in any zone in a county service area and to impose such charges on the basis of the estimated benefit to each parcel in the extended service area.

(2) Under the County Service Area Law, a county is authorized to collect the charges at the same time and in the same manner as property taxes

The bill would require a county to so collect the charges.

(3) Under existing law, flood control districts, maintenance districts created under the State Water Resources Law of 1945, and Levee District No 1 of Sutter County are authorized to levy an ad valorem tax.

The bill would authorize these districts to levy assessments

(4) Under existing law, ad valorem property taxes are levied for special road maintenance districts, maintenance districts created under the Improvement Act of 1911, and districts created under the Highway Lighting District Act

The bill would authorize assessments to be levied for such districts (for lighting purposes only in the districts created under the 1911 act) and would specify the procedure in the levying and collection of the assessments

(5) Under the Improvement Act of 1911, the board of supervisors may annex territory to a maintenance district upon a determination that the territory will benefit from the annexation

The bill would authorize such annexation of highway lighting districts on the basis of economies and efficiencies in the administration or operation of an existing lighting system of the territory to be annexed

(6) Under the Highway Lighting District Act, upon petition, the board of supervisors may withdraw from a highway lighting district any territory that will not benefit by remaining within the district

The bill would authorize the board of supervisors on its own motion to so withdraw territory from a highway lighting district or to withdraw on the basis of economies and efficiencies in the administration or operation of an existing lighting system of the territory to be withdrawn

(7) Under the Landscaping and Lighting Act of 1972, a hearing is required prior to formation of, or annexation to, a district Notices of hearings for formation of an assessment district, or for the annexation of territory to an existing district, are required to be posted at intervals of not more than 300 feet along all streets within the proposed district or territory to be annexed Notices are also required to be mailed to each property owner

The bill would allow highway lighting districts to be consolidated with districts formed under the Landscaping and Lighting Act of 1972, permit the board of supervisors to dispense with posting notices of a formation change in organization or consolidation under the act if notices have been mailed to property owners, delete the requirement that notice be given to certain types of property, and allow formation of, annexation to, or construction of improvements in, a district under the 1972 act to be accomplished without notice under certain conditions

(8) The bill would require the ordinance authorizing the levying of assessments to be approved by the voters

(9) The bill would make other related changes

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

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

(11) The bill would exempt property owned by federal or state governmental agen-

cies and noncounty local agencies from the assessments which would be authorized for special road maintenance districts, 1911 act maintenance districts (for lighting purposes only), and districts created under the Highway Lighting District Act and from charges imposed under the County Service Area Law

(12) The bill would subject a railroad, gas, water, or electric utility right-of-way or electric line right-of-way to such assessment or charge, only to the extent it is benefited by the improvement or extended service, as the case may be, based on the presumption that the use of the right-of-way for a railroad, gas, water, or electric utility is permanent

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

Ch 262 (AB 1895) Rogers California water districts directors

Under existing law, if a director of a California water district, a landowner-voting district, is elected by division, the director is required to be a resident of the division from which he is elected

This bill would require only that the director be a holder of title to land in the division

The bill would go into immediate effect as an urgency statute

Ch 263 (SB 1038) Nielsen Highway maintenance counties

Existing law allows the Boards of Supervisors of San Bernardino and Riverside Counties to terminate the maintenance of any county highway if it finds that such highway is unnecessary for the public convenience The Legislature has made findings and declarations regarding the unique situation of such counties with respect to county highways.

This bill would repeal such findings and declarations and would make the termination provision applicable to counties, generally It would also require that when the decision to terminate maintenance is made, the county post and maintain signs, as specified, and would provide that the county is thereafter not liable for the death of or injury to a vehicle owner, operator, or passenger, or for damage to a vehicle or its contents, resulting from a dangerous condition on such highway

Ch 264 (AB 842) McCarthy Transportation San Franciso Bay area.

(1) Under the San Francisco Bay Area Rapid Transit District Act, no funds derived from the additional ½% transactions and use tax imposed in the San Francisco Bay Area Rapid Transit District may be allocated by the Metropolitan Transportation Commission, after January 1, 1978, to the district, the Alameda-Contra Costa Transit District, and the City and County of San Francisco for its municipal railway system, unless the commission has made a determination that (a) the transit operator is a participating member of a transit coordinating council, (b) the transit operator's fare revenues equal 33% of its operating costs, and (c) the transit operator has complied with the commission's transportation standards.

This bill would authorize the commission, on and after July 1, 1981, to grant a credit not to exceed 5% to a transit operator, based on special operating characteristics of its transit system, if the transit operator was in compliance with that requirement prior to July 1, 1981 The bill would require, however, the combined fare revenues of the 3 transit operators to meet the 33% requirement, excluding any credit granted by the commission to meet the 33% requirement The bill would require this requirement to be met for the period for which the funds are allocated, which period may vary from 1 calendar quarter to 1 fiscal year as determined by the commission

(2) Under the act, a 25% portion of the tax revenues are allocated to the 3 transit operators to improve the level of transit service beyond that provided on or before January 1, 1978, on the basis of regional priorities established by the commission

The bill would delete the requirement that this portion of the tax revenue be used to so improve the level of transit service On and after July 1, 1980, the allocation of this portion of the tax revenue would be based on a financial management plan discussed in (4) below

(3) Under the act, the tax revenues available for allocation but not allocated by the commission are available for allocation by the commission

The bill would provide that any funds which accumulated during a period an operator is not in compliance with the conditions specified in (1) above may be allocated to any operator in compliance with those conditions at the time of allocation

(4) The bill would require the commission, in coordination with the 3 transit operators, to develop and submit to the Legislature, not later than February 11, 1980, a financial management plan, which would include recommendations and criteria, to continue the vital transit services of the 3 transit operators

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

Ch. 265 (AB 1618) Wray County Employees Retirement Law of 1937 benefits

Existing provisions of the County Employees Retirement Law of 1937 permit members who have left county service to leave their accumulated contributions in the retirement fund and to be granted a deferred retirement at a future date

This bill would provide for the accumulated contributions and interest of a member to be deposited in, and become part of, the current pension reserve fund five years after the member attains age 70, if the member does not apply for retirement after a specified notice is sent to the member's last known address or last known employer

Ch 266 (AB 861) Boatwright. Jurors Contra Costa County

Existing law sets the compensation in Contra Costa County for trial jurors and grand jurors at $6 per day and 15 cents per mile for each attendance, except with regard to grand jury committee meetings for which the per diem is $5

This bill would reduce the per diem for trial jurors and grand jurors to $5 for each attendance and specify that such mileage fee is for one way only

Ch 267 (AB 568) Chappie Fire extinguishers halogenated hydrocarbons

Existing law prohibits marketing, distribution, or sale of fire extinguishers containing carbon tetrachloride, chlorbromomethane, or methyl bromide except, among others, when the purchaser declares the intended use is for extinguishing fires on public utility poles

This bill would delete such exception

Ch. 268 (SB 421) Rodda. Special funds appropriation

(1) Item 164 of the Budget Act of 1978 (Ch 359, Stats 1978) appropriated $1,957,284 from the California Environmental Protection Program Fund for the support of the Department of Motor Vehicles

This bill would appropriate $969,555 from the Environmental Protection Program Fund to augment the original appropriation

(2) Item 426 1 of the Budget Act of 1978, among other things, provides that no deficiencies shall be authorized by the Director of Finance in any appropriation of money from special funds made by the Budget Act for the 1978–79 fiscal year

This bill would, notwithstanding such provisions, appropriate $42,732, or so much thereof as may be necessary, from the unencumbered balance of the Vocational Nurse and Psychiatric Technician Examiners Fund to the Board of Vocational Nurse and Psychiatric Technician Examiners to meet contingencies and emergencies during the 1978–79 fiscal year

The bill would take effect immediately as a statute making an appropriation for the current expenses of the state

Ch 269 (AB 1636) Kelley California water district funds.

Under existing law, money placed by the treasurer of a California water district in the general obligation bond fund of the district is required to be used for the payment of bonds and of the interest thereon and until the total bonded indebtedness of the district is discharged may not be used for any other purpose

This bill would permit any amount in the general obligation bond fund of the Fern Valley Water District in excess of the amount needed to pay principal and interest on bonds during the then current fiscal year and the succeeding fiscal year to be transferred by the treasurer to the general fund of the district

The bill would make legislative findings and declarations as to the necessity for the enactment of the bill as a special law applicable only to the Fern Valley Water District

Ch. 270 (SB 424) Sieroty Industrial loan companies open-end loans

Under existing law, industrial loan companies are permitted to precompute interest on loans In such a case if the loan is prepaid prior to maturity, the borrower is entitled to a rebate of unearned interest

This bill would limit such provisions to premium finance agencies

The bill would become operative on April 1, 1980

Ch 271 (AB 917) Wyman Local agencies extraterritorial property.

Existing law provides that when a local agency owns 50% of all of the land situated within another local agency, which property is to be sold or leased, any person who has occupied or used that property, or a portion thereof, as a lawful tenant for at least 24 of the 36 preceding months, shall be given an opportunity to buy or lease the property at a reasonable price or rental

This bill would permit a local agency owning such property, if it is used for nonagricultural purposes, to sell the property at public auction if the tenant of such property has submitted to the local agency, at least 30 days prior to the date of the auction, a written request that the property be sold at public auction.

Ch 272 (AB 257) Chappie Toll bridges Gold Rush Parkway Authority

Existing law authorizes the Gold Rush Parkway Authority to plan, finance, construct, operate, and maintain a toll bridge across the arm of Folsom Lake which extends up the North Fork of the American River and a system of parkways within the Counties of Placer, El Dorado, and Sacramento

This bill would abolish the authority

Ch 273 (AB 1654) Chappie. Public facilities access to handicapped

Under existing law, all new elevators in public facilities are required to have braille symbols and marked arabic numerals corresponding to the numerals on the elevator buttons embossed immediately to the right thereof Also, all new door casings on all elevator floors shall have the number of the floor on which the casing is located in braille and marked arabic numerals on both sides at a height of approximately 42 inches.

This bill would require, after the effective date of the bill, the symbols and numbers described above in the elevator to be on the left side, rather than on the right side, and the symbols and numbers described above on the door casings to be at a height of 60 inches, rather than 42 inches

Ch 274 (AB 336) McAlister Parolee detention cost reimbursement

Existing law provides that when an alleged parole violator is detained in a county jail pursuant to an order of the Adult Authority or the Governor or pursuant to a valid exercise of a state parole officer's peace officer powers, solely for a violation of the conditions of parole and not on a new criminal charge, the county shall be reimbursed for the costs of such detention by the Department of Corrections The department is required to provide a net reimbursement by deducting from the gross amount of reimbursement all charges for services rendered by the department in connection with the particular detention

Existing law requires that the department shall withhold all or part of such net reimbursement to a county whose jail facility or facilities do not conform to minimum standards for local detention facilities as specified by law

This bill would provide that the department shall withhold such net reimbursement to the county only if the county is failing to make reasonable efforts to correct differences, with consideration given to the resources available for such purposes

This bill would take effect immediately as an urgency statute

Ch 275 (AB 346) Wray Local agency investments

(1) Existing law specifies the investments that may be made by a local agency with surplus funds There is no express authorization for local agencies to purchase or sell securities under repurchase agreements or reverse repurchase agreements

This bill would permit such investments by local agencies

(2) Among the permissible investments of local agencies is the deposit of funds in the Local Agency Investment Fund, a state fund administered by the State Treasurer Currently, no authority exists for the State Treasurer to decline to accept funds of a local agency for deposit in the Local Agency Investment Fund

This bill would authorize the State Treasurer to refuse to accept deposits into the fund

if, in the judgment of the State Treasurer, such deposit would adversely affect the state's portfolio

(3) This bill would incorporate additional changes in Sections 53601 and 53635 of the Government Code proposed by SB 285, to be operative only if this bill and SB 285 are both chaptered and become effective January 1, 1980, and this bill is chaptered last

Ch 276 (AB 1692) Mello Joint exercise of powers.

Existing law provides that if a separate agency or entity is created by the agreement creating a joint exercise of powers agency, the agreement shall designate the treasurer of one of the contracting parties, the county treasurer of the county in which one of the contracting parties is situated, or a certified public accountant to act as the treasurer of the entity Also, the officer performing the functions of auditor or controller for a joint exercise of powers entity shall be of the same public agency as the treasurer, except that when a certified public accountant has been designated as treasurer the auditor of one of the contracting parties or of a county in which one of the contracting parties is located shall be designated as auditor of the entity

This bill would instead, authorize the agency or entity to appoint one of its officers or employees to serve as treasurer or auditor, or both

This bill would also provide that if the agency or entity designates its officers or employees to serve as treasurer or auditor, or both, such officers or employees shall cause an independent audit of the agency's or entity's funds to be made by a certified public accountant or public accountant

Ch 277 (SB 305) Marks Community redevelopment loans

Existing law authorizes community redevelopment agencies to make certain construction and mortgage loans Such existing law requires that both such construction and mortgage loans be insured

This bill would require, instead, that only mortgage loans be insured, as specified It would make conforming changes in existing law to this effect

This bill would take effect immediately as an urgency statute

Ch 278 (SB 258) Alquist Mobilehomes

(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 of any city, county, or city and county imposed fee or tax for a mobilehome, the amount of any mobilehome escrow fee, and the amount of the state fee for issuance of a certificate of compliance with, or waiver of, mandatory vehicle emission regulations These provisions would become operative January 1, 1980

(2) Under existing law, it is unlawful for a licensed vehicle dealer to advertise the total cost of a vehicle without including all costs to the purchaser at the time of delivery, except sales tax, registration fees, a dealer documentary preparation charge, a fee for a certificate of compliance with, or waiver of, mandatory vehicle emission regulations, and finance charges.

The bill would specify instead that it is unlawful for a dealer to advertise the total cost of a vehicle without including all costs to the purchaser at time of sale instead of delivery It would also provide that in addition to the other costs specified above, mobilehome escrow fees and local fees or taxes are not required to be included in the total advertised price of a mobilehome

(3) Under existing law it is unlawful to fail to indicate in a vehicle advertisement that charges for sales tax, dealer documentary preparation charges, registration fees, the cost of a certificate or compliance with, or waiver of, emission standards will be added to the advertised total price

This bill would require, in addition, that notice be given in the vehicle advertisement that finance charges, mobilehome escrow fees, and the amount of any city or county imposed tax for a mobilehome will be added to the advertised total price, if applicable

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

Ch 279 (AB 1706) Frazee County funds· warrants

Under existing law, county warrants generally become void if not presented to the

county treasurer for payment within 6 months after the date of issuance Under specified circumstances, within 2 years after having become void, a void warrant may be replaced by a new warrant.

This bill would allow replacement of a warrant after a period of 2 years from the date on which the original warrant became void, or such other period as specified by ordinance, if the governing body of the agency on which the warrant was drawn determines that it would be inequitable or unreasonable under the facts of the individual case not to do so, and money is available in the county treasury to make payment on the indebtedness A replacement warrant would be made subject to the same limitations as the original warrant

Ch 280 (AB 499) Vicencia. Alcoholic beverages

Existing law prohibits a licensed importer of distilled spirits from purchasing or accepting delivery of any brand of distilled spirits unless he is designated as an authorized importer of such brand by the alcoholic beverage licensee who files a minimum retail price schedule for such brand, as specified

This bill would revise such prohibition to require that such licensed importer be designated as an authorized importer of such brand of distilled spirits by the brand owner or his authorized agent prior to such purchase or delivery

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

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

Ch 281 (AB 1713) Deddeh Municipal water district charges

Under existing law, the maximum permissible annual standby charge in any improvement district within the Eastern Municipal Water District and the Western Municipal Water District of Riverside County, or within the Otay Municipal Water District in San Diego County, is $20 per acre or parcel less than an acre, but the proceeds from any such charge in excess of $10, which is the maximum permissible amount in municipal water districts generally, is required to be used only for the purposes of the improvement district

This bill would, applicable only to improvement districts situated within the Otay Municipal Water District, change the maximum permissible annual standby charge in any such improvement district to $30 per acre or $10 for a parcel less than an acre.

Ch 282 (AB 8) Greene Public Finance

(1) Under the law in effect only for the 1978–79 fiscal year, apportionments from the State School Fund to school districts, county superintendents of schools, and community college districts were computed utilizing formulas which were based upon the apportionments to such entities in the 1977–78 fiscal year

Existing statutes prescribe a method of computing apportionments to school districts, community college districts, and county superintendents of schools based upon the computation of basic aid and equalization aid Such method provides for the levy of local property tax to provide a portion of the required financial support For such purposes, the law prescribes a method of computing a revenue limit for each school district from which is derived the maximum tax rate of the school district Maximum general purpose tax rates are prescribed for community college districts and county superintendents of schools Article XIII A of the California Constitution, however, limits the amount of local property taxes which can be levied and collected and so limits the ability of a district to levy and collect the maximum tax rates provided for by current statutory law

This bill would provide for a revised method of computing revenue limits of and apportionments to school districts The amount of the revenue limit would be adjusted pursuant to a specified inflation adjustment The inflation adjustment for each district would be modified to reflect the relationship between district expenditures and specified amounts for each type of district The amount of the revenue limit would also be

adjusted for various other factors including, for example, increases for court-mandated costs and specified transportaion costs of small school districts

The Superintendent of Public Instruction would be required to apportion to each school district from Section A of the State School Fund a specified amount which, generally speaking, would be the difference between the revised revenue limit and local tax revenues in each fiscal year

This bill would provide for the computation of state apportionments for the support of specified activities of county superintendents of schools Such apportionments would be based upon certain actual expenditures of county superintendents of schools Annual adjustments would be prescribed for inflation

This bill would, for the 1979–80 and 1980–81 fiscal years, provide for the allocation of state support for community college districts from Section B of the State School Fund based on a calculation of actual district expenditures in the 1977–78 school year, and a base amount per unit of average daily attendance as adjusted for inflation and as adjusted to equalize the position of districts based upon relative district expenditures Such calculation would also be adjusted for specified incremental costs for increases or decreases in average daily attendance

The Chancellor of the California Community Colleges would be required to allocate a specified amount to each community college district from Section B of the State School Fund which would, generally speaking, be the difference between the computed amount and local property tax revenue

(2) Existing statutes provide for the annual transfer of specified amounts from the General Fund to Section A and Section B of the State School Fund for the support of school districts, community college districts, and county superintendents of schools. Item 338 of the Budget Act of 1979 appropriated $2,698,237,565 in lieu of those provisions which provided for such annual transfers, and made the receipt of such funds subject to numerous conditions

This bill would require the transfer of a specified amount for the 1979–80 fiscal year to Section A of the State School Fund, in lieu of those specific statutes and Item 338 of the Budget Act of 1979, and would make the receipt of such funds subject to certain conditions It would also enact new statutes requiring the annual transfer of specified amounts from the General Fund to Section A of the State School Fund for the 1980–81 fiscal year and fiscal years thereafter

This bill would also appropriate specified amounts from the General Fund to Section B of the State School Fund for the allocations required by the bill in the 1979–80 and the 1980–81 fiscal years

(3) Existing law provides for a State Teachers' Retirement System which is funded by a combination of state appropriations and contributions from members and employing agencies based upon the amount of the salaries paid to employees It also provides for the annual appropriation of $144,300,000 from the General Fund to the State Teachers' Retirement Fund

This bill would provide beginning July 1, 1980, for the annual appropriation of $144,300,000 from the General Fund to the State Teacher's Retirement Fund, such amount to be adjusted for changes in the California Consumer Price Index. This bill would also provide for the annual transfer of additional amounts according to a specified schedule

(4) This bill would provide for the apportionment of funds to qualifying school districts for the purpose of deferred maintenance

(5) This bill would enact the Emergency School Classroom Law of 1979 which would authorize the State Allocation Board, from funds appropriated to the State School Building Aid Fund for such purpose, to acquire portable classrooms and require the board to lease such facilities to qualifying school districts and county superintendents of schools for not less than $1 nor more than $2,000 per portable classroom per year, would prescribe various conditions regarding such leases, and would require the State Allocation Board to adopt specified rules, regulations, and specifications

The bill would permit the State Board of Education to waive certain pupil-teacher ratio provisions in the case of school districts which lease portable classrooms

The bill would appropriate $13,000,000 from the General Fund to the State School Building Aid Fund for purposes of the Emergency School Classroom Law of 1979

The bill would provide for the transfer of funds under specified conditions from

specified sources to the State School Building Lease-Purchase Fund, or its successor

(6) This bill would authorize a school district to enter into certain leases and agreements with a nonprofit corporation for the lease of school facilities with provision for the imposition of an owner's development lien by the school district, as specified, on all property in the territory to be benefited to pay the district's lease obligations

(7) Current law permits, until June 1, 1980, any school district to lease real property or buildings on a district-owned site to private persons, firms, or corporations and authorizes joint use of such buildings.

This bill would delete the provision repealing such laws as of June 1, 1980

(8) This bill would, among other things, limit the number of years fees imposed for interim classroom and related facilities can be collected following approval of a residential development

(9) This bill would also affect various miscellaneous provisions such as those relating to the use of bond proceeds available for certain vocational education facilities, provisions relating to staffing ratios, provisions defining "miscellaneous funds" for school apportionment purposes, provisions relating to testing of pupil participants in bilingual education programs, and provisions dealing with the use of instructional materials adopted by the State Board of Education.

(10) Existing law prescribes numerous programs pursuant to which funds are allocated to school districts and county superintendents of schools on the basis of the number of particular categories of pupils for whom the district provides educational services or upon the basis of the particular type of service provided to some or all pupils of the district

This bill would specify that, unless the Legislature enacts legislation providing otherwise, certain of these programs will become inoperative on specified dates between June 30, 1981, and June 30, 1984

This bill would require that funds which had been used to provide services under the programs be used to benefit the same general category of pupil This bill would also prescribe a penalty if such funds were not so used

(11) Existing law in effect for the 1978-79 fiscal year provides for the levy and collection of a local property tax of $4 per $100 of assessed valuation and for the apportionment of the tax proceeds among the taxing entities of the county

This bill would provide different methods by which the county auditor would allocate property tax revenues and would provide methods for adjusting such allocations when local agencies have changed jurisdictional areas and functions.

(12) Existing law requires that in determining the amount of specified state funds to be distributed to a local agency, a deduction, as specified, be made if the local agency's general fund reserve balance, as defined, exceeded a specified amount Existing law also requires funds distributed to a city to be used as specified for police and fire protection programs

This bill would eliminate these requirements as to any city formed during or after fiscal year 1977-78

This bill would revise the definitions of the reserve balances

This bill would require the State Controller to make any necessary reconciliations in state funds allocated to counties and cities no later than August 10, 1979, and would make certain technical changes in provisions enacted by Chapters 292 and 332 of the Statutes of 1978

(13) Existing law requires that the amount allocated to a county or city and county be reduced by an amount equal to the county or city and county share of state funds received for the support of certain needy children in institutions, boarding homes, and foster homes

This bill would eliminate such reductions.

(14) The bill would also appropriate $221,000 for allocation and distribution by the State Controller to certain cities, as specified

(15) Under existing law, there is in the State Treasury the Local Agency Indebtedness Fund which is available for loans made by the Pooled Money Investment Board to local agencies for the purpose of making payments due on certain nonvoter approved bonds during the 1978-79 fiscal year

This bill would permit the Pooled Money Investment Board to also make such loans during the 1979-80 fiscal year

(16) The bill would provide for reductions, as specified, in monies for local assistance in fiscal year 1980-81 and thereafter, under specified conditions

(17) The bill would provide for an audit of financial transactions of local governments by the Auditor General

(18) Under existing law, the state finances 90% of the costs of approved county Short-Doyle plans for mental health services and approved county programs for alcoholism The state also paid the county 10% share for the 1978–79 fiscal year.

This bill would provide that the state pay the county 10% share for Short-Doyle plans and county alcoholism programs until July 1, 1982, except that the state would pay such county share with respect to state hospital services under both programs only until January 1, 1980

(19) Under existing law, the counties pay a specified annual share of the cost of the California Medical Assistance Program (Medi-Cal) and the State Supplementary Program for the aged, blind, and disabled (SSP) The share is adjusted annually and is based on the county's taxable assessed value of assessed property

Under the Aid to Families with Dependent Children program (AFDC), the counties pay 32 5% of the aid grants and 50% of the nonfederal administrative costs of the program, with specified exceptions With respect to aid for adopted hard-to-place children, the counties pay 32 5% of the first $120 of the aid grant and any amount above such amount Under the Aid to the Potentially Self-Supporting Blind program (APSB), the counties pay only the 50% of the nonfederal administrative costs Under the Food Stamp Program (FSP) each county pays an amount equal to its 1973 administrative costs less the federal share of administrative costs

For the 1978–79 fiscal year only, the state pays the following

(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

This bill would provide for state assumption of all county costs of Medi-Cal, SSP, and aid for adopted hard-to-place children The state would pay 95% of the grant costs for AFDC foster care for the period July 1, 1979, to December 31, 1983, and thereafter the state and counties would pay the shares prescribed by existing law for such grant costs The state would pay 89 2% of other AFDC grant costs The state would pay 83 3% of the nonfederal costs of county administration of the payment of aid grants except AFDC The state would pay 50% of the nonfederal costs of county administration of the payment of AFDC grants and the distribution of food stamps, and the same percentage of the nonfederal costs of eligibility and nonservice staff development The state would not pay any administrative costs for activities related to the collection of support from noncustodial parents or the determination of paternity in the case of a child born out of wedlock except as specified The state would pay the state share of the nonfederal costs of county administration of the payment of aid grants, the distribution of food stamps, and the determination of Medi-Cal eligibility, subject to the provisions of county administrative costs control plans to be established by state departments

(20) 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 SSP

This bill would require the department to implement in all counties by July 1, 1984, a centralized delivery system as specified It would require the department to submit to the Legislature a detailed work plan for implementation of the system and annual reports

The bill would require the department to develop for the AFDC foster care program a management information data base, a quality control system by October 1, 1980, a system for establishing aid payment levels by July 1, 1981, and county performance standards to be adopted by regulation no later than April 15, 1981 It would also require the department to study and assess the operations of the Support Enforcement Incentive Fund and to report to the Legislature its finding and recommendations

The bill also would authorize the Director of Social Services to hold counties financial-

ly liable for AFDC ineligibles and overpayments as prescribed and for not meeting the county performance standards for the AFDC foster care program

(21) Existing law contains numerous provisions authorizing state financial assistance for county programs relating to public health

The bill would require each county to submit annually to the State Director of Health Services a plan and budget for county health services as defined The net county costs of health services specified in the budget would be annually appropriated to the County Health Service Fund for allocation to counties, as specified

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

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

This bill would take effect immediately as an urgency statute

Ch 283 (AB 191) Torres Health facilities patient detention

(1) Existing law contains no express statutory provision prohibiting the detention of persons in health facilities solely for the nonpayment of a bill

This bill would prohibit any patient from being detained, as defined, in a health facility solely for the nonpayment of the bill [A violation of such provision would constitute a misdemeanor]*

It would prescribe that a person so detained in a health facility has a cause of action against a health facility, as specified ~~It would also specify that a violation of its provisions constitutes a misdemeanor.~~*

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

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

Ch 284 (AB 215) Vicencia. State agencies regulations

Existing law requires an agency to publish a notice, with an agenda at least one week in advance of a meeting and provides that emergency meetings may be held with less than one week's notice when necessary to discuss unforeseen emergency conditions.

This bill would provide that emergency meetings held for the purpose of adopting emergency regulations require no prior notice or agenda, except that the agency shall make a reasonable effort to contact any persons requesting notice as specified

Existing law requires a copy of the California Administrative Register to be supplied to each standing committee of both houses of the Legislature.

This bill would require instead that a copy of each issue of the California Administrative Code Notice Supplement be supplied to each standing committee of both houses of the Legislature and to each Member of the Legislature

Existing law requires state agencies to prepare a written statement when adopting new or emergency regulations.

This bill would require the informative digest in the statement to be drafted in a format similar to the Legislative Counsel's digest and would require cost estimates in the statement to be prepared pursuant to guidelines prescribed by the Department of Finance The bill would also provide that such new or emergency regulations shall not be invalidated if there is substantial compliance with the notice and summary requirements

The bill would take effect immediately as an urgency statute

Ch 285 (SB 602) Wilson Elections nomination papers

(1) Existing law specifies the number of signers for a nomination paper for candidacy in a single county or any political subdivision of the county, other than State Senate or Assembly, as not less than 20 nor more than 30

This bill would raise such maximum to 40 signers

(2) Existing law does not specifically authorize the clerk to cease verifying signatures on nomination papers once the minimum requisite number of signatures has been verified

This bill would provide such authorization

Ch 286 (AB 620) Hannigan Community services districts street lighting

(1) Existing law authorizes a community services district to prescribe, revise, and collect rates or other charges for the services or facilities furnished, which may be collected together with the charges for other services or facilities rendered by it on the same bill, and, if all or part of the bill is not paid, the district may discontinue any or all services or facilities for which the bill is rendered. The district may provide for the collection of charges, may provide for penalties, and may provide for the collection of penalties Remedies for the collection and enforcement of charges are cumulative Such charges and penalties are not expressly authorized to be added to the district's general taxes for collection

This bill would authorize a community services district to collect rates or charges or delinquencies levied against lots or parcels of land for street lighting purposes on the county tax roll in the manner specified in the bill, with the same penalties and remedies as such taxes

The bill would also provide that rates or charges, and the interest and penalty thereon, for street lighting purposes shall be a lien against the lot or parcel of land against which the charge was imposed if such charges remain delinquent for 60 days and are recorded with the county recorder

The bill would require, when a district elects to collect rates or charges or delinquencies for street lighting purposes on the county tax roll or establish a service charge lien pursuant to the provisions of the bill, that it reimburse the county for the expenses the county may reasonably incur

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

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

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

Ch 287 (AB 712) Moore Retirement board official functions

Existing law does not provide for school districts to allow release time for certificated employees to serve on the Teachers' Retirement Board and its committees and subcommittees and panels without loss of compensation and retirement benefits Nor does existing law require that the State Teachers' Retirement System reimburse the school district for the cost of replacing the member while he or she attends the meetings or serves on the panels

This bill would provide for such release time for certificated employees, and such reimbursement by the system to the district, and would take effect immediately as an urgency statute

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 of the Revenue and Taxation Code for any costs incurred by local agencies pursuant to the act for a specified reason, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 288 (AB 1292) McAlister Unemployment insurance confidentiality of records

Existing law generally restricts the Director of Employment Development from disclosing information obtained in the administration of the provisions of the Unemployment Insurance Code except for specified purposes Existing law also provides that such information is inadmissible in evidence in any proceeding other than, among others, a

proceeding to determine entitlement to public social services

This bill would require the director to permit the use of such information by county administrators for general relief and district attorneys for proceedings for unlawful public social services benefits, and would also provide that such information is admissible in a proceeding to determine entitlement to locally provided general relief or assistance.

Ch 289 (AB 1603) Knox Implied indemnity

Under existing law, the prevailing party in a civil action is not generally entitled to recover attorney's fees. Even where a person is successful in an action for implied indemnity, case law has held he is not entitled to recover attorney's fees absent unusual circumstances However, case law has held that where a person has been required to bring or defend an action to protect the interests of another he may recover attorney's fees from that person in certain circumstances.

This bill would provide that upon motion, a court may award attorney's fees to a person who prevails on a claim for implied indemnity after reviewing the evidence in the principal case if the indemnitee, through the tort of the indemnitor, has been required to bring or defend an action, if the indemnitor was properly notified, and if the indemnitee was without fault in the principal case, as specified

Ch 290 (AB 1617) Wray. Energy conservation transportation

Under existing law, the Department of Transportation is authorized to establish carpool programs in metropolitan areas with funds made available for such purposes from any source

This bill would employ the term, "ridesharing" in reference to such programs and specify that the programs include vanpooling and buspooling, in addition to carpooling The bill would make other nonsubstantive or clarifying changes

Ch 291 (AB 1646) Torres. Juvenile court law

Existing law provides that certain functions of the probation officer may be performed by probation aides and probation volunteers

This bill would also authorize such functions to be performed by community volunteers.

Ch. 292 (SB 237) Petris State taxes property tax postponement.

Existing Personal Income Tax Law authorized resident taxpayers whose adjusted gross income is less than $15,000, or such other amounts as prescribed by the Franchise Tax Board, to elect to compute their taxes under optional tax tables promulgated by the Franchise Tax Board

This bill would repeal such election and would require any individuals with taxable income of less than $40,000, or such other amounts as prescribed by the Franchise Tax Board, to compute their personal income taxes under tax tables promulgated by the Franchise Tax Board

Under existing provisions of the Personal Income Tax Law, a taxpayer may elect to take a standard deduction of $1,000, or $2,000 in the case of a head of household, surviving spouse or married couple filing a joint return, in lieu of certain itemized deductions Such provisions specify that if the adjusted gross income of the taxpayer is less than $10,000, the standard deduction shall be determined under the tax tables prepared by the Franchise Tax Board

This bill would eliminate such mandatory determination of the standard deduction under the tax tables.

Under the Personal Income Tax Law and Bank and Corporation Tax Law, a taxpayer is prohibited from taking a deduction for certain expenses paid or incurred with respect to substandard housing, as defined, as determined according to specified procedures.

This bill would revise such procedures.

Existing personal income tax law provides that declarations of estimated tax for taxable years beginning on or after January 1, 1973, shall generally be filed on or before April 15 of the taxable year, with certain exceptions, but provides that declarations of estimated taxes for such taxable years from individuals whose estimated gross income from farming or fishing for the taxable year is at least ⅔ of the total estimated gross income for the taxable year, may be filed at any time on or before January 15 of the succeeding

taxable year

This bill would apply such extended period for filing declarations of estimated taxes to individuals whose gross income from farming or fishing shown on the return for the individual for the preceding taxable year is at least ⅔ of the total gross income shown on such return

The Franchise Tax Board, for the purposes of administering its duties under the Personal Income Tax Law and the Bank and Corporation Tax Law, is provided with the power to examine any books, papers, records, or other data which may be relevant to such purpose

This bill would revise the scope of the purposes for which the Franchise Tax Board is empowered to examine such books, papers, records, or other relevant data

Existing provisions of the Bank and Corporation Tax Law prohibit disclosure of tax return information if it relates to business affairs of the corporate entity, but do not prohibit disclosure of extraneous information, as defined

This bill would prohibit disclosure of extraneous information unless the request specifies the name of the corporate entity and there is no reason to believe that the information is to be used for commercial mailing list purposes

Under existing provisions of the Senior Citizens Property Tax Assistance and Postponement Law, the Franchise Tax Board is mandated to prescribe all rules and regulations necessary for the enforcement of such law

This bill would repeal such mandate and would specify that except as otherwise provided by such law, the Franchise Tax Board shall administer and enforce such law and that the provisions relating to the administration of the Personal Income Tax Law shall apply to such law, and would require that certain procedures shall be adhered to in the determination of whether a property tax postponement has been erroneously granted

Certain corporations exempted from taxes imposed by the Bank and Corporation Tax Law which have unrelated business income subject to taxes are required to file a return within 2 months and 15 days following the close of the income year

This bill would extend the period in which such return must be filed to the fifteenth day of the fifth month following the close of the income year

Existing Bank and Corporation Tax Law defines a distribution, made by a bank or corporation to a shareholder with respect to its stock, and specifies that the portion of the distribution which is a dividend shall be included in gross income, and that any portion of the distribution which is not a dividend shall be applied against, and reduce, the adjusted basis of the stock

This bill would revise the method of computing the amount of a distribution, for such purposes

Under existing law, the Controller is required to transfer from the General Fund to the Local Agency Code Enforcement and Rehabilitation Fund an amount equal to the net taxes collected due to the denial of deductions for costs relating to substandard housing, as defined, for distribution of such continuously appropriated money to local agencies.

This bill would change the date on which the Controller shall transfer such amount from the General Fund to the Local Agency Code Enforcement and Rehabilitation Fund each year

This bill would also make certain technical corrections.

This bill would also provide that for purposes of the Personal Income Tax Law, references to the California Consumer Price Index shall mean the California Consumer Price Index for All Urban Consumers

This bill would take effect immediately as a tax levy

Ch 293 (SB 548) Marks. Physically disabled persons

Existing law grants totally or partially blind persons the right to be accompanied by a guide dog in designated modes of transportation and places of public accommodation

This bill would extend such right to deaf persons and to persons whose hearing is impaired accompanied by signal dogs and make related technical changes

It would also expressly provide that expenses incurred by a visually handicapped person or deaf person in connection with the care and maintenance of a guide dog or signal dog, including veterinary expenses, shall be deductible as a medical expense

under the Personal Income Tax Law

Ch 294 (AB 289) 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 include manufacturers or retail or wholesale merchants

This bill would delete the phrase "manufacturers or retail or wholesale merchants" and substitute persons whose principal business is the sale of merchandise, including those who manufacture what they sell It would specifically exempt transfers of alcoholic beverage licenses from such provisions on bulk transfers with specified exception

Existing law requires a transferee of a bulk sale within 30 days after the transferee takes possession of the goods to apply the consideration for such sale 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

This bill would extend such time period to 45 days

With respect to bulk transfers, consideration for which has been deposited in escrow, existing law requires the escrow agent to distribute the consideration in accordance with the legally applicable liens and priorities of the creditors filing claims.

This bill would establish an order of priorities

Existing law requires that a notice to creditors of an intended bulk transfer be published at least once in a newspaper of general circulation published in the judicial district in which the property is located

This bill would additionally require such publication in the judicial district, if different, in which the chief executive office of the transferor, or if the chief executive office is not in California the principal business office in California, is located

Existing law provides that no action may be brought nor levy made more than 1 year after the date on which the transferee takes possession of goods unless the transfer has been concealed

This bill would additionally provide that if a bulk transfer is subject to and complies with specified provisions, no levy may be made by a creditor of the transferor on the proceeds of sale in the hands of the transferee or escrow agent after the transferee takes legal title to the goods, except to the extent of that creditor's share of the proceeds

This bill would take effect immediately as an urgency statute

Ch 295 (AB 1129) Wyman Air pollution motor vehicles inspection

Under existing law, the State Air Resources Board entered into a contract with a single private entity to conduct a motor vehicle inspection program in the South Coast Air Basin for motor vehicles upon initial registration and change of ownership

This bill would prohibit the extension of that program into the Southeast Desert Air Basin except by statute

Ch 296 (SB 303) Dills Contract carriers armored vehicle guards

Under existing law, armored contract carriers are not included within the definition of a licensee for purposes of the Private Investigator and Adjuster Act

This bill would include such persons within such definition and would authorize the Director of Consumer Affairs to adopt and enforce reasonable rules concerning qualifications and classifications of such armored contract carriers

Existing law requires specified licensees, or employees thereof, who in the course of such employment carry a deadly weapon, to complete a course in the powers of arrest and the carrying and use of firearms

This bill would include armored vehicle guards within such requirement, however, such persons would not be required to complete a course of training in the exercise of the powers of arrest

Existing law provides generally for the regulation, licensing, and registration of private investigators as well as various other occupations licensed pursuant to the Private Investigator and Adjuster Act

This bill would exempt armored contract carriers from certain specific provisions of such act

Existing law exempts, among others, private investigators and private patrol opera-

tors, as specified, from penal provisions prohibiting the carrying of a loaded firearm
This bill would include specified armored vehicle guards in such exemption
This bill would take effect immediately as an urgency statute

Ch 297 (SB 1188) Watson Subdivision maps
Existing law provides that an approved or conditionally approved tentative subdivision map will expire after a specified period of time with certain exceptions
This bill would provide that such period of time could be extended by a city or county for up to 5 years while litigation involving the approval or conditional approval of the map is pending, if the subdivider applies for a stay, as provided, and if the city or county approves such extension, as provided
The bill would take effect immediately as an urgency statute and have retroactive effect, as specified

Ch 298 (AB 1750) Hayden Decedents' estates intestate succession
Under existing law, if a decedent leaves neither spouse nor issue, the community property of the decedent and the decedent's predeceased spouse and certain separate property of the predeceased spouse which came to the decedent by virtue of the death of the predeceased spouse passes by law to the children of the predeceased spouse and to their descendants by right of representation and, if none, then to the parents of the predeceased spouse or to the brothers and sisters of the predeceased spouse and to their descendants by right of representation
This bill would revise such provisions by limiting the portion of the decedent's estate which passes to the children and relatives of the predeceased spouse to that portion of the decedent's estate which is attributable to the decedent's predeceased spouse, as such term is defined The remainder of the decedent's estate would pass to the decedent's heirs or, if none, to the children of the predeceased spouse and to their descendants

Ch 299 (SB 135) Zenovich Vehicles overwidth permits
Existing law specifies the maximum allowable width of vehicles and, generally, prohibits operating vehicles which exceed the width limitation upon the highways The Department of Transportation may at its discretion, upon an application in writing and a showing of good cause, issue a special permit to move or operate vehicles of a size or carrying a load which exceeds the maximum width
This bill would permit the department to issue overwidth permits to companies in the business of manufacturing or transporting trusses, as defined, provided the load does not exceed 12 feet in width and complies with the department's regulations governing extra-legal loads. The bill would specify that overwidth loads would not be permitted on any highway in the national system of interstate and defense highways if permitting the loads would prevent the state from receiving any federal funds for highway purposes

Ch 300 (SB 184) Presley Medical research cannabis sativa.
Under present law cannabis sativa, commonly known as marijuana, and its derivatives are controlled substances classified in Schedule I by both state and federal statutes As such, these substances may not be dispensed or administered for medical purposes, but may be used for purposes of medical research if prescribed approval is obtained Nothing in present law provides for a state administered research program into the therapeutic uses of cannabis and its derivatives
This bill would require the Research Advisory Panel to establish a prescribed pilot program of limited duration for coordinating research into the medical uses of cannabis sativa and its derivatives in treating patients suffering from cancer, and the panel could also include glaucoma patients in a later phase of the program The bill would require the panel to develop guidelines and protocols for such program Actual clinical trials would be conducted by physicians and patients approved for participation in the program The bill would authorize the panel to contract for pharmaceutical formulation, distribution, and testing of cannabis and cannabinoids and to obtain such substances from prescribed sources The panel would be required to charge participating physicians for the reasonable cost of obtaining and testing cannabis or cannabinoids supplied
This bill would require the panel to annually report to the Legislature on the status

and results of the program, as specified The pilot program would be terminated without further action of the Legislature 4 years from the date cannabis or its derivatives are first made available to patients under the program or December 31, 1984, whichever first occurs

The bill would require the Research Advisory Panel to appoint to the panel two additional board members with prescribed qualifications, who would serve at the pleasure of the panel while the above provisions remain effective

This bill would repeal the provisions authorizing the above-described pilot program on June 30, 1985, unless extended by a bill chaptered prior to such date

This bill would appropriate $100,000 for expenditure to fund the pilot program during the initial 12 months of development and operation

Ch 301 (AB 822) Chappie Schools Field Act exemption and school building aid

(1) Existing law authorizes the San Juan Ridge Union Elementary School District to utilize specified sites as temporary school facilities pending the construction of a new school building and generally exempts such temporary facilities from standards prescribed by the so-called Field Act until June 30, 1979

This bill would extend the district's authorization to utilize such specified sites and would also allow the district to utilize an additional site as a temporary school facility This bill would exempt such facilities from Field Act standards until June 30, 1982

(2) Under current law, county superintendents of schools must require school districts with excess proceeds from taxes levied for purposes of correcting structural defects in school buildings, to use such proceeds to repay to the state apportionments outstanding against the district under a school building aid program for the replacement of unsafe school facilities

This bill would authorize the Placer Union High School to use such excess tax proceeds for structural improvements for renovation of a specified building

(3) Under current law, conditional apportionments granted pursuant to the State School Building Aid Bond Law of 1952 remain effective for a period of 9 months from the date of the grant by the State Allocation Board, and after such time if the apportionment does not become final, as provided, the conditional apportionment becomes void.

This bill would provide, until February 1, 1980, that conditional apportionments made after July 1, 1978, which do not become final within 9 months as provided by current law, would become final if the bonds in amounts originally prescribed by the State Allocation Board are purchased by the Farmers Home Administration and placed on deposit in the district's state school building fund

(4) Under current law, the county board of supervisors sets a county tax rate sufficient to repay state school building aid loans

This bill would defer the repayment of state school building loan amounts for the fiscal year 1978–79 for the El Dorado Union High School District and would provide for repayment of such loans in the fiscal year 1979–80

(5) Existing law authorizes the Potter Valley Community Unified School District to use specified buildings as temporary school facilities pending the construction of new school buildings and exempts such buildings from the standards of the so-called Field Act until the end of the 1978–79 school year

This bill would extend the district's authorization to utilize such buildings and exempt the buildings from the Field Act standards until June 30, 1980

(6) Under existing law, school buildings are generally required to comply with the Field Act

This bill would, until June 30, 1982, authorize the Lincoln Unified School District to house pupils in the Career High School buildings and exempt such facilities from the Field Act

This bill would, until June 30, 1982, authorize the Main Prairie Continuation High School in the Dixon Unified School District to use a specified building and exempt such building from the Field Act

(7) Currently, the law prohibits school districts from leasing temporary use buildings for a term exceeding 3 years if such buildings do not conform to the so-called Field Act

This bill would permit the Black Butte Union Elementary School District to continue to lease specified facilities until June 30, 1980, and would exempt such facilities from provisions of the so-called Field Act

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

Ch 302 (AB 867) Wray Veteran's revenue debentures

(1) Under existing provisions of the Veterans' Revenue Debenture Act of 1970, debentures are required, among other things, to bear the facsimile signature of the State Controller, be endorsed by the State Treasurer, and bear the State Seal

This bill would revise these provisions to instead require the facsimile signature of the Deputy Director of Veterans Affairs, be endorsed by the trustee, and bear the seal of the Department of Veterans Affairs

(2) Existing law authorizes the resolution of issuance of such debentures to provide for a bank or trust company to be appointed trustee

This bill would direct the State Treasurer to act as trustee, but would allow appointment of a bank or trust company as trustee instead

(3) Existing law provides for a pledge of revenues as security for any debentures issued pursuant to these provisions

This bill would authorize the department to instead pledge an undivided interest in the assets of the Veterans' Farm and Home Building Fund of 1943. It would also allow the department to vary the rate of interest charged on veterans' purchase contracts pursuant to provisions of the Veterans' Farm and Home Purchase Act of 1974

(4) This bill would become effective immediately as an urgency statute

Ch 303 (AB 1560) Knox Health care service plans peer review

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

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

Ch. 304 (AB 1639) Hayes. Zoning charter cities

Existing law requires that the zoning ordinances of cities and counties be consistent with the general plan of such city or county This requirement is not generally applicable to chartered cities, although in the case of a chartered city of 2,000,000 or more population, existing law requires that a zoning ordinance of such city adopted prior to January 1, 1979, be consistent with the general plan of such city by January 1, 1981.

This bill would, instead, require such consistency in such a chartered city by July 1, 1982

Ch. 305 (AB 1695) Nolan Grand juries redevelopment agencies.

Existing law does not specifically authorize grand juries to investigate and report on the operation of redevelopment agencies.

This bill would authorize grand juries to investigate and report on the operation of redevelopment agencies

Ch 306 (AB 1759) Priolo Grand jury LAFCO investigation

Existing law specifically authorizes a grand jury to examine the books and records of any special purpose assessing or taxing district located wholly or partly in the county and to investigate and report upon the method or system of performing the duties of such district

This act additionally would specifically give such investigating and reporting authority to the grand jury with respect to the local agency formation commission in the county

Ch 307 (AB 1702) M. Waters Habitability of dwellings

Existing law provides that a dwelling shall be deemed untenantable if it substantially lacks specified affirmative standard characteristics, including waterproofing, plumbing, and electrical facilities

This bill would provide that a dwelling shall also be deemed untenantable if such dwelling lacks gas facilities, as specified

Existing law provides that the lessor shall have no duty to provide a habitable dwelling or to repair subsequent dilapidations if the tenant is in substantial violation of specified

affirmative obligations

This bill would provide that the tenant's violation must substantially contribute to the dilapidation or interfere with repairs by the landlord

Existing law permits a lessee to repair certain dilapidations in a dwelling and, where the cost does not exceed the sum of 1 month's rent for the premises, to deduct the cost of such repairs from the rent owed, provided that

(1) A 30-day notice is given to the lessor This bill would provide that such notice may be written or oral, to the landlord or his agent, as defined

(2) The dilapidations are not substantial This bill would require such dilapidations to be of the type rendering the premises untenantable

(3) Instead of repairing the dwelling, the lessee may vacate the premises and be discharged from further rent payments or performance of other conditions, but the lessee may not pursue this remedy more than once in any 12-month period This bill would provide that such discharge for rent payments and other conditions shall occur as of the date of vacating the premises and would provide that the remedy shall not be available more than twice in any 12-month period

(4) Repairs made by the lessee after a specified time following notice to the lessor are presumed to have been made after a reasonable time, and such presumption affects the burden of producing evidence This bill would provide that such presumption is rebuttable and shall not be construed to prevent repairs by a tenant on shorter notice, where all the circumstances require shorter notice

This bill would also provide that the remedy of repair-and-deduct shall be available to the tenant in addition to any other remedy provided by statute, common law or rental agreement, but shall not be available with respect to dilapidations caused by the tenant's want of ordinary care or due to a violation of specified affirmative obligations as provided by this bill

This bill would, in addition, make various technical, nonsubstantive changes in the law

This bill would provide that certain amendments would only apply to leases, rental agreements, and renewals thereof, executed or occurring on or after January 1, 1980

Ch 308 (SB 553) Nimmo State employees' health insurance.

Existing law provides basic and related major medical plans for state officers and employees and requires the state to contribute $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 The state's contributions are statutorily appropriated monthly from the General Fund and other funds in the State Treasury

This bill would no longer require any particular specified state contributions and would provide instead, that contributions shall be adjusted by the Legislature in the annual Budget Act based on specified principles

The bill would become operative on July 1, 1979

This bill would take effect immediately as an urgency statute

Ch 309 (SB 388) Montoya Land subdivisions consent required

The Subdivision Map Act presently requires certain holders of record title to property to consent to subdivision of the property

This bill would specify that for purposes of such provisions a public entity, as defined, which has obtained a prejudgment order for possession of property shall be deemed the holder of record title thereto, unless the order has been stayed or vacated, a motion therefor is pending, or the time to move for relief from the order has not passed

Ch 310 (AB 1894) Rogers California water districts assessments

Under existing law the Kern Delta, Cawelo, Rag Gulch, and Kern-Tulare Water Districts are authorized, in accordance with prescribed procedures, to levy an assessment on a basis of per acre of developed, or per acre of undeveloped land, or both

This bill would also authorize such assessment to be levied on the basis of per acre of land within benefit zones established pursuant to specified provisions

The bill would go into immediate effect as an urgency statute

Ch 311 (SB 96) Campbell California State Polytechnic University

Existing law requires proceeds from the sale of property belonging to the state and

used for the California State Polytechnic University or the California Polytechnic State University to be used for the purchase of other land necessary for the use of such universities

This bill would permit, notwithstanding such requirement, proceeds from the sale of a specified piece of real property of the California State Polytechnic University to be used for improvements on real property purchased from the proceeds of such sale

This bill would make an appropriation by authorizing the expenditure of funds for a purpose other than that for which such funds are limited by existing law

Ch 312 (SB 99) Zenovich District assessments

Under existing law, irrigation districts and reclamation districts are authorized, in the event the annual assessment for any parcel of land separately assessed is less than $2, to set a minimum annual assessment which shall not exceed $2 for each such separately assessed parcel of land

This bill would increase such amounts to $10

Ch 313 (SB 327) Johnson Aeronautics Account payments

Existing law provides that payments made to public entities from the Aeronautics Account in the State Transportation Fund for airport purposes may be used only for capital expenditures, as defined, and not for purposes of operation and maintenance Existing law also specifies that the money in the account is continuously appropriated for the purposes for which the account is established

This bill would delete the requirement that payments from such account for airport purposes may only be used for capital expenditures and provide instead that such payments may be used for both capital expenditures and operation and maintenance, but would limit such payments to those airports which have less than 85,000 annual enplanements, as specified, with the result that the money in the account is appropriated for these additional purposes

Ch 314 (SB 367) Campbell State Fire Marshal publication of fire protection laws

Under existing law the State Fire Marshal is required to annually compile and publish amendments and additions to laws enacted relating to firemen and fire protection and control

This bill would delete such requirement

Ch 315 (SB 536) Presley Hazardous waste disposal

Under existing law (Chapter 784 of the Statutes of 1978), funds are appropriated for the purpose of abating the threatened conditions of nuisance and pollution caused by the Stringfellow Quarry Class I Hazardous Waste Disposal Site

This bill would vest the State Water Resources Control Board with sole responsibility for the conduct of permanent site closure and maintenance, and would exempt all activities incident thereto from the requirements of specified statutes and regulations

The bill would go into immediate effect as an urgency statute

Ch 316 (SB 1043) Vuich Local agencies financial reports.

Existing law requires certain local agencies, within 90 days after the close of the fiscal year, to file with the State Controller a report of the financial transactions of such local agency during the fiscal year

This bill would extend the filing period to 120 days after the close of the fiscal year in the case of any local agency which files annual financial materials with the California Health Facilities Commission, or any successor thereto

Ch 317 (SB 1045) Presley Water districts name

(1) Under existing law, a district formed pursuant to the County Water District Law may, by resolution of the board of directors, change the name of the district

This bill would permit such changed name to not include the word "county"

(2) Under existing law, a water conservation district formed pursuant to the Water Conservation District Law of 1931 is not authorized to change the name of the district

This bill would authorize the board of directors of such a district by resolution to change the name of the district, but would require such changed name to include the words "Water Conservation District"

Ch 318 (AB 401) N Waters Livestock branding and inspection fees

(1) Existing law protects cattle in California through a system of brand registration and animal inspection Registration fees are payable annually with renewal fees due by the end of January for that calendar year

This bill would change the process to a biennial registration system, with renewal fees payable every other April Such fees would be raised from $10 per year to $30 for a two-year period Related fees and penalties, including duplicate certificate fees, brand transfer fees, reinstatement fees, and rerecording fees, would also be increased The bill would also raise fees for inspection of cattle by 5 cents per animal, and would provide that the fee for inspecting animals shipped to this state for feeding in a registered feedlot is 30 cents Such fees, including the increases which would be provided by this bill, are to be deposited in the State Treasury and credited to the Department of Agriculture Fund which is continuously appropriated

(2) Existing law specifies items constituting evidence of ownership of an animal or hide, and requires that bills of sale or consignment shall state specified information for animals sold or consigned

This bill would provide that a dairy exemption number shall also be evidence of ownership of an animal or hide, and shall be evidence of ownership of specified cows and bulls presented for sale at a saleyard or slaughter plant It specifies circumstances under which the Director of Food and Agriculture may refuse to issue such number or revoke such number once issued, and provides that the dairy exemption number meets the identification information requirements of a bill of consignment The bill would also require that such number be written on the bill of consignment, as specified

(3) Existing law requires that if an animal being inspected does not bear the recorded brand of the person presenting such animal, that such person show the inspector proof of ownership

The bill would provide that a dairy exemption number constitutes such proof

(4) The bill makes other changes dealing with identification requirements for the transportation of cattle which are exempt from inspection

Ch 319 (AB 1178) McVittie Prisoners.

Existing law provides specified bases upon which a state prisoner's good behavior and participation credit may be reduced for 45, 30, or 15 days, including in the 30-day category urging others to commit specified acts relative to a riot that results in acts of force or violence

This bill would include in such 30-day category active participation in a riot that results in acts of force or violence, and would include the urging of others or the committing of any act, with intent to precipitate a riot, in the 15-day category

Ch. 320 (AB 958) Mangers Public Employees' Retirement System cost-of-living adjustments

Existing Public Employees' Retirement Law provides cost-of-living adjustments for retired members computed on the basis of the calendar year of retirement and limited to an increase of 2% per year Contracting agencies are also permitted to adopt a 5% per year adjustment

This bill would permit contracting agencies to elect to adopt a 3, 4, or 5% cost-of-living adjustment rate and would prescribe the method of determining employer costs

Ch 321 (SB 25) Alquist San Juan Union Elementary School District

Existing law prescribes numerous formulas for the allowance and apportionment of state funds to school districts.

This bill would appropriate a sum not to exceed $17,068 18 from the General Fund to the Superintendent of Public Instruction for allocation to the San Juan Union Elementary School District for actual expenditures for the repair of structural damage suffered when a major support beam in the multi-purpose room at the San Juan Elementary School failed in February 1977

Ch 322 (AB 1803) Ingalls Property taxation liens

Existing law provides for a uniform procedure for state agencies to enforce the collection of money owed to the state for various taxes

This bill would extend such uniform procedure to public resources agencies and would make corrections to and various changes in such procedures

Ch 323 (AB 548) Bergeson School districts reorganization elections costs.

Existing law requires that the cost of preparation and distribution of the statement setting forth the arguments in favor of, and those opposed to, the recommendations of a county committee on school district organization, and the cost of any election held thereunder, be a charge against the general fund of the county in which the elementary school district or unified district affected by the recommendations is situated It also generally requires that the cost of any election held within a single district be borne by the entire district, and be paid out of its funds, and the cost of elections, including consolidated elections, held in territory common to two or more districts be borne by the districts concerned in equal shares and paid from district funds

This bill would require, until July 1, 1980, that in certain specified counties the cost of preparation and distribution of the statement setting forth the arguments in favor of, and those opposed to, the recommendations of a county committee on school district organization to form a unified district whose boundary is coterminous with an existing elementary school district, and the cost of any election held thereunder, on or after June 1, 1979, be borne by the elementary school district

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

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

This bill would take effect immediately as an urgency statute.

Ch 324 (SB 353) Vuich Joint Legislative Budget Committee.

Currently, under statute and provisions in the annual Budget Act the Joint Legislative Budget Committee has various review functions regarding the revenues and expenditures of state agencies

This bill would require any state agency which establishes or alters a federal aid allocation formula of $100,000 or more in any fiscal year to a local agency, as defined, to notify the Joint Legislative Budget Committee not less than 60 days prior to the establishment or change in the formula.

This bill would require the committee, upon specified requests, to schedule a hearing on the proposed allocation formula to be established or changed, as the case may be.

The above provisions would not apply to any reallocation of funds by a state agency if certain specified findings are made by the state agency

This bill would also provide a procedure for a waiver of the 60-day notice requirement before a state agency may establish or alter a federal aid allocation formula and would provide for a response within 10 days after receipt of notification containing specified information requesting such establishment or change from a state agency when there is imminent danger of irreparable harm to the public peace, health, safety, or welfare of the state

This bill would take effect immediately as an urgency statute

Ch. 325 (AB 1844) Knox Postsecondary educational institutions· revenue bonds.

(1) Under existing law, the business of the Hastings College of the Law, which includes the power to incur indebtedness, is required to be managed by the Board of Directors of the Hastings College of the Law

This bill would specifically provide that such power to incur indebtedness shall include the power to issue revenue bonds in the name of the board of directors and as obligations of the board of directors, as specified

(2) Existing law authorizes the Trustees of the California State University and Colleges to issue specified revenue bond anticipation notes, at an interest rate not to exceed 7 percent per annum

This bill would authorize such bonds to be issued at an interest rate not to exceed 8 percent per annum

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

Ch 326 (SB 567) Sieroty State taxes· repairing and remodeling· cost deduction

Existing provisions of the California Personal Income Tax Law and Bank and Corporation Tax Law authorize a taxpayer to elect to deduct the entire cost of repairing or remodeling any building, facility or transportation vehicle owned by the taxpayer to facilitate its use by handicapped or elderly individuals for any taxable year beginning after December 31, 1976 and before January 1, 1980

This bill would extend the authorization to take this deduction until January 1, 1985

This bill would take effect immediately as a tax levy

Ch 327 (AB 319) Deddeh Retirement investment counsel

Existing law provides that the Teachers' Retirement Board of the State Teachers' Retirement System shall retain investment counsel or trust companies or trust departments of banks to advise the board in connection with its equity investments.

This bill would authorize the board to employ investment personnel on its staff, or through an interagency agreement, for a period not to exceed 6 months in the absence of a contract with investment counsels or trust companies or trust departments of banks The board would be required to notify the Legislature if it exercises such authority

Ch 328 (AB 1190) Chappie Vehicles component parts seizure hearings.

Under existing law, it is, generally, unlawful to intentionally deface, destroy, or alter the motor number or identification mark or number used for registration purposes It is also unlawful for any person to knowingly buy, sell, receive, or have in his possession a vehicle, or vehicle part from which the manufacturer's serial or identification number has been removed, defaced, altered, or destroyed When a vehicle or component part on which the identifying number has been defaced, altered, or obliterated comes into the custody of a peace officer, it is required to be destroyed, sold, or otherwise disposed of in accordance with a court order of a court having jurisdiction After being assigned an identification number, as prescribed, the vehicle or component part may be returned to the owner if the owner presents satisfactory evidence of ownership

This bill would prohibit issuance of a court order providing for disposition unless the person from whom the property was seized and all other claimants have been provided a postseizure hearing within 60 days of the seizure The bill would prescribe the form of a notice of impoundment and specify how, and to whom, the notice is to be issued The bill would require the hearing to be held in accordance with specified procedures and, also, specify that the burden of establishing that the identification number has been altered is on the agency which seized the property

The bill would make other technical changes.

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

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

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

Ch 329 (SB 756) Keene Crab season herring

(1) Existing law provides that crabs may be taken in Districts 6, 7, 8, and 9, all or a portion of which lie north of the Mendocino County line, only between December 1st and July 15th, and provides that the Director of Fish and Game may extend the crab season in any district south of Mendocino County, as specified

This bill would allow the Director of Fish and Game to extend the crab season in any district, or part thereof, north of the southern boundary of Mendocino County, as specified, would provide that in no case shall the season be extended past August 31, and would require the director to close the season in any district at any time during an extension if he determines that further fishing will damage the resource

(2) Under existing law, herring may be taken for commercial purposes only under a permit, subject to regulations of the Fish and Game Commission

This bill would require the Fish and Game Commission to determine conditions under which lampara nets may be used to take herring in Districts 12 and 13, and would require, until January 1, 1985, that every person operating under a license, as specified,

shall pay a specified privilege tax on herring for roe which is purchased, received, or taken by such person It would require the moneys so collected to be expended for research and management activities to maintain and enhance the herring resource

(3) The bill would make an appropriation by requiring that moneys be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

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

Ch. 330 (AB 1460) Fenton Federal liens registration

Existing law, known as the Uniform Federal Tax Lien Registration Act, establishes procedures whereby notices of liens upon real property and upon personal property for taxes payable to the United States and certificates and notices affecting such liens may be filed for record with the Secretary of State, if the person against whose interest the tax lien applies is a corporation or a partnership whose principal executive office is in this state, or, in all other cases, with the county recorder where the taxpayer resides The filing official is required to issue a certificate, upon request of any person, showing whether there is on file any such notice or certificate or notice affecting the lien. Various specified fees may be charged for filing the notices or for issuing such a certificate

This bill would extend such procedures to include other federal liens notices of which under any federal law or regulation are required or permitted to be filed in the same manner as notices of federal tax liens

The bill would provide for fees in specified amounts for the various services to be performed by the Secretary of State or county recorder

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

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

Ch 331 (SB 776) Keene Perinatal care

(1) Under existing law the State Department of Health Services is required, among other things, to examine causes of communicable disease, to conduct an epidemiological study of the incidence of cancer; to study morbidity and mortality, to administer a physically defective or handicapped program for persons under 21; to establish 2 infant dispatch centers for critically ill newborn infants, to establish 1 or more pilot programs of 4 or less years' duration for high-risk pregnant women, to designate tests for specified preventable heritable disorders, to conduct a prenatal amniocentesis test program for genetic disorders, to certify tests for pregnancy, to maintain a program of maternal and child health, through the State Child Health Board in the department, to review specified standards relating to child health and disability prevention services, to establish a 5-year pilot project in up to 6 counties of high nutritional need to deliver supplemental foods to women during pregnancy and to infants up to 1 year of age, to designate tests for detection of sickle cell anemia, and to conduct a rehabilitation program for the genetically handicapped

This bill would require the department to maintain a program addressing the special needs of high-risk pregnant women and infants, as defined, by identifying high-risk geographical areas and populations, as defined, identifying and evaluating deficiencies in perinatal health systems, as defined, assisting in the development of such systems particularly in underserved areas to meet unmet needs, assisting in the implementation of regionalized perinatal health systems, as defined, collecting and analyzing data on perinatal health systems and needs, monitoring results, and coordinating the regionalized perinatal health systems with other maternal and infant health programs, as specified

(2) In 1978, the Legislature reappropriated $2,000,000 or the lesser unencumbered balance of a 1975 appropriation to the State Department of Health Services for specified pilot programs for personal health care services in the perinatal period to defined high-risk pregnant women for use during the 1978–79, 1979–80, and 1980–81 fiscal years

This bill would reappropriate any unencumbered funds of such reappropriation which

are not needed for such pilot programs, as determined by the department, to the department for the purposes of the special needs program for high-risk pregnant women and infants provided by the bill

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

Ch 332 (AB 720) Stirling Mechanics' liens: cancellation

Existing law contains no specific provisions permitting special proceedings to release property from a mechanics' lien.

This bill would provide for a noticed hearing, upon the petition of the owner of property or by the owner of an interest in the property, for a decree to release the property from a mechanics' lien

Ch 333 (AB 221) M. Waters Landlord and tenant

Under existing law, any landlord who, with intent to terminate the occupancy under any lease of residential property, willfully causes the interruption or termination of any utility service furnished the tenant is liable to the tenant in a civil action for (1) actual damages of the tenant; (2) $100 for each day the tenant is deprived of utility services, and (3) reasonable attorney's fees

This bill would provide that the landlord is liable as well to the tenant if, with intent to terminate a residential tenancy, the landlord willfully prevents the tenant from gaining reasonable access to the property, removes outside doors or windows; or removes from the premises the tenant's personal property, the furnishings, or any other items without the prior written consent of the tenant, except when done pursuant to law, as specified. This bill also declares that such provisions shall not be construed to prevent the lawful eviction of the tenant, nor to apply to other specified tenancies.

This bill would, in addition, change the relief available to the tenant for violations by the landlord by making the landlord liable to the tenant in a civil action for (1) actual damages, (2) reasonable attorney's fees, (3) injunctive relief, as specified, and (4) an amount not exceeding $100 for each day or part thereof the landlord remains in violation, but not less than $250 for each separate cause of action The provisions of this bill require that the court, when determining the latter amount, consider proof of such matters as justice may require

Ch 334 (AB 506) Young. School elections.

Existing law requires the election official charged with conducting school district and community college district governing board elections to cause 3 publications of the election between the 110th day and the 70th day prior to the date of the election

This bill would repeal such provisions. Instead it would require the county clerk, in addition to other specified notices, to issue a prescribed general press release, and, if certain conditions exist, to publish one prescribed notice between the 78th day and the 71st day prior to the election

Existing law requires the form of a ballot used in any school district or community college district governing board election to conform to certain requirements applicable only to such elections

This bill would require the form of such ballots to be governed by the provisions of law applicable to elections generally

Under existing law governing school district and community college district governing board elections, if an insufficient number of persons have been nominated for membership on such governing boards by the 50th day prior to the election, no election shall be held and an appointment must be made

This bill would repeal such provision, and would require that, if on the 63rd day prior to election there is an insufficient number of candidates, no election shall be held and an appointment shall be made A notice indicating this course of action would be required to be made

Under existing law governing library trustee districts, if an insufficient number of persons have been nominated for membership on the board of trustees by the 50th day prior to the election, no election shall be made.

This bill would repeal such provision and would provide that notice shall be filed in the same manner required for school districts or community college district elections, advising that no election shall be held and appointments shall be made

Existing law requires the county clerk to publish a notice of the general district election in a newspaper of general circulation as specified

This bill would require the county clerk to publish an additional press release, as specified

The bill would take effect immediately as an urgency statute

Ch 335 (AB 1652) Chappie Special district charges

Under existing law, generally, water district charges which have been added to an assessment or tax become a lien on the property

This bill would permit any county water district, California water district, municipal water district, or community services district or the Desert Water Agency or the Crestline-Lake Arrowhead Water Agency to secure the amount of any unpaid charges for water or other services at any time by filing for record in the office of the county recorder of any county, a certificate specifying the amount of such charges and the name and address of the person liable therefor The bill would provide for such amount to become a lien upon all real property in the county owned by the person or acquired by the person, afterwards for a period of 10 years, and would permit the extension of such lien as specified

Ch. 336 (SB 218) Alquist Pest control

Under existing law, if a complaint is accepted against a structural pest control operator, the Structural Pest Control Board may inspect certain properties If the board determines that the property is not in compliance with provisions of law, it is required to send a notice of such noncompliance to the operator and may impose an inspection fee and require the operator to bring such property into compliance and submit a corrected report

This bill would specify that the notice of noncompliance to the operator shall inform the operator that he may request within 20 days of receipt of the notice, a hearing, and if no hearing is requested, the payment of any assessment shall not constitute an admission of any noncompliance charged

Ch 337 (AB 1079) Nolan Environmental quality

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 One such exemption is provided for 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

This bill would extend such exemption to such actions taken prior to January 1, 1982

The bill would take effect immediately as an urgency statute

Ch 338 (SB 478) Vuich Tax preference income, litter control tax

Existing provisions of the California Personal Income Tax Law impose a tax on taxable income and impose an additional tax with respect to the income of every taxpayer which is imposed on the amount of the sum of the items of tax preference in excess of the amount of net business loss Items of preference income, as defined, include net farm loss in excess of $15,000 which is deducted from nonfarm income

This bill would provide that items of preference income include net farm loss in excess of $50,000 which is deducted from nonfarm income and net farm loss in excess of $25,000 in the case of a husband or wife who files a separate return Such farm loss deduction would not apply if two-thirds or more of the taxpayer's average gross income from all sources for the taxable year and the immediately preceding two years is from farming

Existing provisions of the California Personal Income Tax Law and Bank and Corporation Tax Law provide that certain interest, penalties, and additions to tax are to be assessed as deficiencies while other interest, penalties, and additions to tax are due on notice and demand Deficiency assessments may be appealed to the State Board of Equalization prior to payment whereas notice and demand assessments must be paid

before appeal

This bill would allow all interest, penalties, and additions to tax assessments to be assessed as deficiencies

Existing law provides for the imposition of an annual litter control, recycling, and resource recovery assessment on certain wholesalers and manufacturers, to terminate on July 1, 1983 Such assessment is due and payable on the last day in February

This bill would provide that the assessments imposed in 1978 shall be due and payable on or before November 30, 1979, instead of September 30, 1979

This bill would take effect immediately as a tax levy

Ch 339 (AB 1898) Ellis Teaching credentials blind and partially seeing pupils

Under existing law, as of September 1, 1979, the governing boards of school districts and county superintendents of schools are prohibited from employing persons other than those with specified specialist instruction credentials (i.e, specialist instruction credentials for teaching blind and partially seeing pupils or specialist instruction credentials in special education issued on or prior to January 1, 1981) to teach blind and partially seeing pupils

This bill would prohibit governing boards and county superintendents from employing persons to teach blind and partially seeing pupils unless such persons (1) hold valid specialist instruction credentials for teaching blind and partially seeing pupils pursuant to Section 44265 of the Education Code, or (2) were issued specialist instruction credentials in special education of the physically handicapped on or prior to January 1, 1981, or (3) hold valid credentials authorizing the teaching of blind and partially seeing pupils

This bill would take effect immediately as an urgency statute

Ch 340 (SB 417) Alquist Vehicles

Existing law prohibits a member of the New Motor Vehicle Board who is a new motor vehicle dealer from participating in, deliberating on, hearing or considering, or deciding any matter involving a protest regarding a motor vehicle franchise, filed as specified

This bill would provide that a member of the board who is a new motor vehicle dealer may participate in, hear, and comment or advise other members upon, but may not decide, any matter involving such protest Dealer participation would be recorded in the minutes of the meeting

The bill would take effect immediately as an urgency statute

Ch 341 (SB 454) Greene Employment agencies. surety bonds

Existing law requires licensed employment agencies to file a $1,000 surety bond

This bill would increase such surety bond amount to $3,000

Ch 342 (SB 1187) Watson Organized camps

Existing law requires the Director of Health Services to establish and local health officers to enforce minimum standards for health and safety in organized camps, as defined Existing law requires the State Fire Marshal to establish and local fire officials to enforce minimum fire safety requirements in such organized camps A violation of such requirements is a misdemeanor

This bill would exempt from the definition of organized camps, until January 1, 1981, any camp site in a county park in Los Angeles County, which is established for group camping for not more than 72 consecutive hours, which exemption would be effective upon delegation, as specified, of health, safety, and fire protection and prevention duties to appropriate county officials or agencies

The bill would also conform such definition to other changes made by existing law

The bill would also require the Director of Health Services to adopt, before January 1, 1981, minimum standards for intermittent short-term organized camps, as defined.

This bill would take effect immediately as an urgency statute

Ch 343 (SB 1221) Smith Official court reports.

Existing law provides for a five year contract to publish the official reports of the appellate courts.

This bill would authorize a contract of not less than two nor more than seven years.

The bill would take effect immediately as an urgency statute

Ch 344 (SB 987) Marks Occupational safety and health

Existing law requires the Occupational Safety and Health Appeals Board to hear appeals by employers with respect to citations issued by the division Existing law permits an aggrieved party to petition the appeals board for reconsideration of any final order or decision of the appeals board within 30 days after service of such order or decision and requires parties who desire to file an answer with respect to such petition for reconsideration to do so within 10 days

This bill would increase the period within which an answer must be filed to 30 days

Ch 345 (AB 539) Ellis Riot and civil disorder insurance

Existing law provides for the creation of the California Riot and Civil Disorder Insurance Association

This bill would repeal such provisions of law effective August 1, 1979

This bill would take effect immediately as an urgency statute

Ch 346 (SB 1194) Wilson Suretyship

Under existing law, a judgment entered against a principal alone is not conclusive against his surety

This bill would specify that an arbitration award rendered against a principal alone shall not be, be deemed to be, or be utilized as, an award against his surety

Ch 347 (SB 585) Sieroty Senior citizen identification cards.

Existing law permits the Department of Motor Vehicles to issue senior citizen identification cards to senior citizens aged 62 or older

This bill would declare that such a card or a federal Medicare identification card shall be sufficient identification for the holder to receive reduced transit fares where offered to senior citizens

Ch 348 (AB 240) Berman Healing arts

Existing law generally provides that excessive treatment, or excessive prescribing or administering of drugs, or excessive use of diagnostic treatment or repeated acts of excessive use of diagnostic or treatment facilities, constitutes unprofessional conduct as applied to physicians and surgeons, dentists, podiatrists, psychologists, physical therapists, chiropractors, or optometrists

This bill would provide that the engaging in repeated acts of clearly excessive prescribing or administering of drugs or treatment by such licentiates would constitute a misdemeanor punishable by a specified fine or imprisonment or both

The bill would state that no appropriation or reimbursement is made by the bill for a specified reason

Ch 349 (AB 351) Knox. Trials bifurcation

Under existing law, in a civil case a court is authorized upon motion of a party made within specified periods of time to hold separate trials for any issue or part thereof when the convenience of witnesses or the ends of justice would be promoted

This bill would also permit such separation when the economy and efficiency of handling the litigation would be promoted It would also permit such an order for separation at any time upon motion of the court

Ch 350 (AB 1737) Harris Recall elections

Under existing law governing recall elections the county clerk, or in the case of a state officer, the Secretary of State, must ascertain if a proposed recall petition, as filed by the proponents, is in proper form and wording prior to its being circulated

This bill would require the proponents to file the blank petition forms for review by such officer within a specified time period It would, in turn, require such officer to make a determination as to the form and wording of the petition within 10 days of receiving the blank forms from the proponents

Existing law requires the proponents of a recall petition to submit it to the county clerk or the Secretary of State, as the case may be, for filing containing a specified number of signatures based on the number of registered voters residing in the jurisdiction calculated as of the time of the last report of registration by the county clerk to the Secretary of State

This bill would revise such language and would require the report which is utilized to be the one issued prior to a finding of the county clerk or Secretary of State that no

alterations are required in the form and wording of the petitions

Ch. 351 (SB 360) Wilson Dentistry

Existing law provides that prior to opening an additional place of practice, which may include a dental office in which a dentist holds any proprietary interest, a dentist shall make application to, pay a fee to, and receive permission from the Board of Dental Examiners to have such additional place of practice

This bill would provide that a dentist who is the lessor of a dental office shall not be deemed to hold a proprietary interest in that place of practice, unless he is entitled to participate in the management or control of the dentistry practiced there

This bill would also provide that the provisions requiring application, payment of fees, and receipt of permission before opening an additional place of practice shall not apply to a licentiate who practices dentistry outside his registered place of practice in certain specified places

Ch 352 (SB 358) Presley Quarter and Appaloosa horses premiums for California-breds

Existing provisions of the Horse Racing Law provide for deductions from certain parimutuel pools for the purpose of paying owners' premiums and stallion awards for California-bred thoroughbreds

This bill would provide for deductions from certain parimutuel pools for the purpose of paying owners' premiums for California-bred quarter horses and Appaloosa horses. The bill would require the California Horse Racing Board to designate the officially recognized organizations representing quarter horse and Appaloosa horsemen to administer such provisions and distribute premiums.

Ch 353 (SB 1037) Nielsen Board of Vocational Nurse and Psychiatric Technician Examiners

Existing law requires the executive secretary of the Board of Vocational Nurse and Psychiatric Technician Examiners to be either a licensed vocational nurse or a licensed professional nurse, as defined

This bill would include a licensed psychiatric technician as being eligible for such position.

Ch 354 (AB 860) Kelley Lake Cuyamaca Recreation and Park District

Under the Lake Cuyamaca Recreation and Park District Act, all claims for money against the Lake Cuyamaca Recreation and Park District are required to be paid by warrant drawn on the district's funds in the county treasury

This bill would authorize the district board to pay routine or recurring claims for money against the district by check drawn on a checking account of the district, provided the district, by resolution, defines "routine or recurring claims" for such purposes and specifies the procedure for signing and issuing checks.

Ch 355 (AB 1835) Ellis. Counties lease of real property

Existing law authorizes the board of supervisors, by ordinance or resolution, to delegate to the purchasing agent or other appropriate county official its authority to lease real property for use by the county for a term not to exceed 3 years and for a rental not to exceed $1,000 per month Existing law requires that the ordinance or resolution require that notice of intention to consummate such a lease be published in a newspaper in a prescribed manner or, if no newspaper is published in the county, that notice be posted at least 3 weeks prior to consummation of the lease in at least 3 public places in each supervisorial district

This bill would, instead, require that notice of intention to consummate such a lease be posted in a public place for 5 working days prior to consummation of the lease

Ch 356 (AB 1670) Rogers Bear Valley Community Services Districts Television Translator Services

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, excepting the Baker

Community Services District, to provide television translators facilities.

This bill would authorize the Bear Valley Community Services District, located in Kern County, to construct, improve, maintain, and operate television translator facilities 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 purpose and the voters approve such purpose in a special election.

Such district would not be authorized to erect more than 6 television translators nor provide more than 6 television channels.

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.

Ch. 357 (AB 1719) Ryan. Political Reform Act. enforcement.

Under existing law, contained in the Political Reform Act of 1974, the district attorneys of the several counties are the civil prosecutors with respect to other than state agencies, and may bring any civil actions under the act which could be brought by a voter or resident of the jurisdiction.

This bill would, in addition, authorize the Fair Political Practices Commission, upon written authorization from a district attorney, to bring any civil action which could be brought by a voter or resident of the jurisdiction, this bill would further provide that in such case the commission, before bringing such an action, need not first request the civil prosecutor to commence the action.

Ch. 358 (AB 375) Knox. Escrow companies.

Existing law requires the Commissioner of Corporations, upon receipt of an application for a new license under the Escrow Law or for a new location, to notify all existing licensees of the application.

This bill would instead require the commissioner to give notice to appropriate trade associations or take other appropriate steps to give adequate notice to existing licensees.

Existing law requires the commissioner to license a new location for an existing licensee within 30 days unless the commissioner finds grounds warranting a denial or decides to hold a hearing.

This bill would extend the time for such action to 45 days.

Ch. 359 (AB 1604) Lehman. Narcotic addicts. commitment.

Existing law provides that when a petition has been filed for commitment of a defendant to the Director of Corrections for confinement in the narcotic detention, treatment, and rehabilitation facility he must be examined by two physicians.

This bill would instead authorize such examination to be conducted by one physician but would require an examination by a second physician if the defendant so requests.

Ch. 360 (AB 1115) Moorhead. Prison-made goods.

Existing law permits goods produced by inmates in state prisons to be offered for sale to inmates through canteens on the same basis as commodities purchased from commercial sources.

This bill would instead permit state agencies to purchase such products to be offered for sale to such inmates and to any other wards of the state who reside in state-operated institutional facilities. The bill would require that the products to be sold to such inmates and wards shall be designed to meet the express needs of such persons.

Ch. 361 (AB 621) Mori. A Day of Remembrance. Japanese American Evacuation.

This bill would direct the Governor to proclaim February 19 as "A Day of Remembrance Japanese American Evacuation," to reflect upon that day in 1942, the date of Executive Order No. 9066 to place persons of Japanese ancestry in American concentration camps during World War II and to commemorate that date in 1976 when that order was rescinded.

Ch. 362 (SB 535) Presley. Homeowners and renters assistance.

Existing provisions of the Senior Citizens Homeowners and Renters Property Tax Assistance Law define "income" to mean adjusted gross income plus other specified cash items, including proceeds from life insurance.

This bill would include proceeds from life insurance in the definition of income only to the extent that such proceeds exceed the expenses incurred for the last illness and funeral of the deceased spouse of the claimant

The existing Senior Citizens Homeowners and Renters Property Tax Assistance Law also defines rent to mean rent paid solely for the right of occupancy of a rented residence In order to qualify as a renter-claimant, each claimant must pay at least $50 per month for rent

This bill would provide that rent also includes any utility payments made by the claimant pursuant to a rental agreement

This bill would provide that the provisions of this act shall apply to claims for assistance for the 1979–80 fiscal year and thereafter and to claims for postponement for the 1980–81 fiscal year and thereafter

Ch 363 (AB 516) McAlister Alcohol vehicle open containers

Existing law prohibits any person drinking an alcoholic beverage, or having any open receptacle containing any alcoholic beverage upon his person, while in a motor vehicle upon a highway It is also generally unlawful for the registered owner or driver of a motor vehicle to keep any open receptacle containing an alcoholic beverage in any part of the passenger compartment of a vehicle upon a highway

This bill would recast the provisions relating to possession of an open container of alcoholic beverage or consumption of alcohol in a vehicle operated upon a highway so as to distinguish (by setting forth in separate Vehicle Code sections) acts by the driver of a vehicle and acts by a passenger in a vehicle

In addition, the bill specifies that driver violations, generally, are a part of the driving record and convictions thereof are required to be reported and that passenger violations and violations for storage of an open container by the driver or a passenger are exempt from the reporting requirements and do not constitute part of the driving record

Ch 364 (AB 1027) Wray Traffic rules.

(1) Existing law, generally, regulates the stopping, standing, or parking of a vehicle

This bill would specifically make it unlawful to stop a vehicle upon a highway in such a manner as to impede the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law

(2) When a two-way left turn lane has been designated, existing law prohibits making a left turn from any other lane

The bill would prohibit making a U-turn from any other lane when a two-way left turn lane has been designated

(3) With specified exceptions, tires having studs, cleats, and various other protuberances are not permitted to be used on any state highway

This bill would make the prohibition applicable to tires used on any highway.

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

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

Ch 365 (SB 286) M Garcia Work incentive program reports

Existing law requires the State Personnel Board to report, bimonthly, specified information to the Legislature with respect to various work incentive programs

This bill would require that such report be made on April 1, 1980, and every six calendar months thereafter, instead of bimonthly

Ch 366 (AB 1132) Thurman Decedents' estates public administrator

Existing law, as to certain small decedents' estates, authorizes the public administrator to file an application for court authorization to take certain actions with regard to such an estate, but provides that no fee shall be allowed the public administrator or the public administrator's attorney, or the court clerk for filing the application or performing any

duty or service connected therewith

This bill would delete such prohibition and, instead, would grant authority to a court to set the fee to be allowed to the clerk for the filing of the application, and would specify that the commission of the public administrator and the fee for the public administrator's attorney, if any, as to the filing of the application or any service connected therewith would be 10 percent of the first $2,500 and then as otherwise provided for the ordinary services of other administrators and executors

Existing law provides that, as to any decedent's estate, the public administrator must take charge of the property within the county when no executor or administrator has been appointed or any part thereof is being wasted, uncared for, or lost When a public administrator has taken charge of such an estate, the statutes provide for reasonable fees for services of not less than $25 nor more than $100

This bill would increase such maximum ceiling to $500

Ch. 367 (AB 265) Nolan Child abuse pilot projects

Existing law requires the establishment and operation by an institution selected by the Director of Social Services of 2 child abuse pilot project centers, 1 to be located in southern California and 1 in northern California, providing specified services.

This bill would appropriate $80,000 to the State Department of Social Services for support of such program, to be allocated to the support of the center in southern California for the fiscal year 1979–1980 It would also require that such sum be matched by $20,000 in local funds

It also would make technical changes

It would take effect immediately as an urgency statute

Ch 368 (AB 1084) Lockyer Vocational education appropriation

Existing law generally authorizes county superintendents of schools and governing boards of school districts maintaining high schools to establish and maintain regional occupational centers or programs, as specified

This bill would appropriate an amount not to exceed $37,000 to be apportioned by the Superintendent of Public Instruction to the San Leandro Unified School District, the San Lorenzo Unified School District, and the Castro Valley Unified School District for the purpose of funding the Licensed Vocational Nursing Instructional Program of the Eden Vocational Occupation Center during the 1979–80 fiscal year

This bill would take effect immediately as an urgency statute

Ch. 369 (SB 359) Beverly Office of Emergency Services appropriation for Civil Air Patrol

This bill would appropriate $100,000 to the Office of Emergency Services for the payment of claims submitted by the Civil Air Patrol for airplane maintenance, supplies, and repairs, as defined, that are reasonably incident to the emergency services customarily provided by the Civil Air Patrol

The bill would also provide that this appropriation shall be reduced to the extent that federal funds become available for these purposes

Ch 370 (AB 9) Hart County formation elections, joint retirement system

(1) Existing law, with respect to the filing and circulation of petitions for the formation of a new county, does not require that prior to circulating such petitions a notice of intention be filed Existing law also does not require that a public hearing be held prior to such petition circulation for the purpose of discussing the proposed county's boundaries

This bill would establish such requirements, as specified It would require the appropriate clerk of the county to publish such notice of intention, as specified, and act as an impartial moderator at the public hearing concerning the proposed boundaries It would also require that no petition be circulated until 60 days after the filing of the notice of intention

(2) Existing law requires that if an election for the creation of a proposed county results in the creation of the proposed county being defeated, that no further proceedings for the creation of a county with substantially the same territory as the proposed county be initiated for a period of one year after the date of such election

This bill would prohibit a person from filing a petition for the formation of a new county within five years of the date of certification of a prior petition which included in its description of boundaries for the proposed county any territory which is the subject of the new petition, however, it would make such provisions inapplicable to any new petition where the population of any affected county exceeds 5,000,000, and such new petition would meet the requirements of existing law

(3) Existing law requires the elections for county officers for the proposed county and the location of the proposed county seat be held at the same time as the election for the purpose of determining the formation of the proposed county Existing law authorizes such election to take place at the time of the next statewide primary or general election which meets certain specified time requirements

This bill would require the election for the purpose of determining whether the proposed county shall be formed to be held at the time of the next statewide primary election, if certain time requirements are met It would also require that the elections for the county officers and location of the county seat upon creation of the new county, be held in the approved county at the time of the next statewide general election It would make other related and conforming changes

(4) Existing law requires the county formation review commission to make specified determinations with respect to the fiscal impact of the proposed county on the affected counties

This bill would require that such determination include a specified assessment of the fiscal impact on the proposed county.

(5) Existing law prescribes specific procedures for individuals to request exclusion of their property from the proposed county boundaries Existing law authorizes the county formation review commission to set the boundaries for the proposed county

Existing law also requires the commission to hear any protests and objections to the creation of the proposed county

This bill would authorize individuals to request inclusion of their property in the proposed county, as specified It would also require the commission to hear any support for the creation of the proposed county at such hearing It would authorize the county formation review commission to set the boundaries for the proposed county only in accordance with a specified procedure

(6) Existing law requires Santa Barbara County and any new county created out of a portion of Santa Barbara County to operate a joint retirement system under the County Employees Retirement Law of 1937 in accordance with prescribed conditions and under a retirement board with 9 members and 1 alternate

This bill would repeal such provisions of existing law

(7) Existing law requires the county formation review commission to make certain determinations regarding indebtedness of each affected county, or between each affected county and the proposed county

This bill would make the unfunded liability of a county retirement system an indebtedness for purposes of such determinations

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason

Ch 371 (AB 1585) Kelley Recreational Vehicle and Trailer Law

Existing law governs the landlord and tenant relationship between the management of a mobilehome park and the owner of a mobilehome located therein

The bill would, in addition, enact the Recreational Vehicle and Trailer Law, apply it to mobilehomes or trailer coaches, as specified, and prohibit termination of a tenancy by the mobilehome park management except for designated reasons and under specified procedures

Ch 372 (AB 1693) Mello Parking and business improvement area.

Under the Parking and Business Improvement Area Law of 1965, a parking and business improvement area may be established with a charge imposed therein by the city for, among other things, the general promotion of retail trade activities in the area. Only where the charge is imposed for parking facility purposes is the charge to be imposed on the basis of benefit.

This bill would enact the Parking and Business Improvement Area Law of 1979 which would require that the assessments or charges be imposed, to the maximum extent feasible, on the basis of estimated benefit to businesses within the area. The assessment or charge imposed for parking facility purposes would be imposed on the basis of benefit.

This bill would take effect immediately as an urgency statute.

Ch 373 (SB 925) Smith 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 1979, and would not make any substantive change in the law.

Ch 374 (SB 194) Montoya. Certification qualifications administrative services credential.

Under existing law, a person who wishes to obtain an administrative services credential must, among other things, hold a valid teaching credential based on a baccalaureate degree and a fifth year of study or must hold a pupil personnel services credential and have specified experience in prescribed fields.

This bill would allow a person who holds a services credential with a specialization in health or a services credential authorizing service as a librarian, who has specified experience and who completes all the other requirements, to qualify for an administrative services credential.

Ch 375 (AB 1081) Thurman Contractors.

Existing law requires that every contractor and subcontractor who is required pursuant to a collective-bargaining agreement to pay supplementary fringe benefits into an express trust fund and who has failed to do so must give notice to the fund and the construction lender within 5 days of the due date of the payment. Failure to do so constitutes a ground for disciplinary action under the Contractors License Law.

This bill, as to the notice requirement, would require such notice to be given not later than the date the payment became delinquent.

Ch 376 (AB 1649) Chappie Municipal election date.

Existing law specifies that a general municipal election must be held on the second Tuesday in April of even-numbered years.

This bill would authorize a city, containing a population of 10,000 or less and situated in a county of the 50th class, to hold its election on the same day as the statewide general election. However, it would require that the next ensuing municipal election occurring after the adoption of the ordinance be held on the date currently required under existing law, and that the city clerk inform the voters both as to the change in election dates and the fact that elected officeholders' terms in office will be extended.

Ch 377 (AB 1638) Mori Regional park districts contracts.

Under existing law, the maximum amount of regional park district contracts for furnishing materials or supplies, or for constructing any building, structure, or improvement, which are permitted to be let other than to the lowest responsible bidder, is $3,500. The district board of directors may elect by a four-fifths vote to purchase the materials or supplies on the open market or to construct the building, structure, or improvement by force account.

This bill would raise such amount to $5,000. The bill would also change the vote requirement with respect to authorizing purchases on the open market or construction by force account from four-fifths to five-sevenths.

Ch 378 (AB 1408) N Waters. State highways safety roadside rests.

Under existing law, safety roadside rests on state highways may contain, among other things, traveler service information facilities

This bill would authorize safety roadside rests located on that portion of State Highway Route 5 in the Sacramento-San Joaquin Delta area to contain displays and examples of California agriculture

Ch 379 (AB 1161) Frazee North San Diego County Transit Development Board.

Existing law requires the North San Diego County Transit Development Board to plan, acquire, construct, and operate, or let a contract to operate, public transit systems and related facilities within its area of jurisdiction.

This bill would change the area of jurisdiction of the board, would add a member from Del Mar to the board, and would delete the restriction that public transit systems and related facilities planned, acquired, constructed, maintained, and operated be within the board's area of jurisdiction

The bill would allocate 1% of the board's local transportation funds, after allocations for administrative and bicycle and pedestrian facilities, to the council of governments having jurisdiction over the area of the board for transportation planning The bill would state an intent that no other public entity within the area of the board apply for funds under the Mills-Alquist-Deddeh Act for public transportation purposes

Ch 380 (AB 1090) Rogers Pesticides worker safety regulations

Under the existing law, the Director of Food and Agriculture is required to adopt regulations relating to pesticides and worker safety which shall include various designated subjects

This bill would revise the provisions designating the factors which are to be included in such regulations relating to pesticides and worker safety

The bill would also incorporate the changes in Section 12981 of the Food and Agricultural Code made by SB 684, to become operative only if this bill and SB 684 are both chaptered, and this bill is chaptered last

Ch 381 (AB 885) Fenton Peace officers sheriffs, marshals and constables

Existing law requires the sheriff to attend all superior courts held within his county, and requires marshals and constables to attend municipal and justice courts whenever required

This bill would provide instead that the sheriff attend the superior court whenever required to do so and that sheriffs, marshals, and constables shall attend a civil matter only upon a determination by the presiding judge or his designee that such attendance is necessary for reasons of public safety

Ch 382 (AB 803) Statham Water appropriation

(1) Under existing law, until January 1, 1980, applications for the appropriation of water made by the Department of Water Resources are exempt from the statutory requirements relating to due diligence in pursuing an application generally applicable to appropriations of water

This bill would extend such exemption until January 1, 1984

(2) Under existing law, each applicant for a permit to appropriate water is required to pay a fee in accordance with a specified fee schedule

This bill would specify that for power purposes, for each 200 theoretical horsepower or fraction thereof resulting from direct diversion, the fee is at a rate of $1 per 200 theoretical horsepower

Ch 383 (AB 619) Chappie Subdivisions

(1) Existing law requires a tentative and final map for all divisions of land which create 5 or more parcels for the purpose of immediate or future sale, lease, or financing excepting, among other things, certain lands having approved access to public streets and highways which land is zoned for commercial or industrial development and has the approval of the governing body as to street alignments and widths. A parcel map is required for such excepted divisions Final and parcel maps are required to be based upon a survey and be of specified size and content Existing law also authorizes local agencies to require dedication of land or fees in lieu thereof for parks and recreation, schools, and other purposes as a condition of approval of final maps

The bill would require construction requirements for improvements, as defined in

existing law, in remainder parcels, as described in the bill, to be noticed and completed in the time as specified in the bill

The bill would also except from the requirements for tentative and final maps those lands with approved access to public streets and highways and zoned for commercial or industrial development that have the approval of the advisory agency, as defined in existing law, in addition to those that have the approval of the governing body as provided by existing law, as to street alignments and widths.

This bill would also authorize a subdivider to designate as a "remainder" that portion of the original parcel which is not divided for the purpose of sale, lease, or financing. For parcel maps, the existing requirement that the location of any remainder be indicated if over 5 acres would be deleted, and, instead, for parcel and final maps, the bill would require the location of a designated "remainder" be indicated, but, if over 5 acres, the remainder need not be indicated as a matter of survey but may be indicated by deed reference to the existing record boundaries of such remainder

(2) Existing law provides a procedure for the approval of subdivisions by 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 obligation, instead of his right, to set the final monuments to the surveyor or engineer who replaced him

Ch 384 (AB 444) McAlister Insurance

Existing law specifies that in proceedings in case of insolvency or delinquency of an insurer, the California Insurance Guarantee Association would have priority in claims including refund of unearned premiums over other classes of insurance

This bill would revise such order of priority to also include associations or entities performing a function similar to the California Insurance Guarantee Association in other states, together with claims for refund of unearned premiums and all claims of policyholders of an insolvent insurer that are not covered claims It would also exclude certain claims, as specified.

Existing law provides a specific procedure for disbursing the assets of insolvent member insurers of the California Insurance Guarantee Association, to the association or to similar entities in another state, and specifies the Insurance Commissioner's duties with regard thereto

This bill would, with respect to the commissioner's proposal to disburse assets, require the reserves of the insolvent insurer on the date of the order of liquidation to be used for purposes of determining the pro rata share allocation of funds among eligible associations

Existing law, with regard to the obligations of an insolvent member insurer, defines covered claims

This bill would exclude from such definition obligations of the insolvent insurer arising from any policy or contract of insurance issued or renewed prior to the insolvent insurer's admission to transact insurance in the state

Existing law limits the liability of the association to the face amount of any policy of insurance of the insolvent insurer

This bill would instead limit such liability to the amount of covered claims of the insolvent insurer It would also provide for a hold harmless provision as well as indemnification against all liability and costs for any person or member made a party to any action It would eliminate bad faith as a ground for prohibiting such indemnification

Existing law provides that, in the event of settlement, indemnification shall be provided only if the association is advised by counsel that such person did not commit a breach of duty

This bill would eliminate such qualification on indemnification The bill would also specify that such provisions do not create any right for a third person, and shall only be applicable as between the association and its member insurers, as specified

Ch 385 (AB 356) Duffy Labor employee housing

Existing law defines "permanent housing," for purposes of the Employee Housing Act, as single-family detached dwellings provided for habitation by permanent year-round employees and their families.

This bill would instead define "permanent housing," for such purposes, as single-family detached dwellings constructed and maintained in accordance with the State Housing Law and inhabited by only one family, which includes at least one permanent year-round employee.

Existing law permits the enforcement agency to issue a permit to operate a labor camp consisting only of permanent housing for a period of time longer than 1 year, not to exceed 5 years However, no such permit may be issued for longer than 1 year during the first year of operation of the camp, or if the camp has been in violation of the Employee Housing Act within the previous 2 years.

This bill would instead permit the operator of a labor camp on a dairy farm, as defined, consisting only of permanent housing, upon fulfilling specified requirements, to request an exemption from the requirement of obtaining an annual permit to operate The enforcement agency would be required to grant the exemption unless the permanent housing is in violation of specified laws or regulations in a manner which materially affects the health and safety of the occupants, or has been found in violation of the Employee Housing Act within the previous 2 years

This bill would also prohibit a person operating a labor camp on a dairy farm, as defined, consisting only of permanent housing from terminating or modifying a tenancy or intimidating, threatening, restraining, coercing, blacklisting, or discharging an employee or tenant because of the exercise of specified rights in connection with employee housing

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

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

Ch 386 (SB 568) Beverly Insurance

Existing law, the California Crime Insurance Act of 1971, requires all insurance carriers writing crime insurance, as defined, or any component thereof, in multiperil insurance policies to participate in the Crime Insurance Pool established by the California FAIR Plan Association, subject to approval of the Insurance Commissioner, for equitable apportionment among such insurers of crime insurance for persons who, after diligent effort, are unable to procure such insurance, at specified rates, from an admitted insurer or licensed surplus line broker

It also requires all such insurers to belong to the pool as a condition to their right to continue to transact business in this state

This bill would repeal such act

Existing law with respect to appointment or notice of termination of appointment as an insurance agent, broker or solicitor requires the Insurance Commissioner to comply with specified filing and notice requirements for such notice

This bill would revise such requirements

Ch 387 (SB 826) Keene Taxation

Under the existing Timber Yield Tax Law, it is unlawful for the State Board of Equalization or other persons having an administrative duty under such law to make known, in any manner, any information pertaining to any timber owner, with certain exceptions

This bill would require the State Board of Equalization to permit the assessor of any county containing timber, as defined, or the duly authorized deputy or employee of such assessor, upon written request by the assessor to examine any records pertaining to the county of such assessor which are maintained by the board under such law

This bill would make unlawful the disclosure of such information by such assessor, deputy or employee examining such records, except the disclosure of appraisal data to any other assessor, and would require any assessor who unlawfully discloses such information to forfeit $1,000 to the county, to be recovered on his official bond in an action brought in the name of the people by the Attorney General, when directed to do so by

the State Board of Equalization

Ch 388 (AB 310) Lockyer Local agencies sale of securities

Various provisions of law presently regulate the issuance of bonds and other evidence of indebtedness by local agencies.

This bill, which would apply to the sale of securities, as defined, in amounts exceeding $1,000,000 by any city, county, city and county, redevelopment agency, public district, joint powers authority, or public nonprofit corporation, would require that at least 15 days prior notice of an intention to sell securities be published in a financial publication generally circulated throughout the state

This bill would also prohibit a financial or securities consultant acting in an advisory capacity to a local agency with respect to the issuance or proposed issuance of securities in an amount exceeding $1,000,000, from acting in the capacity of an underwriter for the purpose of acquiring any interest in a security issue offered by the local agency unless the securities are offered at a competitive public sale and the consultant has notified the local agency that the consultant intends to bid on the offering and the local agency has consented thereto

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

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

Ch 389 (SB 178) Zenovich Domestic water supply systems

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

This bill would authorize grants not to exceed the amount of $400,000 each from the California Safe Drinking Water Fund to the City of Huron and the Buckingham Park County Water District, not to exceed the amount of $137,000 to the Drytown County Water District, not to exceed the amount of $211,500 to the Linden County Water District, and not to exceed the amount of $396,024 to the Orosi Public Utility District, for the purpose of improving their domestic water systems to meet, at a minimum, safe drinking water standards The bill would make legislative findings in such connection The bill would require the Department of Water Resources to determine eligibility for such grants in accordance with specified provisions of law

The bill would take effect immediately as an urgency statute

Ch 390 (AB 1816) Young Financial statements of insurers.

Existing law specifies that credit in accounting and financial statements on account of reinsurance ceded to a nonadmitted reinsurer other than an alien reinsurer shall be allowed only under specified conditions

This bill would additionally allow such credit to the amount of a clean and irrevocable letter of credit issued for a term of 1 year, as specified, is a substitute for advances for claims and unearned premium obligations to be made by a foreign reinsurer in connection with its liability under a specific reinsurance agreement

The bill would also provide, with respect to certain alien insurers, that unearned premiums, as well as claims obligations, be considered a substitute for such letter of credit

Ch 391 (AB 304) Deddeh Mortgages.

Under existing law, where the principal obligation is $100,000 or less, the borrower under a loan secured by real property is entitled to prepay the whole or any part of the balance due at any time, and may obligate himself in writing to pay a prepayment penalty

This bill would provide that such prepayment provisions are instead applicable where the principal obligation is for a loan for residential property of 4 units or less

With respect to loans secured by real property containing an owner-occupied, single-family dwelling, existing law provides that prepayment of the principal and accrued interest may be made at any time and that only a prepayment made within 5 years of execution of the contract may be subject to penalty, and then only in specified amounts. This bill would provide that such prepayment provisions are instead applicable to loans secured by owner-occupied residential real property containing only 4 units or less.

The bill would further provide that its provisions shall only be applicable to loans for residential property of 4 units or less which are executed after the act's effective date

This bill would also make additional changes in Section 2954.9 of the Civil Code, proposed by SB 1173, to be operative only if this bill and SB 1173 are both chaptered and become effective January 1, 1980, and this bill is chaptered after SB 1173

Ch. 392 (AB 270) Hannigan Woodland Opera House acquisition and development

(1) The State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 requires all appropriations for the bond act program to be contained in the Budget Act

Under existing law, the Budget Act of 1976 was amended and supplemented to appropriate $280,000 to the Department of Parks and Recreation, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for restoration and related new reconstruction of the Woodland Opera House for the state park system, subject to specified conditions.

This bill would repeal such provisions

(2) The Budget Act of 1977 reverted such 1976 appropriation to the unencumbered balance of such fund and appropriated $280,000 to the department payable from such fund for such purpose, subject to specified conditions. One such provision conditioned the availability for encumbrance of the appropriated funds upon title to the Woodland Opera House and adjacent land being transferred to the state at no cost to the state, and another such provision conditioned such availability upon the transfer of title by the City of Woodland to certain additional lands worth at least $50,000 to the state at no cost to the state

The bill would amend and supplement the Budget Act of 1978 to revert such 1977 appropriation to the unencumbered balance of such fund and appropriate $280,000 to the department payable from such fund for such purpose, specifying that restoration and new construction includes payment of architectural fees or to satisfy any lien for architectural fees, and for the additional purpose of paying costs related to the transfer of title to the opera house and adjacent land, subject to specified conditions The 1977 appropriation conditions that the transfer of title to the opera house be at no cost to the state and that there be a transfer of additional lands worth at least $50,000 would not be carried over to the appropriation made by this bill.

[This bill would take effect as an urgency statute]*

Ch 393 (AB 217) Calvo Property taxation welfare exemption

Under existing property tax law, property owned by an organization which qualifies for the welfare exemption from property taxation and which is leased to an exempt governmental agency to conduct an activity which, if conducted by the owner, would qualify the property for the exemption, is deemed to be within the welfare exemption for property tax purposes.

This bill would expand the exemption to provide that if the exempt organization leases such property to a community college, state college, or state university for educational purposes, such property would also be exempt from property taxation

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state and Section 2229 of the Revenue and Taxation Code requires the state to reimburse local agencies for property tax revenues lost as a result of the classification or exemption of property Other provisions require the Department of Finance to

review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

This bill would take effect immediately as a tax levy but the operative date of this act would depend on its effective date

Ch 394 (SB 1139) Beverly Assignments for the benefit of creditors.

Existing law provides that when an assignment is made for the benefit of a creditor of the assignor, or when property is turned over to the creditors of a debtor, wages and salaries of not more than $900, of specified persons, for personal services rendered within 90 days *prior to such assignment or taking of property, constitutes a preferred claim and* lien which must be paid before the claim of any other creditor

This bill would, instead, establish a priority scheme as between (a) unsecured claims for wages, salaries or commissions up to $2,000, (b) unsecured claims for contributions to employee benefit plans, and (c) deposits up to $900 made in connection with the purchase, lease, or rental of property or the purchase of services for personal, family, or household uses, as specified It also would specify transfers of property which the assignee of any general assignment for the benefit of creditors may and may not recover

The bill also would provide an exemption, as to specified property, from execution for an assignor in any general assignment for the benefit of creditors, as an alternative to any other exemption the assignor may otherwise be entitled to claim

The bill would take effect immediately as an urgency statute, but would become operative on October 1, 1979, to coincide with the operative date of the federal Bankruptcy Reform Act of 1978

Ch 395 (SB 916) Petris. Public libraries

(1) Under existing law, beginning with the 1979-80 fiscal year and each year thereafter, as a condition to participation in programs under the Library Services Act, each library must have available 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

This bill would delete such condition to participation

(2) Existing law requires an establishment grant to be made to a newly consolidated library jurisdiction provided that notice of such consolidation was filed with the State Librarian by January 1, 1979

This bill would delete the January 1, 1979, deadline date and would, instead, require that such notice be filed within one year of consolidation

(3) This bill would become effective immediately as an urgency statute

Ch 396 (SB 780) Mills. *Jitney service San Diego County*

Existing law exempts from the jurisdiction and control of the Public Utilities Commission and the provisions of the Public Utilities Act passenger stage corporations 98% or more of whose operations are exclusively within a single city or city and county

This bill would, in addition, exempt from such control and regulation a passenger jitney service, as defined, 98% or more of whose operations are exclusively within San Diego County, and would provide that the County of San Diego may by ordinance regulate such operations

This bill would remain in effect only until January 1, 1985 ~~and as of such date be repealed.~~*

Ch 397 (AB 618) Chappie Police protection and fire prevention and protection· standby or availability charge special tax

(1) *There is no present statutory provision that authorizes cities, counties, and other* local agencies to adopt ordinances or resolutions imposing a standby or availability charge or a special tax, other than an ad valorem property tax, for the purpose of funding police protection or fire protection and prevention services

This bill would authorize specified local agencies, as defined, to propose for adoption or amendment, by the affirmative vote of ⅔ of the voters voting on such proposition,

by ordinance, as defined, standby or availability charges for police protection or fire suppression services directly related to benefits of the services, after notice and public hearing and annual adjustment, as specified, except that such charge may not be imposed upon other governmental entities, as specified The bill would provide for a majority protest procedure in such public hearing and would provide for an overruling of such majority protest by a ⅘ vote of the legislative body of the local agency.

The bill would also authorize such specified local agencies to propose for adoption a special tax for police protection or for fire protection and prevention services by the affirmative vote of ⅔ of the voters voting on such proposition, except that each such special tax may not be imposed on other governmental entities, as specified The bill would require that the specified local agency determine the amount of, the basis for, and the collection of each such special tax, as specified in the bill

The bill would also authorize the specified local agency to provide for collection of each such special tax by the county on behalf of the local agency and would provide for the county to deduct its expenses for such collection.

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

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

(3) This bill would take effect immediately as an urgency statute and would remain in effect only until June 30, 1983

Ch 398 (AB 1629) Wyman Airport districts

(1) Existing law provides that the governing body of an airport district is a board of 5 directors

This bill would specify, in addition, that each director shall be a resident of the district

(2) Existing law applying generally to all cities, counties, and other local agencies specifies that the maximum interest rate on indebtedness of the agency may not exceed 8%

This bill would conform provisions of the California Airport District Act to these provisions

(3) Existing law limits the term of temporary negotiable notes issued by an airport district to 5 years

This bill would extend this term to 20 years. The bill would prohibit the issuance of any note with a term longer than 5 years until after a public hearing following notice, as specified, and adoption of resolution approving the issuance, and would make such resolution subject to referendum as prescribed

(4) Existing law does not provide for change in the name of an airport district.

This bill would permit a district board to change the district's name

Ch 399 (SB 493) Holmdahl. Municipal utility districts revenue bonds

Existing law allows a municipal utility district with a population of 250,000 or more which has owned and operated an electric distribution system for at least 8 years to issue revenue bonds pursuant to the Revenue Bond Law of 1941 to finance facilities for the electric system

This bill would expand these provisions to allow the issuance of revenue bonds under the same conditions to finance water distribution and sewage disposal facilities.

Ch 400 (SB 395) Holmdahl Sales tax common carriers.

Under existing Sales and Use Tax Law, gross receipts from the sale of tangible personal property to a common carrier which is shipped by the seller via the purchasing carrier under a bill of lading to a point outside California if the property is transported out-of-state for use by the carrier in the conduct of its business as a common carrier, is exempt from sales tax

This bill would provide that with respect to the sale of tangible personal property, other than aircraft fuel and petroleum products, to a foreign air carrier, such sale would

be exempt from sales tax if the foreign air carrier furnishes a certificate to the seller certifying that the purchase was by a foreign air carrier and was transported by the foreign air carrier to a foreign destination for use by the air carrier in the conduct of its business as a common carrier The foreign air carrier would also be required to maintain various specified records relating to such sale and transportation If the foreign air carrier fails to comply with the conditions for exemption, it would subject the carrier to liability for payment of sales tax as if it were a retailer making a retail sale of the property

Ch 401 (AB 196) Torres State property disposition

Existing law authorizes the Director of General Services to convey, for consideration equal to or greater than market value, state property to the County of Los Angeles for use as a portion of the Los Angeles Civic Center Mall

This bill would permit the conveyance to be made without consideration, but subject to any covenants

This bill would also provide that the completion of Phase III of the mall is a public purpose of statewide importance

Ch 402 (SB 952) Stiern Armories federal training purposes

Existing law authorizes the Commanding General of the State Military Forces to lease or authorize the use of armories under various circumstances and conditions

This bill would, in addition, allow the Commanding General to contract with the United States for the use of armories for training of federal military personnel, provided that all state costs are reimbursed

Ch 403 (SB 766) Dills Public Employees' Medical and Hospital Care Act.

Existing law permits the Board of Administration of the Public Employees' Retirement System to contract with carriers pursuant to the Public Employees' Medical and Hospital Care Act for basic health benefits plan, comprehensive benefit plans, major medical plans or approve basic health benefit plans offered by employee organizations pursuant to specified conditions If certain of the provisions of law pertaining to such health benefits conflict with a memorandum of understanding entered into pursuant to the State Employer-Employee Relations Act, the memorandum of understanding shall be controlling, 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 eliminate the requirement that the memorandum of understanding shall be controlling with respect to certain of these provisions of the Public Employees' Medical and Hospital Care Act The requirement would remain as to those provisions of the act regarding state employer contributions

Ch 404 (AB 570) Chappie Insurance

Existing law specifies the minimum net worth that an underwritten title company must have

This bill would increase such amounts

Existing law requires an underwritten title company which engages in the escrow business and acts as an escrow agent to obtain and maintain a fidelity bond or deposit to cover all officers and employees

This bill would delete that requirement

The bill would provide that an underwritten title company has not less than 2 nor more than 4 years to comply with the increased net worth requirement, and if it engages in the escrow business, it would be required to file a letter of indemnity from a title insurer, as specified

The bill would make related changes

This bill would take effect immediately as an urgency statute

Ch 405 (AB 1807) Egeland Local public safety officers

Existing law contains the Public Safety Officers Procedural Bill of Rights Act, which prescribes various rights of specified state and local 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 state and local public safety officers with regard to discrimination and discipline

This bill would make it unlawful for any local public safety department to deny or refuse to any local public safety officer such rights and protections, and would give the superior court initial jurisdiction over any proceeding by a local public safety officer against a local public safety department for violations of such rights

This bill would also permit the superior court to grant appropriate injunctive or other extraordinary relief to remedy violations and to prevent future violations with regard to local public safety officers

This bill would specify that it shall apply only to local public safety officers, and not to state public safety officers

Ch 406 (AB 291) Robinson Municipal and superior courts. Orange County

Existing law specifies the salaries, number, and classification of the officers and employees of the municipal and superior courts in Orange County

This bill would revise the salaries, number, and classification of specified officers and employees of the municipal and superior courts in Orange County

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

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

Ch 407 (SB 570) Greene Alcoholic beverages

Existing law does not prohibit a brand owner of distilled spirits from selling any brand of distilled spirits to a wholesaler or rectifier in this state at a price higher than that which is charged for the same brand of distilled spirits sold by such brand owner in any other state or the District of Columbia.

This bill would prohibit a brand owner of distilled spirits or his agent from selling any brand of distilled spirits, excluding brandy produced in California, to a wholesaler or rectifier in this state at a price higher than the lowest price at which such brand of distilled spirits is sold by such brand owner or his agent to any wholesaler or rectifier during any calendar month anywhere in any other state or in the District of Columbia or to any state or state agency which owns or operates retail distilled spirits stores, as specified

This bill would provide for exclusive remedies for the violation of such prohibition, including a civil action for damages or an action for injunctive relief brought by any person suffering damage as the result of such violation The bill would also provide that a judgment in such a civil action or the granting of an injunction would be grounds for revocation or suspension of the violator's license

Ch 408 (SB 1113) Keene. Physicians and surgeons.

Existing law provides that the Division of Licensing of the Board of Medical Quality Assurance may grant approval of the employment of physicians and surgeons on a salary basis by licensed or approved schools, institutions, foundations, or clinics, as specified, if no charge for professional services rendered patients is made.

This bill would provide that a clinic operated primarily for the purpose of medical education by a public or private nonprofit university medical school, approved, as specified, may charge for professional services rendered to teaching patients by physicians and surgeons who hold academic appointments on the faculty of such university, provided that the charges are approved by the physician in whose name the charge is made.

Ch. 409 (SB 668) Sieroty Fine art

Existing law makes no statutory provision for the protection of an artist or the public against the defacement, mutilation, alteration or destruction of a work of fine art in the lawful possession of one other than the artist

This bill would prohibit any person, except an artist who owns and possesses a work of fine art of his own creation, from intentionally committing or authorizing another to intentionally commit, as specified, any physical defacement, mutilation, alteration, or destruction of a work of fine art A person who frames, conserves, or restores a work of fine art also would be prohibited from committing, or authorizing another to commit, any such acts by the use of gross negligence

This bill would permit the artist to seek specified judicial relief in a court action to enforce the rights and duties created by the bill.

This bill would provide that the court action must be commenced within a prescribed period following the proscribed action or its discovery, whichever is longer.

This bill would provide that the enforcement of prescribed rights and duties by the artist or his heir, legatee, or personal representative shall apply only to proscribed action which takes place prior to the 50th anniversary of the artist's death. This bill would not apply (1) where an artist has waived his rights by an instrument in writing expressly so providing or, (2) where the work of fine art cannot be removed from a building without substantial physical defacement, mutilation, alteration, or destruction of such work and there has been no reservation of such rights in an instrument in writing signed by the building owner and properly recorded Such instrument, if recorded, would be binding on subsequent owners of the building

This bill would apply only to acts of physical defacement, mutilation, alteration, or destruction occurring on or after January 1, 1980, regardless of the date of creation of the work of fine art affected thereby.

This bill would specify that if any of its provisions or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect any other provisions or applications of this bill which can be effected without the invalid provision or application, and to this end the provisions of this bill are severable

Ch 410 (SB 561) Sieroty Contractors

Existing law authorizes the Contractors' State License Board to review and sustain or reverse by a majority vote any action or decision of the Registrar of Contractors except as to actions of the registrar conducted in accordance with the Administrative Procedure Act

This bill would state that such power to review and sustain or reverse actions of the registrar would apply to actions conducted in accordance with the Administrative Procedure Act

Ch 411 (AB 286) Knox Private patrol officers

Existing law exempts various individuals from the provisions of the Private Investigator and Adjuster Act

This bill would provide that the provisions of the act are not applicable to a peace officer of this state or a political subdivision thereof while such peace officer is employed by a private employer to engage in off-duty employment which is not inconsistent, incompatible, or in conflict with, or inimical to, his or her duties as a peace officer and which is approved, if necessary, as specified

Ch 412 (SB 405) Alquist Seismic Safety Commission

(1) Currently there is the 15-member Seismic Safety Commission until January 1, 1981, which reports annually to the Governor and the Legislature on its findings, progress, and recommendations relating to earthquake hazard reduction

This bill would remove the January 1, 1981, termination date for the commission, and would provide, instead, for a January 1, 1986, termination date for the commission

This bill would also authorize the commission to administer oaths and issue subpoenas in the conduct of any hearing, investigation, inquiry, or study

(2) Under existing regulations of the Fair Political Practices Commission, which interpret the conflict of interest provisions of the Political Reform Act of 1974, a material financial effect of a governmental decision on a public official's financial interest is distinguishable from its effect on the public generally unless the decision will affect the official's interest in substantially the same manner as it will affect all members of the public or a significant segment of the public In the case of appointed officials, such as the members of the Seismic Safety Commission, after January 1, 1979, an industry, trade

or profession constitutes a significant segment of the public if the statute providing for their offices contains a legislative finding to the effect that industry representation will serve the public interest.

This bill makes such a finding with regard to the members of the Seismic Safety Commission

Ch 413 (SB 608) Dills Alcoholic beverages out-of-state distilled spirits shipper's certificate.

Existing law does not provide for the issuance and regulation of out-of-state distilled spirits shipper's certificates.

This bill would require an out-of-state distilled spirits shipper's certificate authorizing the shipment of distilled spirits manufactured without this state to licensed importers within this state The bill would also specify requirements for issuance of such certificate.

Ch 414 (AB 593) Goggin Merger of redevelopment project areas in the City of San Bernardino

(1) Existing law permits taxes allocated to the San Bernardino Redevelopment Agency, attributable to a project area merged pursuant to such law, to be allocated to the entire merged project area for the purpose of paying the principal of and interest on loans, money advanced to, or indebtedness incurred by, the redevelopment agency to finance or refinance, in whole or in part, such merged redevelopment project.

This bill would make such allocation mandatory.

(2) Existing law requires that if the San Bernardino Redevelopment Agency has, prior to merger of redevelopment areas under its jurisdiction, incurred any indebtedness on account of a project area so merged, taxes attributable to such area be first used to comply with the terms of any bond resolution or other agreement pledging such taxes from such project area.

This bill would specify that in such situation taxes attributable to such merged area in excess of the assessed value of the taxable property in such area be used to comply with the terms of any bond resolution or other agreement until a refunding occurs which satisfies such resolution or agreement

It would also require, upon merger of a redevelopment project area under the jurisdiction of the San Bernardino Redevelopment Agency, that such merged project area comply with specified provisions relating to replacement dwelling units for persons and families of low or moderate income.

(3) Existing law does not require that specified taxes allocated to the San Bernardino Redevelopment Agency for certain merged redevelopment projects be used, after refunding which satisfies any bond resolution or agreement pledging such taxes, for purposes of increasing and improving the community's supply of housing for persons and families of low or moderate income, as defined, and very low income households, as defined

This bill would make such requirement, provided that such taxes first be used to pay the principal, interest, and premium, if any, under the bond resolutions providing for the issuance of the refunding bonds and providing necessary reserves for such refunding bonds, but only to the extent that such refunding is necessary to refinance existing bonded obligations

(4) Existing law does not prescribe that, in the proceedings for the merger of a redevelopment project under the jurisdiction of the San Bernardino Redevelopment Agency, the legislative body may provide for the extension of any termination date in the redevelopment plan for any particular project area to such date as will enable a refunding to be accomplished in a certain manner Such law does not permit such an extension for the purpose of increasing and improving the community's supply of housing for persons and families of low or moderate income, as defined, and very low income households, as defined, or for other purposes permitted by law

This bill would so prescribe

(5) Existing law makes the provisions, relating to merger of redevelopment project areas in the City of San Bernardino, applicable only to redevelopment projects of the redevelopment agency for which a final redevelopment plan was adopted by ordinance on or before July 1, 1965

This bill would extend such date to January 1, 1978, as specified.

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

Ch 415 (AB 1742) Thurman. Local agencies health and welfare benefits.

Under existing law, the legislative body of a local agency, subject to such conditions as may be established by it, is authorized to provide for any health and welfare benefits for the benefit of its officers, employees, and retired employees who elect to accept the benefits and to authorize the local agency to deduct premiums, dues, or other charges from their compensation As an alternative, existing law also permits the legislative body of a local agency to authorize payment from funds under its jurisdiction of all or such portion as it may elect of the premiums, dues, or other charges or health and welfare benefits on officers, employees, and retired employees subject to its jurisdiction

This bill would include retired members of the legislative body itself within the category of persons covered under these provisions

Ch 416 (AB 1757) Duffy Drainage districts.

(1) Under the Drainage District Act of 1903, districts may be organized to provide for the drainage of agricultural lands other than swamp and overflowed lands and for such purpose may exercise specified powers

This bill would revise the powers and purposes of such districts, and in such connection, authorize such districts to execute contracts with landowners to perform one or more services to lands within the district as specified. The bill would authorize such districts to issue bonds to be paid from revenues only pursuant to the Revenue Bond Law of 1941, or from assessments spread upon the lands of the districts in proportion to the benefits to be provided to each parcel The bill would specify the procedure for the making of such benefit assessments where the board determines to issue bonds secured by benefit assessments.

The bill would also authorize such districts to adopt separate plans for drainage, for disposal of drainage and other waste waters, for control of storm and waste waters occurring on lands owned by the district, and for the storage, conservation, and beneficial use of storm and flood waters within the district, to establish limited areas, and to enter into long-term contracts, as specified, with holders of title to land in each such area to provide one or more of such services The bill would authorize such districts to establish, in accordance with prescribed procedures, zones for the purpose of fixing rates of assessments varying in accordance with the extent of benefits to each zone, as specified The bill would authorize such districts to enter into agreements with the state or other public districts for the joint construction and joint use and maintenance of evaporation ponds or other works, as specified, for the disposal of saline waters

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

This bill would provide that notwithstanding Section 2231 no appropriation nor any reimbursement shall be made for a specified reason

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

Ch 417 (AB 1447) Papan Cemeteries vandalism penalties

Existing law makes it a misdemeanor to unlawfully, or to willfully and without right, commit prescribed destructive or damaging acts in a cemetery or to disturb, obstruct, detain, or interfere with any person carrying or accompanying human remains to a cemetery or funeral establishment or when engaged in a funeral service or interment Such misdemeanors are punishable by a fine of not less than $25 nor more than $500, or 6 months' imprisonment, or both

This bill would revise the intent required for such offenses to require malice, and would revise the penalty to make such acts misdemeanors punishable by a fine of not less than $250 nor more than $1,000, or imprisonment in the county jail for not more than 1 year, or both

The bill would also provide for specified repairs or community services as conditions of probation upon conviction of a violation of such provisions.

Ch 418 (AB 408) McAlister Courts Alameda and Napa Counties

Existing law provides for the salaries, number, and classification of officers and employees of the superior court in Alameda County and the municipal courts in Alameda County and Napa County

This bill would revise the salaries, number, and classification of specified officers and employees of the superior court in Alameda County and the municipal courts in Alameda County and Napa County

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

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

Ch 419 (SB 319) Rodda. State claims.

This bill would appropriate $4,171,830.46 † from the General Fund to the State Board of Control to pay specified claims against the state

This bill would take effect immediately as an urgency statute

Ch. 420 (SB 560) Johnson State liens.

This bill would direct the Director of General Services to release, subject to certain conditions, the existing lien with deed of trust held by the State of California on specified property at Squaw Valley to the United States Olympic Committee for the purpose of establishing a permanent Olympic training center

This bill would take effect immediately as an urgency statute

Ch 421 (SB 718) Stiern. Court commissioners Kern County.

Existing law specifies the duties and compensation of the court commissioner of the superior court in Kern County.

This bill would revise the duties and compensation of the court commissioner of the superior court in Kern County

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

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

Ch 422 (SB 717) Stiern Courts Kern County

(1) Existing law specifies the territory of the East Kern and West Kern Municipal Court Districts

This bill would delete such specification

(2) Existing law specifies the number, classification, and compensation of municipal court personnel in Kern County

This bill would revise the number, classification, and compensation of municipal court personnel in Kern County

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

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

† Appropriation reduced to $556,655.46 by action of the Governor.

Ch 423 (SB 592) Carpenter Vehicles records confidentiality

Under existing law, various records of the Department of Motor Vehicles are, generally, open to public inspection during business hours However, the home address of various peace officers is confidential, if so requested by the officer, and may only be disclosed to specified governmental agencies The department, when a confidential address is requested, is required to tell the requester the law enforcement agency of which the peace officer is a member

This bill would also make the home address of district attorneys and probation or parole officers confidential, and would require the department to tell anyone requesting such an address what law enforcement agency or department the individual whose address was requested works for

Ch. 424 (AB 1831) Ryan Elections

Existing law provides for the use of absent voter ballots in certain limited specified elections

This bill would specify in an added chapter in the Elections Code the instances and manner in which such elections may be conducted

Ch 425 (AB 1787) Ryan Snap tallies

Existing law authorizes the governing body of any jurisdiction holding an election to provide for an early tabulation and announcement of election results of offices and measures of more than ordinary interest In such instances, the special snap tally must, for each office, include the names of all candidates and the votes received for each such candidate

This bill would require the snap tally to include, for each office designated, the names of all candidates and the votes cast for each candidate only for each statewide general election

Ch 426 (AB 1696) Lehman California water districts

(1) Under existing law, the board of directors of a California water district is directed to employ and appoint such officers and employees as may be required and prescribe their duties and fix their salaries

This bill would specify that, subject to policies and standards established by the board, the board may delegate such powers to any officer or employee of the district The bill would also declare that the provisions of the bill are declaratory of and do not constitute a change in existing law

(2) Under existing law, California water districts have no authority to provide for the generation of hydroelectric power

This bill would authorize the South Sutter Water District to construct, maintain, and operate plants for the generation of hydroelectric power in a manner consistent with the district's storage, transmission, and distribution of irrigation water, and would provide for related matters The bill would make legislative findings and declarations in such connection

Ch 427 (AB 269) Kapiloff Retirement trust fund

Under existing law, a county adopting a retirement system under the County Employees Retirement Law of 1937 is required to open a trust fund account designated as "employees retirement fund" on the books of the auditor and treasurer

This bill would expressly declare such fund to be a trust fund, solely for the benefit of the members and retired members of the system and their survivors and beneficiaries

The bill would specify that its provisions are not to be construed to prohibit payment of administrative costs or transfer of surplus funds, as specified

Ch 428 (AB 830) Robinson Auditor General

Under existing law, the Auditor General is appointed by the Joint Legislative Audit Committee It is provided that the Auditor General, prior to his appointment, be a C P A and have a combination of education and experience which in the opinion of the committee is necessary

This bill would provide instead, that the Auditor General be selected by concurrent resolution and serve until his successor is selected or until his removal by concurrent resolution

This bill would authorize the committee to suspend the Auditor General for not to exceed 30 days when the Legislature is in session or until the Legislature reconvenes

when it is not in session The bill would also authorize the chairman of the committee to select an acting Auditor General until the Legislature acts when there is a vacancy in the office of the Auditor General

This bill would also require the Auditor General to possess a combination of education and experience which in the opinion of the Legislature is necessary to perform the duties of his office and would provide that at least one assistant auditor general be a certified public accountant

This bill would take effect immediately as an urgency statute

Ch 429 (AB 1539) Mangers Mental health

Under existing law, prior to July 1, 1978, the state funded 90% of the county and city-operated Short-Doyle programs Local financing of 10% of such programs was waived until July 1, 1979 From July 1, 1979, to July 1, 1982, the state is required to pay the costs of all such programs except for certain state hospital services Thereafter, the state funds 90% of such programs

This bill would, instead, waive the county's financing of 10% until July 1, 1982, of such programs except for such certain state hospital services This provision would be retroactive to July 1, 1979

Under existing law, costs of local mental health services may be a negotiated net amount if a contract is for 75% or more of the total local mental health plan or negotiated rates with providers whose contract with the county is not more than $150,000

This bill would authorize negotiated net amounts if the contract is all or part of the total local mental health plan and eliminate the maximum amount for negotiated rate by providers with counties.

Under existing law, each county submits an annual county Short-Doyle plan to the Director of Mental Health in the form and according to procedures specified by the director

This bill would require the director to develop standard forms to be used by the counties in submitting the county plan, including terms and conditions relative to county compliance with applicable laws and regulations

The bill would authorize the department to invoke certain sanctions if it is determined by the director after a hearing that a county has failed in a substantial manner to comply with the applicable laws and regulations

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

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

This bill would take effect immediately as an urgency statute

Ch 430 (SB 1063) M Garcia. Teachers' Retirement System, State

Existing State Teachers' Retirement Law prescribes the method determining compensation earnable for any absence and for time prior to membership

This bill would delete such provision

Existing law prescribes the method of determining "compensation earnable" for part-time service

This bill would further prescribe the method of computing such compensation for such members

Existing law requires compensation earnable while a member has concurrent membership in another state or local public retirement system to be considered when computing final compensation if the member retires from the State Teachers' Retirement System and the other system concurrently

This bill would limit such other retirement systems to specified systems

Ch 431 (SB 618) Robbins Juvenile court law

Existing law does not authorize a board of supervisors to assign responsibility for assisting and advising the board and other county officers concerning the publication

and distribution of pornographic materials to a delinquency prevention commission Such commissions are presently authorized to coordinate on a countywide basis the work of governmental and nongovernmental organizations engaged in activities designed to prevent juvenile delinquency

This bill would grant such an authorization to boards of supervisors in counties having a population of over 6,000,000

Ch 432 (AB 1683) Bates Small craft harbors finance

Existing provisions of law authorize the Department of Boating and Waterways to make loans to municipalities for small craft harbors and facilities

This bill would authorize municipalities to use excess revenues from specified rates and fees for waterfront improvements, waterfront recreational programs, and purchases of other waterfront property

The bill would specify that it would not affect the duties and obligations imposed upon a city, county, or district by any statute granting to any city, county, or district any state-owned tide or submerged lands

Ch. 433 (SB 198) Zenovich Marriage, family, and child counselors

Chapter 1244 of the Statues of 1977 revised and defined the requirements for licensure as a marriage, family, and child counselor The changes made in Section 17804, Business and Professions Code, in this regard were not incorporated in the technical changes in the section made by Chapter 1161 of the Statutes of 1978, thus placing the section out of conformity with other related licensure provisions

This bill would reinstate the changes made by Chapter 1244 of the Statutes of 1977 It would also take effect immediately as an urgency statute

Ch 434 (SB 812) Petris Housing

(1) Pursuant to existing law, regulations governing the construction and use of structures are promulgated by various state agencies, including the Commission of Housing and Community Development The commission is required, with exceptions, to impose, by its building regulations, substantially the same requirements as are contained in specified model codes published by private organizations Generally, cities, cities and counties, and counties are required to adopt building regulations which are consistent with building regulations adopted by the commission unless changes or modifications are determined to be reasonably necessary because of local conditions and such finding is filed with the Department of Housing and Community Development With exceptions, existing buildings are not required to comply with building regulations adopted after the construction of such building unless the building is unfit for occupancy For such purposes, existing statutory law defines "substandard building" in terms of those conditions listed in Chapter 10 of the Uniform Housing Code, latest edition, a publication of the International Conference of Building Officials, with specified exceptions

Existing law provides for enforcement of such building regulations by designated local agencies.

This bill would, for purposes of the State Housing Law, define "nuisance" as such term is defined in specified sections of the Civil Code and as recognized at common law or in equity

The bill would designate the conditions under which a building is a substandard building as one which contains specified conditions relating to sanitation, structural hazards, nuisance, specified wiring, specified plumbing, specified mechanical equipment, weather protection, fire hazards, specified health and safety hazards, maintenance, exits, improper use, and heating, to an extent that such conditions endanger the life, limb, health, property, safety, or welfare of the public or the occupant thereof

The bill would delete the existing definition of substandard building in terms of the latest edition of the Uniform Housing Code

(2) Existing law makes violation of provisions of the State Housing Law and rules and regulations promulgated pursuant thereto a misdemeanor Also under existing law, regulations of the commission governing alteration and repair of existing residential structures, hotels, and motels are required to permit use and extension of original materials or methods of construction which do not cause the building to be or become substandard

The bill would prohibit an ordinance which permits an action or proceeding to abate a violation of regulations governing maintenance of existing buildings, unless the building is a substandard building or the violation is a misdemeanor

(3) Existing law requires the regulations of the commission to permit the use of alternate materials, appliances, installations, devices, arrangements, or methods of construction which satisfy specified standards

This bill would prohibit an enforcement agency from restricting such use or method of construction specifically permitted by the commission for such use, except pursuant to local ordinances or regulations at variance with state requirements adopted upon express findings of necessity

(4) Under existing law, a building constructed, altered, converted, or maintained in violation of certain building standards and regulations, or if a nuisance exists in a building or upon the lot on which it is situated, is subject, after 30 days' notice or order of abatement or correction of such violation issued by an enforcement agency, to appropriate action or proceeding to prevent, restrain, correct, or abate such violation or nuisance by such enforcement agency

Existing law also prohibits an enforcement agency from requiring vacation of a residential building, unless it concurrently requires expeditious demolition or repair, and existing law requires that the owner have the choice of repairing or demolishing

The bill would require, after inspection and finding a substandard building, that the enforcement agency commence proceedings to abate the violation by repair, rehabilitation, vacation, or demolition of such building if the owner does not repair as scheduled or does not make timely choice of repair or demolition

The bill would also require notice to a tenant of an order to demolish, of the enforcement agency's decision to demolish, or of the issuance of a demolition permit following an order of abatement

(5) Present law does not authorize counties and cities to adopt special building standards for the conversion of commercial or industrial buildings to residential occupancy

This bill would authorize counties and cities to adopt alternative building standards for the conversion of commercial and industrial buildings, or portions thereof, to a new defined occupancy denominated as "joint living and work quarters." Such occupancies would be required by the bill to conform to normal building standards only as to cooking and sanitary facilities, with other requirements to be left to the discretion of the local governing body Such occupancies would be permitted in those geographic areas specifically designated, and in a redevelopment project area if authorized by the redevelopment plan

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

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

(7) This bill would incorporate additional changes in Section 17920 of the Health and Safety Code proposed by SB 811, to become operative only if SB 811 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

Ch 435 (AB 805) Mangers Immunizations communicable diseases

(1) Under existing law, persons under 18 years of age are required to be immunized against poliomyelitis, measles, diphtheria, pertussis, and tetanus prior to unconditional first admission to a public or private elementary or secondary school (except a community college), child care center, day nursery, nursery school, or development center The county health officer is required to organize and maintain a program to make the required immunizations available The law also imposes various duties on the governing authorities of schools and other institutions for which immunization is required as a condition to admission

This bill would add mumps and rubella (German measles) to the communicable diseases for which immunization is required Persons already enrolled in California public or private schools as of January 1, 1980, would, however, be exempted from such

immunization requirement

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

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

Ch 436 (AB 948) Chappie Public employees health care

The Public Employees' Medical and Hospital Care Act, formerly known as the Meyers-Geddes Act, makes provision for state employees health benefits The act contains special provisions for employees stationed out of state

The bill would eliminate those special provisions for employees stationed out of state

Ch 437 (AB 1107) Ivers Pharmacy

Existing provisions of the Pharmacy Act regulate itinerant vendors and general dealers, as defined.

This bill would delete the classification of itinerant vendor and general dealer for purposes of such regulation It would also make related changes with respect to licensure and fees

Existing provisions of the Pharmacy Act define and regulate the labeling and sales of poisons, as defined by schedule The California Hazardous Substances Act also provides for the regulation of such poisons.

This bill would delete Pharmacy Act regulations in favor of regulations pursuant to the California Hazardous Substances Act. It would also enable the pharmacy board to enforce such act, under specified conditions.

Ch. 438 (AB 702) Knox. Medi-Cal prepaid health plans.

(1) Existing law requires the State Director of Health Services to direct the counties to inform Medi-Cal beneficiaries of the various methods for receiving Medi-Cal benefits, if they reside in an area served by a prepaid health plan, and to inquire whether they wish to make a choice

This bill would confine the application of such requirement to persons who are eligible to enroll in a prepaid health plan.

(2) Existing law requires the State Department of Health Services to conduct a public hearing within 60 days prior to the renewal of a prepaid health plan contract on the ability of the plan to fulfill its contractual responsibilities and prohibits renewal, unless the department makes a finding as specified, that the prepaid health plan has fully complied with its contract obligations

This bill would expand the period within which the renewal hearing must be held, to 120 days prior to the renewal and would change the standard for the required finding, to substantial compliance, rather than full compliance, with contract obligations

(3) Existing law requires the department to annually determine, by actuarial methods as specified, prospective per capita rates of payment for services provided to Medi-Cal beneficiaries enrolled in the plans and provides for rate redeterminations, as specified

This bill would clarify the actuarial equivalent cost provision and would revise the provisions providing for rate redeterminations when various changes occur, as specified

(4) Existing law requires that marketing material required to be provided to the director for distribution to prospective enrollees in the plan's service area, include, among other things, public, medically indicated, and emergency transportation arrangements offered by the plan

This bill would require the inclusion in such marketing material, instead, of transportation arrangements, both routine and emergency, offered by the plan

(5) Existing law contains an internally conflicting provision relating to permitting door-to-door solicitation of Medi-Cal enrollees after December 31, 1978, except as provided by regulation of the director, on a county-by-county basis, as specified

This bill would revise that provision to prohibit such solicitation after December 31,

1979, except as authorized by the department, on a plan-by-plan basis, as specified

Ch 439 (AB 963) W Brown Real estate licenses

Existing law provides that the Real Estate Commissioner may take disciplinary 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 provide that the commissioner can also take such disciplinary action against a real estate licensee who claims, demands, or receives consideration for referral of customers to a home protection company

Ch 440 (AB 856) Rosenthal Frozen dessert standards.

(1) Existing law, generally, provides for standards and regulation of manufacture and sale of imitation milk products and nondairy products.

This bill would include nondairy frozen dessert within such provisions and would provide standards for nondairy frozen dessert and nondairy frozen dessert mix, which is used in the manufacture of such dessert It would require the mix to be manufactured in licensed plants and any dry or condensed mix which is reconstituted into freezable form to be reconstituted on the premises in containers or equipment that meet designated sanitary requirements It would provide for the labeling of such nondairy products and for posting of signs stating that nondairy frozen dessert is served on premises and listing its ingredients The bill would also specify standards for the manufacture of nondairy frozen dessert mixes The bill would make other related changes.

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

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

Ch 441 (AB 826) Roos Fire safety residential care facilities

(1) Existing law requires that any home or institution for persons referred to or placed there for protective social care and supervision services by any governmental agency, be equipped with an approved automatic sprinkler system if such home or institution is used or intended to be used for housing more than six nonambulatory persons, or an automatic fire alarm system if used or intended to be used for housing more than six ambulatory persons.

For purposes of such requirement, a totally deaf person is classified as nonambulatory

This bill would remove totally deaf persons from such classification of nonambulatory

This bill would declare the Legislature's intent that a home or institution in which there is housed any totally deaf person be required by the State Fire Marshal to be equipped with a fire warning system to which such person is able to respond

(2) Under existing law, the State Department of Developmental Services succeeded to all duties, purposes, responsibilities, and jurisdiction of the former State Department of Health with respect to developmental disabilities. Existing law defines mental retardation within the term developmental disability By administrative interpretation of such provisions, the determination of the ambulatory or nonambulatory status of any mentally retarded person for the purposes of the provisions relating to automatic sprinkler systems is vested in the State Department of Developmental Services.

This bill would conform such provisions relating to automatic sprinkler systems to such existing law, as administratively interpreted

Ch 442 (SB 728) Marks Residential care facilities fire safety

(1) Existing law requires that any home or institution for persons referred to or placed there for protective social care and supervision services by any governmental agency, be equipped with an approved automatic sprinkler system if such home or institution is used or intended to be used for housing more than six nonambulatory

persons, or an automatic fire alarm system if used or intended to be used for housing more than six ambulatory persons

For purposes of such requirement, a totally deaf person is classified as nonambulatory This bill would remove totally deaf persons from such classification of nonambulatory

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This bill would conform such provisions relating to automatic sprinkler systems to such existing law, as administratively interpreted

Ch 443 (SB 48) Nejedly Desert native plants

Chapters 1239 and 1240 of the Statutes of 1977 added separate provisions regulating California native desert plants

This bill would repeal the provisions of Chapter 1239 and Chapter 1240 and reenact provisions to read substantially the same as Chapter 1239 In doing so, this bill would, among other things, define the words "permit" and "wood receipt," redefine the term "native plant," provide that persons engaged in the nursery stock business are not required to obtain a permit, except as specified, and require that the appropriate county agricultural commissioner assume specified tasks which are the responsibility of the Director of Food and Agriculture under Chapter 1239

Existing law identifies those desert native plants which may and may not be harvested, and authorizes the Director of Food and Agriculture to hold a public hearing on the matter of which native plants should be protected Existing law also provides that nothing in the desert native plants act prohibits any person from cutting, removing, harvesting, transporting, or possessing any dead mesquite, palo verde, or ironwood in amounts less than one cord

This bill would delete the reference to ironwood in such provision, would remove Olneya tesota (desert ironwood) from a category disallowing harvesting, except under specified conditions, to a category of plants that may be harvested, and would remove Pinus longaevae (bristlecone pine) and Dudleya saxosa from the category of plants which may be harvested to a category that may not be harvested.

The bill would authorize the director to consider at a public hearing which plants are in need of protection and also whether the boundaries of protected areas should be changed, and would require the director to hold a public hearing when requested by resolution from any county board of supervisors

The bill would allow a county agricultural commissioner to establish limits on the quantity of desert ironwood which may be taken under any permit and on the number of such permits which may be issued The county agricultural commissioner would also be authorized to establish such rules and regulations as may be necessary for the protection of the ironwood resource

In addition, the bill would require that persons engaged in the production, storage, sale, delivery, or transportation of nursery stock maintain records, as specified

The bill would make additional technical and conforming changes in the law, and would provide that there would be no reimbursement of local agencies for costs incurred by them pursuant to the bill for a specified reason

Ch 444 (AB 1774) Hannigan Schools trustee areas.

The predecessor of current Section 5019 of the Education Code, which relates to the trustee areas of school districts, was last amended by Section 1 of Chapter 471 of the Statutes of 1975 When the Education Code was reorganized by Chapter 1010 of the Statutes of 1976, another version of that section was inadvertently utilized in its preparation

This bill would conform current Section 5019 of the Education Code to the correct

form of the predecessor section.

This bill would take effect immediately as an urgency statute

Ch 445 (AB 1689) Elder Elections

Existing law requires candidates seeking election to office by virtue of the independent nomination procedure to submit their nomination paper with the county clerk for examination no earlier than 134 days before the election and no later than 74 days before the election

This bill would revise such dates to the 148th day before the election and the 88th day before the election, respectively

Ch 446 (AB 1665) Wray Pharmacy

Existing law defines a pharmacy as, among other things, an area where the practice of pharmacy is practiced and where narcotics, dangerous drugs and devices are stored, possessed, prepared, or compounded and from which such drugs or devices are furnished, sold, or dispensed, and specifically provides that an area in a health facility where drugs or devices are stored for treatment of patients registered for treatment in the facility or for treatment of patients on an emergency basis in such facility shall not be construed as a pharmacy

This bill would provide that no provision of law shall be construed as prohibiting a pharmacy from furnishing a prescription drug or device to a licensed health care facility for storage in a secured emergency pharmaceutical supplies container maintained within the facility, as specified

The bill would also delete an obsolete provision

Ch 447 (AB 1495) Bergeson State School Building Aid Fund.

Existing law authorizes the State Allocation Board to approve a school district's application for a construction project, in whole or in part, and to make appropriate apportionments from the State School Building Aid Fund for approved projects If an application is approved in part only, the board may approve any remaining portions of the project and make additional apportionments within 2 years after original approval without requiring the district to issue additional bonds

This bill would increase the period for such approval and apportionments to 5 years

This bill would take effect immediately as an urgency statute

Ch 448 (AB 1420) Greene School buildings sale· lease architect plans

(1) Under current law, when the governing board of a school district or community college district sells or leases with an option to purchase surplus real property not needed for classroom buildings, the property, after being offered for park or recreational purposes, must be offered to the state, among other specified public entities

This bill would specifically require that such surplus real property be offered to the Director of General Services and other specified public entities after the property has been offered for park or recreational purposes

(2) Existing law requires the Department of General Services to supervise the design and construction of any school building The governing board of a school district or community college district is required to file with the department, an ozalid type reproducible duplicate set of architect plans for the new school building plant

This bill would delete such provision

Ch 449 (AB 1282) Lancaster Covina Valley Unified School District kindergarten programs

Existing law exempts certain experimental kindergarten programs from general requirements relating to the use of teacher aides and the calculation of apportionments based on average daily attendance, and imposes specified requirements on such programs Such existing law will be repealed on August 31, 1980, unless a statute chaptered before that date deletes or extends such date

This bill would limit the exemptions to specified experimental kindergarten programs operated by the Covina Valley Unified School District, and would extend such exemptions indefinitely

Ch 450 (AB 843) Nolan Litigation Deposits Fund

Currently, there is in the State Treasury a Litigation Deposits Fund for the deposit of money received as litigation deposits where the State of California is a party to the litigation The Department of Justice controls the fund and is required to file a claim with the State Controller to pay out money in the fund to whomever and at such time as a court may direct

This bill would provide instead, with regard to the payment of money from the Litigation Deposits Fund, that the Department of Justice shall file a claim with the State Controller to pay out money in the fund to whomever and at such time as the department may direct, provided that if a sum of money in the fund was deposited pursuant to order or direction of a court, that sum shall be paid to whomever and at such time as the court may direct

Ch 451 (AB 1251) Nolan Medi-Cal childrens' eligibility and parental duties

Existing civil law statutes provide that parents have a duty to support their minor children, with specified exceptions, and their needy children who are unable to maintain themselves by work Also, existing Medi-Cal statutes provide that the parent or parents of a child under 21 are financially responsible, with specified exceptions, for the cost of health care, received under Medi-Cal by such child, as a medically needy (MN) family person

This bill would amend the Medi-Cal statutes to provide, instead, for such parental responsibility, with such specified exceptions, for a child between 18 and 21 receiving such Medi-Cal services who is living in the home of the parent or parents, to add more specifics to such exceptions, and to make related changes

A provision of the existing Medi-Cal statutes makes eligible for Medi-Cal benefits, as a medically indigent person, any person 18 to 21 years of age, who would be eligible as a medically needy family person but whose parent or parents refuse to apply for health care services and whose monthly net nonexempt income and resources are not sufficient to provide for health care or coverage, as specified.

This bill would repeal that provision

Federal financial participation is available for beneficiaries who qualify for Medi-Cal as public assistance recipients, as medically needy, or, by federally required choice, as medically indigent persons under 21, but not for those over 21 who qualify therefor as medically indigent A Medi-Cal statutory provision defines medically indigent in terms of not being eligible as a public assistance recipient or as medically needy and, by administrative interpretation, includes any applicant over 21 who could qualify as medically needy but who does not desire to perform the acts necessary for a determination of such eligibility

This bill would revise such definition by (1) defining medically indigent in terms of not being able to qualify as, rather than not being eligible as, a public assistance recipient or medically needy; and (2) providing that, to the extent required by federal law, any person under 21 who could qualify as a medically needy person or a medically needy family person may, if the person so chooses, qualify as a medically indigent person

Ch 452 (AB 373) Knox. Commodities

The California Commodity Law regulates the buying and selling of commodities and the selling of investment advice concerning commodities. Such law requires registration of persons where appropriate and authorizes the Commissioner of Corporations to issue certificates authorizing persons to do business in California with regard to commodities. The commissioner is charged with the laws enforcement

This bill would repeal the California Commodity Law It would also provide that the repeal shall not affect any civil or criminal liability based upon transactions occurring prior to the effective date of the repeal

This bill would also provide that on and after its effective date, any reference in any code or statute of this state to persons licensed under the California Commodity Law shall be construed to refer to persons registered under the federal Commodity Exchange Act

Ch 453 (AB 424) Papan County elections· board of supervisors

Under existing law if there are no more than 2 candidates for any one office of a county supervisor, such office must not be placed on the official ballot and is not voted upon at the ensuing direct primary election, but such office must be placed on the official ballot for, and be voted upon at, the ensuing November general election

This bill would repeal such provision of law

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

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

Ch 454 (AB 238) Papan Public retirement systems payment of benefits

Existing provisions of the Public Employees' Retirement Law and the State Teachers' Retirement Law permit a person entitled to benefits to have payment therefor transmitted directly to the person's bank, savings and loan association, or credit union for deposit Existing provisions of the County Employees Retirement Law of 1937 permit this practice provided the financial institution is located in this state

This bill would delete the limitation in the County Employees Retirement Law of 1937 that the financial institution must be situated in this state in order that a person's retirement benefits may be transmitted directly to it, and would extend this right to persons entitled to benefits under every other state and local public retirement system.

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for specified reasons, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 455 (SB 1084) Carpenter Alcoholic beverages

Existing law prohibits an on- or off-sale alcoholic beverage licensee from purchasing alcoholic beverages for resale from any person other than a person licensed as a manufacturer, wine grower, rectifier, or wholesaler Tied house restrictions contained in the Alcoholic Beverage Control Act prohibit retail licensees from also holding an interest in any other type of alcoholic beverage license

This bill would authorize 2 or more alcoholic beverage retail licensees of the same type to agree to group purchase distilled spirits from a wholesaler or rectifier through a designated agent under specified conditions

Ch 456 (SB 1044) Greene Unemployment insurance

Existing law requires that each officer and employee of the Employment Development Department whose duties include the handling of property or funds execute an official bond

This bill would, instead, only require that the Director of Employment Development execute such bond

Existing law permits certain individuals whose services are not otherwise included as covered employment, for purposes of unemployment compensation benefits or unemployment compensation disability benefits, to elect to have such services included within the meaning of employment, but existing law does not specifically include such individuals within the meaning of the term "employee"

This bill would specifically include such person within the meaning of the term "employee" for such purposes

Existing law specifies that the contribution rate of any employer who fails to file specified reports or who fails to pay contributions when due shall be not less than a specified amount unless such employer establishes to the satisfaction of the director that such failure to file or pay was not due to any intention to evade or avoid the provisions of the unemployment and disability compensation law

This bill would repeal such provisions

Existing law contains various provisions generally requiring the department to notify the claimant's last employer whenever a claim is filed with the department, or whenever the department makes a determination or computation with respect to such claim, and requires such employer to submit any facts to the department which may affect the claimant's eligibility within a specified period of time

This bill would generally permit an employer who acquires knowledge of facts which could not reasonably have been known within such time period, which may affect the eligibility of a claimant, to submit such facts to the department within another specified period of time, which may be extended for good cause

This bill would also make additional changes in Section 1030 of the Unemployment Insurance Code, proposed by AB 134, to become operative only if this bill and AB 134 are both chaptered and become effective on January 1, 1980, and this bill is chaptered after AB 134

The bill would also make other technical, nonsubstantive changes in various provisions of law

Ch 457 (SB 860) Russell California National Guard courts-martial.

Existing law provides for courts-martial having jurisdiction over various ranks of commissioned and enlisted members of the California National Guard and having certain jurisdictional limits of punishment In addition to other specified forms of punishment, special courts-martial have jurisdiction over officers and those composed of 3 or more members may adjudge a fine of not over $100, confinement of not over 100 days, or both fine and confinement in any combination totaling not more than 100 in number of days and number of dollars and may award a dishonorable discharge to an enlisted member, one-officer special courts-martial may adjudge a fine not over $75, confinement not over 75 days, or both fine and confinement totaling not over 75, and summary courts-martial may adjudge a fine not over $25, confinement not over 25 days, or both fine and confinement totaling not over 25

This bill would remove the jurisdiction of a special court-martial over officers and would revise these authorized punishments as follows

(a) Special courts-martial composed of 3 or more members fine not over $100 for a single offense or not over $180 for 2 or more offenses, fine and confinement totaling not over 180. In addition, such a court martial may award a bad-conduct discharge, rather than a dishonorable discharge, to enlisted members, and the bill also specifies that one member of the court be a military judge

(b) One-officer special courts-martial· fine not over $100 for a single offense or not over $180 for 2 or more offenses, fine and confinement totaling not over 180 In addition, such a court martial could award a reprimand

(c) Summary courts-martial confinement not over 25 days for a single offense or not over 30 days for 2 or more offenses, fine and confinement totaling not over 30.

Ch 458 (AB 561) M Waters. Subpoenas authority for issuance

Existing law provides that the clerk or the judge, if there is no clerk, shall issue a subpoena to a party requesting one An attorney is not authorized to issue a subpoena.

This bill would authorize an attorney who is the attorney of record in an action or proceeding to sign and issue a subpoena to require attendance of a witness in court or to compel a person to appear for the taking of a deposition relative to a pending action or proceeding

Ch 459 (AB 489) Ryan Ballot arguments

Existing law provides for specified procedures for ballot arguments for school measures

This bill would transfer the provisions relating to the procedures for ballot arguments from the Education Code to the Elections Code

Ch 460 (SB 179) Marks Peace officers. San Francisco Port Commission

Existing law designates policemen of the San Francisco Port Commission as peace officers and specifies the primary duty and extent of the authority of such peace officers.

This bill would instead designate members of the San Francisco Police Department

who were formerly policemen of the San Francisco Port Commission as peace officers with the same specified duty and authority

This bill would specify that there shall be no reimbursement or appropriation pursuant to this bill for a specified reason

Ch 461 (SB 576) Vuich Insurance bond for payment of taxes.

Existing law requires insurers, with certain exceptions, as a condition precedent to transacting insurance business in this state, to file a bond in favor of the people of the State of California effective to cover the accruing liabilities of the insurer, as specified

This bill would delete such requirement

Ch 462 (SB 1177) Carpenter Community college districts medical personnel psychological interns

(1) Under existing law no specific authority is given to the governing boards of community college districts to appoint or employ psychological interns

This bill would specifically authorize the governing board of any community college district to appoint or employ psychological interns, as defined, to augment existing student health care services.

This bill, in addition, would state that its provisions authorizing the governing boards of community college districts to appoint or employ psychological interns, as defined, are declaratory of existing law

(2) Under existing law, the governing boards of community college districts are authorized to appoint certain enumerated medical personnel, including psychologists

This bill would authorize such governing boards to appoint clinical psychologists, rather than psychologists.

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

Ch 463 (AB 1207) Tanner Electronic and appliance repair

Existing law provides that the Director of Consumer Affairs may refuse to validate, or may invalidate temporarily or permanently, the registration of a service dealer under the Electronic and Appliance Repair Dealer Registration Law for various acts or omissions of the dealer or any employee, partner, officer or member of the service dealer, including, (a) conviction of a felony or any offense involving moral turpitude which has a substantial relationship to the functions and responsibilities of a registrant under the law, in which event the record of the conviction shall be conclusive evidence thereof, and (b) if the applicant or registrant lacks good moral character, as defined

This bill would revise those provisions to permit the director to act (a) for conviction of any crime having such a substantial relationship to the requirements of the law, (b) where the applicant or registrant has committed acts or crimes constituting grounds for denial of a licensure under specified provisions of the Business and Professions Code relating to all licentiates under that code, and (c) where the applicant or registrant will be or is holding the registration for the benefit of a former registrant whose registration has been revoked and who will still have some involvement in the applicant's or new registrant's business.

Existing law requires an estimate given by a service dealer at the request of a customer to include parts and labor and prohibits a service dealer from charging for parts and labor in excess of such estimate without the previous consent of the customer

This bill would provide that these same provisions shall apply to an estimate which is volunteered by a service dealer

Existing law provides that a service dealer may charge a reasonable fee for making an estimate

This bill would provide that such a fee may only be charged for making a written estimate

This bill also would provide that no lien, including a specified possessory lien for service on personal property, shall exist where the total charges for repair of electronic or appliance equipment exceeds estimates, as specified

Additionally, the bill would repeal provisions of law specifically regulating repair of television and radio sets in a county with a population of two million or more

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by

the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

Ch 464 (SB 617) Roberti Real Estate Fund

Existing law provides that specified fees charged and collected shall be credited to the Real Estate Fund in the State Treasury, and provides for the transferring of specified funds to a separate account in such Real Estate Fund for the purpose of real estate education, research, and recovery

Existing law provides that a specified judgment creditor of a real estate licensee may, upon final judgment, file a verified application with the court for an order directing payment out of the separate account in the Real Estate Fund for education, research, and recovery purposes for up to $10,000 of the amount unpaid on the judgment. Such separate account, however, may not be obligated for more than $10,000 per transaction regardless of the number of persons aggrieved or the parcels of land involved in a transaction.

This bill would provide that the liability of such separate account in the Real Estate Fund for a cause of action occurring after a specified date shall not exceed $20,000 per transaction, regardless of the number of persons aggrieved, the parcels of real estate involved or the licensees participating in the transaction

Existing law provides that the court, after a hearing, shall enter an order directing the Commissioner of Real Estate to levy against the separate account in the Real Estate Fund for education, research, and recovery purposes an amount found to be payable upon the claim. Notwithstanding other applicable provisions of law, the liability of such separate account allocated for such purposes is limited to $20,000 and $40,000 for any one licensee for causes of action occurring between July 1, 1964, and January 1, 1975, and after January 1, 1975, respectively

This bill would provide that such $40,000 liability for any one licensee shall be limited to causes of action occurring prior to January 1, 1980, and would provide a $100,000 limitation upon the liability of such separate account for any one licensee for which the cause of action occurred after January 1, 1980

Existing law provides for the distribution in specified ratios of sums available for distribution in the separate account in the Real Estate Fund for education, research, and recovery purposes to separate judgment creditors who have filed claims against any one licensee

This bill would make technical changes in such provisions conforming to amendments proposed by this bill.

Ch. 465 (AB 613) Rosenthal. Public assistance· property qualifications.

Under existing law, specified property for funeral, cremation, or interment expenses which does not exceed $1,000 in value is exempt for purposes of determining the property qualifications of recipients of public assistance other than Medi-Cal.

This bill would include within this exemption property entrusted to a cemetery authority for cemetery purposes and would apply the exemption to the determination of the resources of Medi-Cal recipients.

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement of these costs.

Ch 466 (SB 188) Dills Loans: personal property brokers

Existing law sets forth the amount of interest per month which may be charged by a personal property broker for loans, the rate of such interest varying depending on the

amount of the unpaid principal balance as follows:

(a) 2¼% on the first $225

(b) 2% on amounts between $225 and $625

(c) 1¼% on amounts of $625 to $1,650

(d) 1% on amounts in excess of $1,650

These provisions will remain in effect until January 1, 1981

This bill would make permanent the rates set forth except that it would permit a finance charge of 2% on amounts between $225 to $900, and 1¼% on amounts between $900 and $1,650

Under existing law personal property brokers may precompute the charges on a loan when the loan is made and add the charges to the principal of the loan. In such instances if the loan contract is prepaid in full before the final installment, the borrower is required to have rebated to him the portion of the precomputed charge applicable to the full installment periods following the installment date nearest the date of such prepayment In specified instances, in the case of loans prepaid before the third installment date or the ninth installment date, however, the rebate is the difference between the total precomputed charge and charges at the contract rate computed on unpaid principal balances by applying each payment first to charges and the remainder to principal

This bill would instead provide that the rebate shall be the difference between the total precomputed charge and the charges at the contract rate on the unpaid principal balance

The bill would make technical changes and also provide that it would only apply to contracts entered into on or after January 1, 1980

Ch. 467 (AB 595) Fenton California Administrative Code and Register distribution to counties

(1) Under existing law, the Office of Administrative Hearings is required to file, within a particular time after receipt from the State Printing Office of copies of the California Administrative Code or of the California Administrative Register, one copy of the particular issue of the code or register with the county clerk of each county or the county clerk's delegatee

This bill would repeal such requirement

(2) Existing law requires the Office of Administrative Hearings to supply a complete set of the California Administrative Code and the California Administrative Register to the county clerk of each county or the county clerk's delegatee

This bill would instead only require the Office of Administrative Hearings to supply such code and register if the Director of General Services determines that the code and register are maintained in a complete and current condition and at times convenient to the public and the code and register are not otherwise reasonably available to the public in the community where such code and register are normally maintained.

Ch. 468 (AB 341) Perino Telephone information service

Existing law requires, until December 31, 1979, that a telephone information service providing specified information be maintained in the principal office of the Agricultural Labor Relations Board, and also requires the board to provide necessary and appropriate services 24 hours a day to the parties involved 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, until the election is held

This bill would delete the provision requiring that such services only be provided until December 31, 1979

Ch 469 (AB 313) Thurman Vehicles streetsweeping or watering.

Under existing law, every person who operates a motor vehicle upon the highways is, generally, required to obey all traffic laws, including driving upon the right half of the roadway and stopping, parking, or standing vehicles at the curb or edge of the roadway Under specified conditions, certain vehicles are exempted from these requirements when engaged in activities which make it impractical for them to observe particular rules

This bill would exempt streetsweeper vehicles and watering vehicles of a local authority from obedience to rules of the road relating to driving upon the right half of the

roadway and stopping, parking, or standing vehicles at the curb when these vehicles are being used, between 1 a.m and 5 a.m , to sweep streets or water landscaping or vegetation When operating under this exemption, the vehicles would be required to flash the front and rear turn signal on each side of the vehicle simultaneously

Ch 470 (AB 256) Chappie Alcoholic beverages.

The Alcoholic Beverage Control Act defines the term "club" for purposes of issuing club licenses to include various categories of clubs and includes in such categories any chapter or local unit of an American national fraternal organization which, among other things, is operating in not less than 20 states and has not less than 200 local units in those 20 states

This bill would revise such requirements for a local unit of an American national fraternal organization to require that such fraternal organizations have not less than 175 local units in 20 states rather than 200 local units

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 471 (AB 924) Alatorre Schools community colleges certificated employees· retirement

(1) Under the State Teachers' Retirement Law any member who has reached age 65 and wants to continue employment has the right to continued employment provided that the member is certified by his or her employer pursuant to specified rules and regulations as to the member's competency and notice of continued employment is filed

This bill would provide that any member who has reached age 70 has such right to continued employment

(2) Under existing law certificated employees in a school district and a community college district lose their classification on reaching age 65 and are employed from year to year at the discretion of the governing board

This bill would provide that such employees lose their classification on reaching age 70

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

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

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

Ch 472 (AB 1112) Moorhead Professional corporations

Existing law authorizes specified professionals to incorporate and practice or engage in a single profession

This bill would specify that a registered nurse may own shares in a medical corporation and would entitle such corporation to practice medicine and nursing in the name of such corporation

Ch 473 (SB 168) Johnson Nondairy products labels.

The existing law provides standards for labeling of products resembling milk products, including the requirements that the ingredients of a nondairy product be listed and that such products contain the statement that the product is a nondairy product

This bill would require, after July 1, 1980, that any product labeled as a "nondairy product" and containing one or more ingredients derived from milk shall indicate upon such label which ingredients are milk derivatives, as specified.

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

of Control for reimbursement

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

Ch 474 (AB 1010) Fenton Veterans' benefits appeals

Existing law permits anyone denied an application to the Department of Veterans Affairs for veterans' benefits the right to appeal the decision to the Director of Veterans Affairs

This bill would revise these provisions to instead permit an appeal to the California Veterans Board

Ch 475 (SB 997) Wilson Escrow deposits

Existing law provides that all moneys deposited in escrow to be delivered upon the close of escrow or any other contingency shall be deposited in a bank.

This bill would also authorize the deposit of such moneys in a state or federal savings and loan association and make a related change

Existing law provides that escrow or trust funds are not subject to execution or attachment in any claim against an escrow agent

This bill would similarly exempt interest paid or payable on such funds

Ch 476 (AB 666) Ryan Elections community colleges governing board

Under existing law, members of governing boards of community college districts are generally elected on the first Tuesday after the first Monday in November of odd-numbered years, and take office on the last Friday of that month

This bill would make conforming changes in provisions relating to the date on which the terms of office of the initial governing board members of newly formed community college districts expire, and when the terms of subsequent members begin

Ch 477 (AB 230) Alatorre Universities and colleges tuition and fees.

Under current law, no specific program exists for a grant for postsecondary education expenses to a dependent of a public official who is intentionally killed while holding office

This bill would provide that a dependent, as defined, of an elected public official of a public agency who is intentionally killed on or after January 1, 1975, as prescribed, is entitled to obtain a grant from the Student Aid Commission to pay tuition and fees for education beyond the secondary level not to exceed the amounts established for the Cal Grant program

The bill would require the commission to adopt rules and regulations for purposes of the bill

Ch 478 (AB 1406) Bates Clinic licensure exemptions

Existing state law generally requires licensure of clinics and defines the classes of clinics eligible for licensure Certain types of facilities providing outpatient care are, however, exempted from clinic licensure

This bill would add nonprofit speech and hearing centers, as defined, to the types of outpatient facilities exempt from clinic licensure Any facility desiring the exemption would be required to make application to the State Director of Health Services The bill would require such facilities to be treated as prescribed outpatient clinics for purposes of the Medi-Cal Act, notwithstanding the licensure exemption which would be created by the bill

This bill would take effect immediately as an urgency statute

Ch 479 (AB 665) Wray Zoning public notice

Existing law requires a county or city to provide notice by publication in various forms and also notice by mail to specified persons when a public hearing by a planning commission is convened to hear proposed zoning ordinances or amendments thereto One permissible, alternative form of notice is placement of a display advertisement of at least ¼ page in the newspaper having the greatest circulation within the area affected by the proposed zoning ordinance or amendment, and in a newspaper of general circulation, if available, within the area.

This bill would instead prescribe this alternative form of notice as requiring only publication in a newspaper having general circulation within the affected area.

Ch 480 (AB 26) Egeland Mental health respite services project

Existing law provides respite care services for the developmentally disabled within its certified family care program

This bill would require each county mental health plan, by July 1, 1980, to include a statement of need for respite services for the mentally disordered and a plan to provide such services, within the availability of funds and resources, whenever feasible The plan must include 24-hour out-of-home care for periods less than 30 days, 24-hour in-home care for periods less than 30 days, and companion service for less than 24 hours. This bill would require the State Department of Mental Health, by January 1, 1981, to set rates for such services.

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

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

Ch 481 (AB 893) Knox Government tort liability

Existing law provides immunity for injuries where a governmental body exercises the discretion given to it by the state in the planning and designing of public construction and improvements

This bill would extend the immunity for injuries in cases where the public property no longer conforms to the plans or designs of a governmental body, to allow such a body to remedy the property and bring it within the specifications of the plans or designs In the event the governmental body is unable to remedy the public property, this bill would extend the immunity for so long as necessary, provided it provides adequate warnings of the defects in the property, as specified

Ch 482 (AB 1790) Calvo Joint exercise of powers by public entities

Under existing law, public entities may enter into joint powers agreements for various purposes Any agency, commission, or board provided for by joint powers agreement may issue revenue bonds to pay the cost of acquiring or constructing a project, if such entity has the power to construct, maintain, or operate projects specified in provisions of existing law A "project" is defined to mean buildings, structures, improvements and all facilities appurtenant thereto or provided therefor together with land and offstreet parking facilities necessary therefor to be financed by revenue bonds issued pursuant to these provisions of existing law Each affected local agency is required to authorize a joint powers entity to issue revenue bonds pursuant to an ordinance of the local agency, which must include, among other things, a maximum amount of bond issuance

Existing law requires a separate authorization for each bond issue Finally, currently there is an interest limit on the bonds of 8 percent per annum, and a requirement that the bonds be issued and sold for not less than par and accrued interest to date of delivery, generally at a public sale through a bidding process.

This bill would revise such provisions as follows

(1) Empower any agency, commission, or board established pursuant to a joint powers agreement to issue revenue bonds to pay the cost and expenses of constructing, maintaining, and operating facilities for the generation or transmission of electric energy for public or private uses

(2) Expand the definition of "project" to include an ownership interest or a capacity right in a facility for the generation or transmission of electrical energy, situated in whole or in part within or without the state

(3) Provide that transmission of electric energy does not include the final distribution of electric energy to the consumer

(4) Provide that any authorization of a joint powers agency for purposes of a project for the generation or transmission of electrical energy does not include the power to

condemn property owned or otherwise subject to use or control by any public utility within the state

(5) Expressly empower joint powers entities, in the case of a project for the generation or transmission of electric energy, to issue notes for the purpose of financing studies, the acquisition of options, permits, and other preliminary costs incurred prior to the undertaking of construction or acquisition of a project, and to provide temporary financing of construction or acquisition, with such notes payable from the entities revenues or from the proceeds of revenue bonds

(6) Require additional specified items to be included in an authorization ordinance for a joint powers entity formed for the completion of a project for the generation or transmission of electrical energy, and authorize such an entity to exceed the maximum amount of the ordinance under certain conditions

(7) Establish an exception to the separate bond issue requirement in the case of bonds issued in installments from time to time for a project for the generation or transmission of electric energy or the costs of studies or other preliminary costs identified in the authorization for such a project.

(8) Provide that the maximum interest rate of 8 percent per annum does not apply to bonds issued to continue or complete financing of a project for the generation or transmission of electric energy for which bonds have previously been issued

(9) In the case of a project for the generation or transmission of electrical energy, authorize the sale of revenue bonds at less than par if the entity's governing body determines that such a sale will result in more favorable terms for the bonds

(10) Authorize a negotiated sale of revenue bonds in the case of a project for the generation or transmission of electrical energy, as an alternative to inviting bids

Ch 483 (AB 1305) Bergeson Schools special education

(1) Existing law appropriates $400,000 annually to the Department of Education for the purpose of contracting or making grants for conducting research in the education of individuals with exceptional needs and gifted pupils

This bill would repeal and recast certain provisions concerning research in the education of individuals with exceptional needs and gifted pupils.

(2) Existing law provides for a program for the improvement of elementary and secondary education and defines secondary school as one maintaining two or more of grades 7 to 12, inclusive The law also authorizes the district governing board to request a waiver of certain code provisions in relation to successful implementation of a school improvement plan

This bill would redefine secondary school for such purposes as any school that is not an elementary school, as defined The bill would also specify that the board may request a waiver of a single provision on behalf of more than one school in the district

(3) Existing law requires the State Board of Education to norm and approve adaptive behavior scales which are to be utilized in conducting complete psychological examinations for the purpose of placing pupils in special education programs for the mentally retarded

This bill would require, instead, that the State Board of Education adopt guidelines pertaining to the selection and use by school districts of adaptive behavior scales and instruments

(4) Existing law, in providing for exceptional pupils, grants the Superintendent of Public Instruction broad administrative discretion to approve exemplary experimental programs to operate at variance with specified provisions

This bill would specify that such programs be denominated as innovative education and training programs

(5) Existing law sets different time limits for private schools and local school districts, not subject to the so-called master plan for special education, and, nonpublic schools and responsible local agencies, subject to such plan, to initiate an appeal for purposes of finalizing a contract for the private or nonpublic school's provision of special education services that cannot be provided by the public sector Provisions for the issuance of warrants, prior to the finalization of such contract, to the private school or nonpublic school also differ, depending on whether the public school is subject to the master plan

This bill would bring the different time limit and warrant provisions into conformity

Existing law generally provides that a private school and local school district, not

subject to the so-called master plan for special education, may initiate an appeal to the county superintendent of schools to finalize a contract for the provision of specified special education services by the private school to the school district

This bill would specify that such appeal be made to the Superintendent of Public Instruction in the event that the boundaries of the local school district are coterminous with the boundaries of the city and county

(6) Current law specifies the membership of the school appraisal team, including a pupil services worker to serve as a child advocate, in the event that neither the parent of the pupil nor the representative of such parent serve as members of such team.

This bill would specify that the child advocate could not act as a surrogate for the parent, as such term is defined in the United States Code and the regulations promulgated thereto, and could not provide the written parental consent required of the parent of a pupil prior to the assessment or placement of such pupil

(7) Current law requires that 10 schooldays expire between the parent's receipt of written notice of the intended assessment of the pupil and the parent's decision to permit or prohibit such assessment Furthermore, the assessment cannot begin prior to the expiration of the 10-schoolday period, even if the parent's written consent is received prior to the expiration of such period

This bill would authorize the school appraisal team or educational assessment service to begin the assessment immediately upon receipt of the parent's written consent

(8) Existing law specifies the procedures to be followed for the review of the determination of a fair hearing panel, including the submission of a written petition requesting review within 20 days following such determination, the hearing before the Superintendent of Public Instruction, the rendering of a written, reasoned decision within 15 days after the hearing, and the transmission of a copy of such decision to the parent and the responsible local agency

This bill would provide that such petition be submitted within 30 calendar days following the decision of the fair hearing panel and that the decision of the superintendent be rendered and the transmission of a copy of such petition be transmitted within 30 calendar days following the filing of such petition Upon request of either party to the superintendent, the 30-calendar-day time limit could be extended In addition, this bill would delete the provisions for a hearing

(9) This bill would also make related corrective and technical changes

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

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

Ch 484 (SB 1131) Nimmo Grand juries.

Existing law provides that members of the grand jury serve for one year and until other members are selected and returned

This bill would provide that the presiding judge of the superior court shall name 4 members of the grand jury not previously so named, who served on the previous grand jury and who so consent, to serve for a second year

Ch 485 (AB 487) Papan State officers· absence from state

Existing law prohibits state officers from absenting themselves from the state for more than 60 days, except in specified circumstances

This bill would exempt from such prohibition the following the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, a Member of the State Board of Equalization or the State Personnel Board, or a Member of the Legislature However, the bill specifies that no such person shall reside outside the state

Ch 486 (AB 473) Imbrecht Documents and written reports

(1) Existing law does not require that any document or written report prepared under the direction of a state or local agency, and which is prepared in whole or in part by nonemployees of such agency, contain the numbers and dollar amounts of all contracts and subcontracts relating to the preparation of such document when the total cost for work performed by nonemployees of the agency exceeds $5,000

This bill would require that such information be contained in a separate section of such document

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

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

Ch 487 (AB 57) Robinson Alcoholic beverages

Existing law authorizes the issuance of special on-sale general licenses for the sale of alcoholic beverages.

This bill would specifically authorize the issuance of such a license to any nonprofit theater company which has been in existence for at least 10 years and which is tax exempt, as specified The bill would also exempt such nonprofit theater company from the definition of public premises for the purposes of the Alcoholic Beverage Control Act

Theater companies holding such a license could, subject to the provisions on daily closing hours, sell and serve alcoholic beverages to ticketholders only during, and one hour prior to and one hour after, a bona fide theater performance of the company

The revenues from licenses for the sale of alcoholic beverages are continuously appropriated

This bill, by increasing the number of qualified licenses, would affect the appropriation

The provisions of the bill would be repealed as of January 1, 1985

Ch 488 (AB 1391) Torres Healing arts

Existing law prohibits the performance of acupuncture on a person without a prior diagnosis or referral from a licensed physician and surgeon, a licensed dentist, a licensed podiatrist, or licensed chiropractor It is provided that the referral need only be for acupuncture treatment and need not be to a particular certificate holder The acupuncture performed is required to be appropriate to the diagnosis

At the completion of treatment, the acupuncturist is required to report to the diagnosing or referring physician, dentist, podiatrist, or chiropractor, the nature and effect of the treatment

This bill would repeal such provision

This bill would also provide that after January 1, 1980, and until February 1, 1985, the Division of Allied Health Professions shall annually transmit a report to the Legislature describing all of the complaints received, disciplinary actions taken, and prosecutions brought by the division which involve the practice of acupuncture by licensed acupuncturists

Ch 489 (AB 296) Young Adoption hard-to-place children

Existing law requires the reimbursement of private adoption agencies for costs incurred in aid to adoption programs for hard-to-place children, less the amount of any fees received by such agencies from adoptive parents, up to a maximum of $1,500 per placement It also requires reimbursement to such agencies for costs incurred in placing hard-to-place children with adoptive parents not eligible for fee reduction or subsidy under an aid for adoption program up to a maximum of $1,000 per placement

This bill would increase the maximum amount of reimbursement for an adoption under the hard-to-place program to $2,000 and in cases when the parents are ineligible for fee reduction to $1,500

Existing law specifies that in order to be reimbursed for a placement of a hard-to-place child with adoptive parents not eligible for fee reduction or subsidy the child must meet designated criteria, including being relinquished or freed from parental control

This bill would specify that such child must be relinquished or freed from parental control to a California public agency

Ch 490 (SB 980) A Garcia Clinic licensure

Chapter 1147 of the Statutes of 1978 enacted a new licensure law for clinics effective September 26, 1978, and also subjected the establishment of a new specialty clinic, as defined therein, to certificate-of-need review under the health planning laws.

This bill would permit licensure as a chronic dialysis clinic or surgical clinic without a certificate of need with respect to existing outpatient clinics verified by the State Department of Health Services and the Office of Statewide Health Planning and Development as having met prescribed criteria prior to September 26, 1978 The bill would not exempt such a clinic from other certificate-of-need requirements and would restrict its exemption to the initial licensure as a specialty clinic under the bill Clinics meeting the criteria prescribed by the bill for licensure as a surgical clinic without a certificate of need would also be exempted from any requirement for operation on an open-staff basis as a condition of licensure

This bill would take effect immediately as an urgency statute

Ch 491 (AB 521) Deddeh Public employees sick leave

Under existing laws prescribing budgeting procedures for state and local agencies, provision is required to be made for expenditures relating to "salaries and employee benefits"

This bill would permit the state and any public agency to establish a separate object of appropriation or a subobject of appropriation within salaries and employee benefits for the payment of compensation to employees who are on approved leaves of absence on account of sickness

Ch 492 (AB 1022) Tanner Untrue advertising.

Existing law prohibits the making or dissemination of untrue or misleading advertising within the state

This bill would also prohibit untrue or misleading advertising before the public in any state where made from this state

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, for a specified reason but requires the Department of Finance to make a specified report

Ch 493 (AB 709) Filante Mobilehomes

Existing law creates a comprehensive scheme regulating various facets of the landlord and tenant relationship, including the termination of tenancies, known as the Mobilehome Residency Law, which applies to the owners of mobilehome parks and to the owners of mobilehomes occupied and situated within such parks

This bill would make specific legislative findings and declarations regarding the necessity for owners of mobilehomes occupied and situated within mobilehome parks to have the unique protection from actual or constructive eviction afforded by the provisions of the Mobilehome Residency Law

This bill would also provide that such legislative findings and declarations do not constitute a change in, but are declaratory of, existing law

Ch 494 (AB 745) Moore Polling places access by the physically handicapped

Under existing law county clerks are required to designate polling places for elections.

This bill would specifically authorize such clerks to undertake necessary measures in locating polling places to insure that such places meet requirements specified by the State Architect for accessibility by the physically handicapped

Existing law requires notices to be mailed with the sample ballot informing voters of their polling places

This bill would also require such notices to contain information regarding the accessi-

bility of polling places for the physically handicapped

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 because of a specified reason, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 495 (AB 778) McVittie Criminal sentencing Judicial Council rules.

Existing law requires the Judicial Council to seek to promote uniformity in criminal sentencing by adopting rules providing criteria for the trial judge to consider in deciding the disposition of cases

This bill would further require adoption by the Judicial Council of rules standardizing the minimum content and the sequential presentation of material in probation officer reports submitted to the court

Ch 496 (AB 801) Hart Pupils standards of proficiency

Under existing law, school districts are required to adopt standards of proficiency for pupils in basic skills, including, but not limited to, reading comprehension, writing, and computation skills and are required to assess each pupil's mastery of such skills. Further, after June 1980, no pupil may receive a high school diploma if he or she has not met such standards of proficiency

This bill would specifically require that separate standards of proficiency be established in reading comprehension, writing, computation skills, and any other skill area or areas which a school district governing board designates This bill would also specifically require that a separate assessment be made and a separate score be given to the pupil's proficiency in each skill area

Ch 497 (AB 1444) Hallett Livestock

Under existing law provisions governing livestock sold or delivered to meatpackers are included with laws relating generally to produce dealers Such laws require that anyone purchasing farm products from a producer, dealer, broker, or commission merchant for resale be licensed

This bill would provide that for purposes of laws governing processors of farm products, "farm product" includes livestock products and livestock for immediate slaughter It would place provisions governing livestock sold or delivered to meatpackers with laws generally governing processors of farm products, and thus avoid the licensing requirement of provisions governing produce dealers.

Existing law defines "farm product" to include livestock and livestock products for purposes of the law relating to produce dealers

The bill would instead provide that "farm product" for such purposes includes livestock products and livestock not for immediate slaughter

Existing law specifies that a producer shall not have a lien on any farm product or manufactured product derived therefrom that is hypothecated or pledged, as specified

The bill would provide that such provision does not apply to laws generally governing liens on livestock sold or delivered to meatpackers

Ch 498 (AB 1476) Leonard School building aid

Under current law, each school district which desires an apportionment under the School Building Aid Law of 1952 must have its application approved by the State Allocation Board, as provided Upon approval, the board makes a conditional apportionment which becomes final when certain conditions are met Existing law further provides that in determining the amount to be apportioned by the board when a school district has previously received apportionments or become liable for the repayment thereof, proceeds from the total amount of bonds issued and sold by the district must first be applied, as specified, before being applied toward the cost of the project for which the apportionment is sought

This bill would delete those provisions requiring the board to consider previously

received apportionments and the requirement to apply proceeds from the total amount of bonds issued and sold by the district to such apportionments before applying them to the cost of the project for which the apportionment is sought

This bill would take effect immediately as an urgency statute

Ch 499 (AB 1506) Calvo Air pollution nonvehicular sources gasoline cargo tank

Under existing law, any person violating any statutory provision regarding nonvehicular source control is guilty of a misdemeanor

This bill would specify that an employee or independent contractor, rather than the person employing the employee or retaining the independent contractor, is guilty of a misdemeanor if the employee or independent contractor, as the case may be, violates any such statutory provision with regard to the failure to operate a vapor recovery system on a gasoline cargo tank through his own action

Ch 500 (AB 1561) Cline Clinical laboratories.

Existing law authorizes the State Department of Health Services to authorize, until January 1, 1980, specified unlicensed personnel who are employed as hemodialysis technicians in licensed clinics or hospitals to perform venipuncture and arterial puncture, as specified, and requires the department to establish minimum training for such persons

This bill would require the department to so authorize such unlicensed persons to perform such acts and would delete the January 1, 1980, terminating date for such provision

Ch 501 (AB 1871) D Brown Appropriation payment of claims.

This bill would appropriate $70,000 from the General Fund to the State Department of Justice to settle the claim of Sharlene Vann and Renee Vann against the State of California in the action of Vann v State of California.

This bill would take effect immediately as an urgency statute

Ch 502 (AB 1882) Knox Appropriation state judgment payment

Existing law does not appropriate payment from the General Fund to the State Controller for allocation and disbursement as required by statute for satisfaction of judgment in the case of Schramm, et al v State of California, et al., Sonoma County, Superior Court, No 78516

This bill would appropriate, for that purpose, the sum of $51,145 75 and would take effect immediately as an urgency statute

Ch 503 (SB 14) Smith Budgets budget priorities

Existing law requires the Department of Finance to develop, issue, and implement guidelines for program budgets of various state agencies which 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

This bill would require the department, on or before January 31st, after the budget is submitted, to submit a plan and annually report to specified committees of the Legislature the methods and procedures used in establishing budget priorities The plan would be implemented by at least 4 state agencies commencing with the budget for the 1982–83 fiscal year and by all other agencies on or before the 1984–85 fiscal year

The bill would require the department to report to the Legislature on or before December 1, 1979, on its plan for establishing budget priorities and to provide subsequent status reports

This bill would take effect immediately as an urgency statute

Ch 504 (SB 124) Petris In-home supportive services

~~An existing statute states that the purpose of the in/home supportive services statutes is to provide a range of supportive services for current, former or potential recipients of public assistance who can remain in their own homes or homes of their own choosing and that supportive services include, among other things, voluntary visiting services.~~

~~This bill would revise such statutes to state that such purpose is to provide in every county in a manner consistent with the statutes relating to the State Supplementary Program for Aged, Blind, and Disabled, supportive services to any current, former or~~

~~potential recipient of public assistance who can remain in his or her own home or an abode of his or her own choosing.~~*

An existing statute states that the legislative intent of the statutes relating to in-home supportive services is to provide supplemental or additional services to certain social and rehabilitative services

This bill would· require adoption of state regulations establishing a uniform range of services available to all eligible recipients based on individual needs, additionally specify that such intent is to also provide necessary in-home supportive services in a uniform manner [in every county]* based on individual need, as specified, and state that this change does not constitute a change in, but is declaratory of, existing law

An existing statute defines a "severely impaired" recipient in terms of need for specified functions of in-home supportive care for at least 20 hours per week, affords such persons specified services if such need is determined by the county welfare department

This bill would: delete all references to "severely impaired", make related and technical changes

This bill would also provide that in the selection of attendants to perform services, preference shall be given to the choices made by recipients who receive specified services and by certain recipients who do not exercise the option of hiring or paying their own provider of in-home supportive services

Ch 505 (SB 207) Zenovich. Energy standards: new residential and nonresidential buildings

Under existing law, the State Energy Resources Conservation and Development Commission has responsibility to prescribe regulations for increasing efficient use of energy in new residential and nonresidential buildings. A city, county, city and county, or a state agency is prohibited from issuing a building permit for any building unless the building meets such energy standards.

This bill would require a new residential or nonresidential building to meet the energy standards in effect on the date an application for a building permit is filed.

The bill would incorporate additional changes in Section 25402 of the Public Resources Code proposed by S.B. 205, to be operative only if this bill and S B. 205 are chaptered and this bill is chaptered last

Ch 506 (SB 210) Greene. Unemployment insurance

Existing law permits employees, whose employers voluntarily choose to participate in a shared work unemployment compensation benefit program, to receive, for up to 20 weeks during any benefit year or in combination with such benefits during any subsequent benefit year, a benefit amount equal to the percentage reduction in the individual's wages resulting from reduced hours or days of work Existing law provides that such provisions shall remain in effect only until December 31, 1979.

This bill would provide, instead, that such employees may receive such benefits for up to 20 weeks during a period of 52 consecutive weeks, beginning with the first week of benefits, would extend the effective date of such provisions until December 31, 1981, and would require the Legislative Analyst to issue an interim report to the Legislature on the use and operation of the shared work unemployment compensation program no later than January 1, 1981

Existing law requires 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, to pay into the Unemployment Fund additional contributions according to a specified rate schedule Existing law provides that such provisions shall remain in effect only until December 31, 1982

This bill would provide, instead, that such provisions remain in effect until December 31, 1984.

Ch 507 (SB 280) Petris District elections

Existing law requires 10% of the voters in a district to sign initiative petitions for the purposes as specified

This bill would retain the 10% requirement in districts where the total number of registered voters is less than 500,000 and decrease the number of required signatures to

5% where the total number of registered voters is 500,000 or more.

Ch. 508 (SB 364) Senate Committee on Rules Legislators compensation

Under existing law, each Member of the Legislature receives an annual compensation for services of $25,555

This bill would, commencing at noon on December 1, 1980, increase the annual compensation by the increase in cost of living but not to exceed the general cost-of-living increase provided for state employees during the 1979–80 and 1980–81 fiscal years. It also would increase the annual compensation commencing at noon on December 1, 1981, by the increase in cost of living but not to exceed the cost-of-living increase provided for state employees during that fiscal year The increases, when combined, could not exceed 10% of the December 4, 1978 compensation

Ch 509 (SB 378) Mills Coin-operated viewing machines coin counters.

Existing law does not provide for county or city ordinances which would require coin or money accumulating counters on coin-operated picture-viewing machines.

This bill would authorize a county, city, or city and county to adopt such ordinances, and would permit county ordinances not in conflict with city ordinances to be enforceable in incorporated and unincorporated areas of the county The bill would prohibit peace officers, as defined, from checking such tally counters, but would authorize such an ordinance to provide for persons employed by the adopting county, city, or city and county, other than peace officers, to check such tally counters on a predetermined schedule The bill would make the violation of such ordinances subject to civil penalties, as specified The bill would define for such purposes a "coin" and "coin-operated viewing machine," and declare the legislative findings relating to such provisions.

Ch 510 (SB 445) Alquist Building standards seismic safety

(1) Pursuant to existing law, building standards are promulgated by various state agencies, including the Department of Housing and Community Development, and, after approval by the State Building Standards Commission, are published in the State Building Standards Code Fire safety building standards are promulgated by the State Fire Marshal Hospitals and schools are required to meet seismic standards adopted by the State Architect Specified structures are required to comply with regulations of the Department of Housing and Community Development Generally, cities, cities and counties, and counties are required to adopt building standards which are consistent with building standards adopted by state agencies With exceptions, existing buildings are not required to comply with building standards adopted after the construction of such building unless unfit for occupancy

Except as specified in the bill, the bill would authorize a city, city and county, or county to adopt, by ordinance, building standards for the reconstruction of any building determined to be a hazard to life in the event of an earthquake, as specified in the bill, which reconstruction building standards may be applied uniformly or may be applied in designated areas in such city, city and county, or county The structural evaluation of any building found to be hazardous to life in the event of an earthquake, as specified in the bill, would be required to be made by a certified architect or registered civil or structural engineer or a building inspector supervised by such an architect or engineer, as specified Such building standards would be required to be filed for informational purposes with the Department of Housing and Community Development. The bill would authorize the city, city and county, or county to adopt allowable working stresses for existing materials, as specified The bill would also prohibit a building from being identified as a seismic hazard to life for a period of 15 years after reconstruction in accordance with seismically hazardous building reconstruction standards adopted pursuant to the provisions of the bill and properly maintained, unless the building no longer meets the seismically hazardous building reconstruction standards under which it was reconstructed

The bill would provide that a city, city and county, or county and its employees would not be liable for injury or property damage resulting from the effect of an earthquake upon a building reconstructed pursuant to such standards

The provisions of the bill would not apply to hospitals or schools regulated by other provisions of law, as specified, or to state-owned buildings or structures.

The bill would require the Seismic Safety Commission to review and assess the effectiveness of building reconstruction standards adopted pursuant to the bill and recommend any necessary changes to the Legislature on or before June 30, 1985.

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

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

Ch 511 (SB 514) Johnson Aeronautics

(1) Existing law permits the Department of Transportation to establish regulations and minimum standards for parachute jumps

This bill would delete these provisions.

(2) Existing law prohibits construction of a heliport, helipad, or helistop within 1,000 feet of a school without approval by the department, and specifies that a hearing must be held and the school notified thereof It permits the department to issue permits for not over 30 days for temporary helicopter landing sites.

This bill would revise these provisions to prohibit a helicopter from landing or departing within the specified distance from a school without approval except at a permitted permanent heliport, and removes the permit requirement for a temporary helicopter or seaplane landing site of 180 days or less duration

(3) Existing provisions of the State Aeronautics Act specify that any hearing held under its provisions shall be pursuant to specified provisions governing administrative adjudication

This bill would instead specify that only hearings held on air navigation hazards, airport permits, amended airport permits, revocation of permits, suspension of permits, and adoption of noise standards shall be held pursuant to the specified provisions governing administrative adjudication

(4) The bill would also provide that $10,000 appropriated in Item 163 of the Budget Act of 1979 for parachute jump and heliport permit activities shall not be expended and shall revert to the Aeronautics Account

Ch 512 (SB 734) Greene. Public Utilities Commission. propane

Existing law defines a gas plant for purposes of the jurisdiction and control of the Public Utilities Commission pursuant to the provisions of the Public Utilities Act as all facilities for the production, generation, transmission, delivery, underground storage, or furnishing of natural or manufactured gas

This bill would except propane from this definition for these purposes. The bill would also direct the commission to notify the Legislature of any substantial change in federal regulation of propane, including, but not limited to, rate deregulation.

Ch 513 (SB 564) Marks. Limitations of actions.

Existing law provides for a one-year statute of limitations for any action based upon, among other things, injury to or the death of one caused by the wrongful act or neglect of another

This bill would provide that with respect to an action for injury or illness, based upon exposure to asbestos, the time for the commencement of the action shall be the later of the following (a) within one year after the plaintiff first suffered disability; or (b) within one year of the date the plaintiff knew or should have known that the disability was caused or contributed to by such exposure This bill would further provide that in an action for wrongful death, based upon exposure to asbestos, the time for commencement shall be the later of the following· (a) within one year from the date of death, or (b) within one year of the date the plaintiff knew, or should have known, that the death was caused or contributed to by such exposure.

The bill would specifically provide that its provisions would apply to those causes of action which accrued prior to the change in the law made by this bill and which have not otherwise been extinguished by operation of law

Ch 514 (SB 736) Watson Glazed ceramic tableware.

Existing law prohibits the manufacture or import for sale in this state of glazed ceramic tableware which releases lead or cadmium in excess of specified amounts when tested by a specified testing procedure Any manufacturer or importer of glazed ceramic tableware for sale in this state with a glaze containing lead or cadmium is required to obtain a certificate of acceptability from the State Department of Health Services. The department is required to issue such certificate based upon specified test results of samples of such tableware The department is authorized to establish a schedule of fees for applications for such certificates

A violation of such provisions of existing law is a misdemeanor pursuant to existing law

This bill would, instead, prohibit selling, as specified, of such tableware The bill would also delete the requirements for a certificate of acceptability and would make related conforming changes

The bill would also delete the specified testing procedure used to determine a violation of such prohibition

Ch 515 (SB 746) Garamendi Nonvehicular air pollution exemptions to prohibition

Existing law provides various exemptions to the general prohibition of discharge into the air of air contaminants of a specified shade or opacity

This bill would exempt from such general prohibition smoke emissions from teepee burners operating in compliance with specified provisions of law during the disposal of forestry and agricultural residues or such residues with supplementary fossil fuels when such emissions result from the startup or shutdown of the combustion process or from the malfunction of emission control equipment

Ch 516 (SB 839) Ayala Taxation

Under the existing laws relating to property taxation, the Private Railroad Car Tax Law, and the Timber Yield Tax Law, various provisions have been enacted for the administration of such taxes, and some exemptions have been enacted which duplicate, in part, other exemptions relating to the same subject matter

This bill would revise some of the administrative provisions contained in such taxes and would repeal property tax exemptions for household furnishings and personal effects contained in Sections 210 and 210 5 of the Revenue and Taxation Code, which exemptions are also encompassed in Section 224 of such code and in subdivision (m) of Section 3 of Article XIII of the California Constitution

Under existing law, either a county board of equalization or an applicant for an assessment reduction may subpoena an employee of the State Board of Equalization as a witness at a local equalization proceeding upon the payment of fees of $150 per day by the party requesting the subpoena.

This bill would increase the amount of such fees to $200 per day

Under existing law, the Legislative Analyst was required to report to the Legislature, on or before October 1, 1978, on the net revenue effect of Section 11294 of the Revenue and Taxation Code, as added by Chapter 1236 of the Statutes of 1974, relating to the Private Railroad Car Tax Law This section of the Revenue and Taxation Code, by its own terms, was scheduled to be repealed on January 1, 1980 However, such section was amended by Chapter 388 of the Statutes of 1977 and the self-repealing provision was deleted

This bill would remove the requirement for the Legislative Analyst to make the report required by the 1974 legislation

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

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

Ch 517 (SB 845) Presley Rescue vehicles fire companies.

(1) Under existing law, certain vehicles are defined as authorized emergency vehicles, other vehicles, including firefighting equipment used exclusively as such, may be authorized as emergency vehicles under a permit issued by the Department of the California Highway Patrol, upon a finding in each case that the vehicle is used in responding to emergency calls. When responding to emergency calls for the preservation of life or property, authorized emergency vehicles are exempt from certain traffic regulations and are permitted to use flashing warning lights and sound a siren.

This bill would provide that any vehicle owned and operated by a volunteer fire company may be issued an emergency vehicle permit

(2) Vehicles owned by a public fire department and used exclusively for firefighting and ambulance purposes are, generally, exempt from registration fees

The bill would specify that vehicles owned by public fire departments and used exclusively for rescue operations are also exempt from fees.

(3) Under existing law, relating to fire companies in unincorporated towns, an engine company may have a maximum of 65 certificate members, a hook-and-ladder company may have a maximum of 65 certificate members, and a hose company may have a maximum of 25 certificate members.

This bill would provide that a rescue squad company may have a maximum of 25 certificate members

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

Ch 518 (SB 884) M. Garcia. Property taxation assessments.

Existing law provides that whenever locally assessable business tangible personal property which is owned, claimed, controlled, or possessed by a taxpayer engaged in a profession, trade, or business has a full value of $100,000 or more, the assessor is required to audit the books and records of such profession, trade, or business at least once every 4 years

This bill would require the assessor to audit such books once every 4 years only where both trade fixtures and business tangible personal property have a full value of $200,000 or more

Existing law provides that if property assessed to the party audited has been incorrectly assessed, the assessed values incorrectly assessed shall be an offset only against a proposed escape assessment for any tax year caused by the audit If the value exceeds any proposed escape assessment, the assessor is required to notify the party audited and the State Controller that a claim for cancellation or refund may be filed.

This bill would provide that the tax refunds resulting from the incorrect assessments shall be an offset against proposed tax liabilities and that if the refunds exceed any proposed tax liabilities, the party audited shall be notified of the amount of the excess.

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

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

Ch 519 (SB 874) Nimmo Vehicles· weight limits.

Under current law, the maximum gross weight which can be imposed upon the highway by the wheels of one axle is 20,000 pounds and the gross weight upon wheels supporting one end of an axle shall not exceed 10,500 pounds, except that the gross weight imposed upon the highway by the wheels on any front steering axle of a vehicle shall not exceed 12,500 pounds. Certain vehicles, as prescribed, are exempted from the front axle weight limit

This bill would exempt trucks transporting bulk grains or bulk livestock feed from the front axle weight limits

Ch 520 (SB 921) Russell Teachers' Retirement System, state generally

Existing State Teachers' Retirement Law specifies the periods during which regular or credited interest is accrued on member contributions. This bill would revise and clarify such provisions

The law presently limits the ability of members to redeposit previously withdrawn contributions This bill would permit members to redeposit such contributions upon reentry to the system

The law presently prescribes the dates upon which family benefits terminate under various circumstances This bill would revise such provisions and would provide that the benefits paid to a full-time student would terminate at the end of the school period in progress in the month of attainment of age 22.

The law presently allows retirants to cancel options elected at retirement and receive the unmodified allowance or elect a new option beneficiary upon the dissolution of the retirant's marriage This bill would clarify such provision

The law presently permits retirants to authorize deductions to be made from their allowances This bill would permit the board to impose payments for the amount of additional cost involved in making deductions

The bill would also incorporate changes to Sections 23804 and 23902 of the Education Code proposed by AB 1302, to be operative only of this bill and AB 1302 are both chaptered and this bill is chaptered last

Ch 521 (AB 134) Imbrecht Unemployment insurance reserve accounts.

Existing law provides that unemployment compensation benefits paid to an unemployed individual during any benefit year shall be charged against the reserve account of his employer during the base period

This bill would permit an employer to submit information to the Employment Development Department disclosing that an individual left his or her employment to accompany his or her spouse to a place from which it is impractical to commute to such employment and to which a transfer by the employer is not available and where the spouse has secured employment, in which case the department may rule that the employer's reserve account shall not be charged with benefits paid.

The bill would also make various technical, nonsubstantive changes.

This bill would also make additional changes in Section 1030 of the Unemployment Insurance Code, proposed by SB 1044, to become operative only if this bill and SB 1044 are both chaptered and become effective on January 1, 1980, and this bill is chaptered after SB 1044

Ch 522 (AB 246) Thurman 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, but authorizes the Board of Examiners in Veterinary Medicine to employ its own investigators until January 1, 1982

This bill would delete such authorization

Existing law authorizes an animal health technician to treat animals under the direct supervision of a licensed veterinarian as prescribed by regulations of the Board of Examiners in Veterinary Medicine and authorizes the board to establish those tasks which may be performed by an animal health technician, an unregistered assistant, or a veterinarian

This bill would specify that no person, other than a licensed veterinarian, may induce anesthesia, unless authorized by regulation of the board

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 $125

This bill would decrease such maximum amount to $100

Ch 523 (AB 369) McAlister Emancipated minors

An existing statute provides that certain persons under the age of majority are deemed to be emancipated minors Included among such persons is a minor who willingly lives separate and apart from his or her parents or legal guardian, with the consent or acquiescence of the parents or guardian, and who is managing his or her own financial affairs regardless of the source of such income, with a specified exception The statute also sets out a procedure for an emancipated minor to obtain a judicial declaration of his or her status A minor must have attained the age of 16 in order to obtain a judicial

declaration of status on the aforementioned ground

This bill would provide that a minor of the type described above must have received a judicial declaration of emancipation in order to be deemed emancipated and would authorize the issuance of such a declaration with respect to a minor who has attained the age of 14 It would also make a procedural change with regard to petitioning the court for a declaration of emancipation and would request the Judicial Council to prepare and distribute forms for such proceedings suitable for use by minors acting as their own counsel

It would additionally provide that if such a declaration is obtained by fraud or by the withholding of material information it is voidable, as specified.

It would take effect immediately as an urgency statute

Ch 524 (AB 413) Gage Insurance

Existing law prohibits admitted insurers issuing motor vehicle liability policies from using race, language, color, religion, national origin, ancestry, or location within a geographic area as a condition or risk for which a higher rate, premium, or charge may be charged the insured.

This bill would add physical handicap of the insured to such prohibition It would permit insurers to charge a higher premium for handicapped persons if it is justified by actuarial evidence

Ch 525 (AB 427) Kapiloff Disabled persons

Existing law provides that every totally or partially blind person has the right to be accompanied by a guide dog in all public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited

This bill would provide that the above provisions shall not be construed to require zoos or wild animal parks to allow guide dogs to accompany blind persons in areas of the zoo or park where zoo or park animals are not separated from members of the public by a physical barrier It would, however, require that a zoo or wild animal park that does not permit guide dogs therein, provide, free of charge, (1) adequate kennel facilities for the use of guide dogs, (2) transportation on any mode of conveyance provided for members of the public, and (3) sighted escorts for blind persons unescorted by sighted persons.

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

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

Ch. 526 (AB 498) Chappie. Retirement service credit for Japanese-Americans.

Under existing law, the Public Employees' Retirement Law provides for service credit to specified members of the system for "public service," as defined, in addition to current and prior service credit, upon payment of prescribed additional contributions

For example, existing law provides service credit to state employees of Japanese descent for time absent from state service occasioned by their evacuation and relocation pursuant to orders of the Western Defense Command in March 1942 when the member returned to state service on or before July 1, 1947

This bill would extend such provision of service credit to include school members and require school districts to transmit specified contributions to pay the costs of the benefits.

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

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

Ch. 527 (AB 662) Egeland Weights and measures

Existing law makes it unlawful for any sealer of weights and measures to seal or condemn any weight, measure, balance or weighing or measuring instrument or apparatus without first testing it

This bill would authorize a sealer to engage in a planned program of probability sampling of devices, using methods approved by the Director of Food and Agriculture without first testing such device

Existing law requires all meat, fish, dressed fowl or rabbits to be sold by weight determined at the time of sale or to have the net weight on the package of such commodity

This bill would require the price per pound to appear on packages of such commodities offered for sale by door-to-door salespersons

Existing law requires the State Department of Food and Agriculture to inspect the work of local sealers at least once in two years

This bill would change such required inspection to at least once in five years

Existing law requires any person who sells motor vehicle fuel by the liter to also display a gallon-to-liter conversion table showing quantity and price equivalents. The law provides that such provision is to be effective until January 1, 1980 and on such date would be repealed

This bill would extend such effective date for such provision to January 1, 1981

Existing law requires any weighing or measuring device used for commercial purposes in this state to be tested and certified by the Department of Food and Agriculture

This bill would authorize the director of the department to accept the testing and sealing of any such weighing and measuring devices by another state upon a finding that requirements of this state have been met and would authorize the director to enter into an agreement with the National Bureau of Standards and other weights and measures jurisdictions to accept the certification of each other

The bill would also authorize the director to charge and collect fees for the testing and approval of types or designs of weighing and measuring devices in amounts necessary to cover the cost of such prototype-approval tests The bill provides that such fees are to be credited to the General Fund

This bill would also specify that the remedies or penalties provided in various provisions of law relating to weights and measures, standard bread loaves, petroleum, antifreeze, brake fluid and transmission fluid are cumulative to each other and to other remedies or penalties provided under all other laws of the state

The bill would also define the term "distribute" for purposes of provisions of law relating to weights and measures

This bill makes other technical, nonsubstantive and conforming changes in the law relating to weights and measures.

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

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

Ch 528 (AB 783) Chappie Waste water facilities.

Under existing law, state loans have been made to the North Tahoe, South Tahoe, and Tahoe City Public Utility Districts, the Truckee Sanitary District, and the Squaw Valley and Alpine Springs County Water Districts for construction of sewage and storm drainage facilities

This bill would specify that there shall be a 2-year moratorium following the effective date of the bill on that portion of the principal and interest payments otherwise required in repayment of the funds loaned to such agencies equal in percentage, as determined by the Department of Finance, to the percentage of property tax revenues lost to the agency by reason of the adoption of Article XIII A of the California Constitution, unless moneys are otherwise available for such repayment from state allocations or the sale of bonds authorized on or before July 1, 1978, but unissued The bill would not be applicable to any sums which are required to be repaid immediately or in accordance with an accelerated time schedule pursuant to a stipulated judgment between the state and the

Tahoe City Public Utility District The bill would specify that interest on loans shall accrue during the moratorium period The bill would make legislative findings in such connection

The bill would go into immediate effect as an urgency statute

Ch 529 (AB 832) Stirling. Industrial Welfare Commission organized camps.

Existing law permits the Industrial Welfare Commission to promulgate orders to fix the minimum wage, maximum hours, and standard conditions of labor for employees engaged in any occupation, trade, or industry in this state Also, existing law, which self-repeals on January 1, 1980, provides that no student employee of an organized camp, as defined, shall be subject to a minimum wage or maximum hour order of the commission if the employee receives at least a specified minimum weekly salary and permits the organized camp to deduct the value of meals and lodging from the salary of a student employee pursuant to appropriate commission orders

This bill would add provisions which provide that no student employee of an organized camp, as defined, shall be subject to a minimum wage or maximum hour order of the commission if such employee receives a weekly salary of at least 85% of the minimum wage for a 40-hour week, regardless of the number of hours per week the employee might work at the organized camp If such employee works less than 40 hours per week, the employee shall be paid at least 85% of the minimum hourly wage for each hour worked

This bill would also permit an organized camp to deduct the value of meals and lodging from the salary of such student employees pursuant to appropriate orders of the commission.

This bill would take effect immediately as an urgency statute

Ch 530 (AB 903) Chappie Identification of dead bodies dental records

Existing law requires 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 the missing person's dentist or dentists and to request the missing person's dental records and to send such records along with a missing person's report to the Department of Justice to be maintained in a file there Such files may be made available to law enforcement agencies attempting to locate missing persons

This bill would require the sheriff, police department, or law enforcement authority to which the missing person report is made, to give to the person making the report a dental record release form supplied by the Department of Justice which would be required to contain information that, if the person is still missing 30 days after the report is made, the release form signed by a family member or next of kin should be taken to the missing person's dentist or dentists for the release of dental records and that the released dental records should be given to the agency to which the report was made The bill would also permit, where no family or next of kin of the missing person can be located, such law enforcement authorities to execute a declaration of the necessity of such dental records for the exclusive purpose of furthering the investigation Such declaration would be sufficient authority for release of the records by the dentist or dentists. The bill would require such files of the Department of Justice to be made available to such law enforcement agencies

Ch 531 (AB 966) Hart Elections campaign statements

Under existing law, contained in the Political Reform Act of 1974, campaign statements must be open for public inspection and reproduction on the Saturday and Sunday preceding a statewide election

This bill would provide, instead, that campaign statements shall be open on the Saturday preceding elections to be held at specified times in the offices of the Secretary of State, Registrar-Recorder of Los Angeles County, Registrar of Voters of San Diego County and Registrar of Voters of the City and County of San Francisco

Under existing law, after an original statement or report has been on file for at least 4 years, it may be retained on microfilm or other space-saving materials.

This bill would reduce the time an original statement or report must be on file to 2 years and would provide that a filing officer is not required to retain more than one copy

of a report or statement

Under existing law, local governmental agencies are permitted to impose additional campaign restrictions upon local filers

This bill would require any local governmental agency which has enacted, amended, or repealed such a provision to file a copy of its action with the Fair Political Practices Commission This bill would also require the commission to maintain a central file of such provisions forwarded to it by local governmental agencies

Under existing law every committee which receives contributions of $500 or more in a calendar year is required to file a statement of organization with the Secretary of State within 10 days after it is formed as a committee

This bill would provide instead that such a committee must file a statement of organization with the Secretary of State within 10 days after it has qualified as a committee

Under existing law a county clerk may receive a committee's statement of organization from the Secretary of State, however, there is no requirement that a county clerk send a copy of such statement to the clerk of each city in the county as he deems appropriate

This bill would so provide

Under existing law the Franchise Tax Board is required to periodically prepare reports which shall be sent to the commission and to the Attorney General.

This bill would, in addition, require such reports to be sent to the Secretary of State and would require the Secretary of State to place the audit reports in the appropriate campaign statement or lobbying files.

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

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

Ch 532 (AB 1026) Ryan. Elections

Existing law makes it a felony for any person to tamper with any voting machine, interfere or attempt to interfere with the correct operation of a voting machine or the secrecy of voting, or to willfully injure a voting machine to prevent its use, and for any unauthorized person to make or possess a key to a voting machine that has been adopted and will be used in elections.

This bill would revise the language of such provision of law

Ch 533 (AB 1297) Egeland Special education advisory commission

Current law establishes the Advisory Commission on Special Education, consisting of 1 Member of the Assembly, 1 Member of the Senate, 4 public members appointed, respectively, by the Speaker of the Assembly, the Senate Committee on Rules, the Governor, and the State Board of Education, all of whom must be parents of pupils in either public or private schools who have received or are currently receiving special education services, and 11 public members appointed by the State Board of Education upon the recommendation of the Superintendent of Public Instruction or the members of the State Board of Education

This bill would change the membership of the commission by increasing the number of public members appointed by the Speaker of the Assembly to 3, by the Senate Committee on Rules to 3, and by the Governor to 4 The number of members appointed by the State Board of Education would be reduced from 12 to 5, and all 5 public members would have to be recommended by the Superintendent of Public Instruction or the members of the State Board of Education

This bill would require that one public member appointed by each of the specified public officers or bodies be a parent of a pupil in either a public or private school who has received or is receiving special education services and would also specify that public members serve for four-year terms

This bill would also provide for the termination and reappointment of certain members appointed to the commission by the State Board of Education

Ch. 534 (AB 197) McCarthy. Governor judicial appointments and nominations.

The Constitution specifies that the Governor shall fill vacancies in superior courts, and in the Supreme Court or a court of appeal subject to confirmation by the Commission on Judicial Appointments, and that other judicial offices are filled by appointment by the Governor except as otherwise provided by law. Existing statutory law does not regulate judicial appointments by the Governor

This bill would require the Governor, in the event of a vacancy in a judicial office to be filled by gubernatorial appointment or in the event that a gubernatorial nomination is required, to first submit the names of all potential appointees or nominees to the State Bar of California. The State Bar would be required to evaluate such potential appointees and nominees, as specified, and report such evaluation of a potential appointee to the Governor within 90 days The bill would require the State Bar to establish and promulgate rules and procedures regarding the investigation of qualified candidates and specify that the reports and communications in the evaluation process are confidential The Governor could withdraw names that he had submitted, as specified

The State Bar would be permitted to make public the fact that a person appointed to a trial court had been found not qualified. In the case of the nomination or appointment to the Supreme Court or an appellate court, the State Bar's recommendation may be submitted to the Commission on Judicial Appointments The bill would prohibit a candidate from being appointed prior to such report or failure to report, and state that its provisions shall not be construed as imposing additional requirements upon appointment or nomination to judicial office or as adding any additional qualification for judicial office The bill would also state the intent of the Legislature in enacting the bill

The bill would provide that its provisions, other than a provision relating to or providing for confidentiality or privilege from disclosure of any communication or matter, are severable and shall not be affected by the invalidity of any of its provisions or the applications thereof The bill would further provide that its provisions shall prevail over any other act of the Legislature which conflicts with this bill

Ch 535 (SB 881) Stiern Court reporters Kern County

Existing law provides for the duties and compensation of court reporters for the superior and municipal courts in Kern County

This bill would revise the duties and compensation of court reporters for the superior and municipal courts in Kern County

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

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

Ch. 536 (SB 559) Mills Secretary of State historical documentation

Under existing law, the Secretary of State is authorized or required to receive, store, and preserve items of historical value

This bill would authorize the Secretary of State to contract with the Regents of the University of California for the Regional Oral History Office of the Bancroft Library to conduct a governmental history documentation project to provide through the use of oral history techniques a continuing documentation of California's legislative and executive history The bill would require that the contract require the Regional Oral History Office to work in conjunction with other oral history programs affiliated with a public or private nonprofit college, university, or historical society located in California and to provide for the participation of other persons having expertise in California state government The bill would require that the contract require the Regional Oral History Office to submit an annual report to the Legislature on the governmental documentation project

This bill would become operative July 1, 1980

Ch. 537 (AB 1503) Hughes California Educational Facilities Authority bonds

The California Educational Facilities Authority is empowered, among other things, to issue revenue bonds and to use the proceeds therefrom to finance and refinance construction and rehabilitation of educational facilities of specified private colleges and universities and to refund outstanding bonds and notes. Under current law the total amount of bonds authorized to be outstanding at any one time is $150,000,000

This bill would increase such amount to $300,000,000

Ch. 538 (AB 1593) Rosenthal Drug labeling.

Under existing law which will become operative on January 1, 1980, 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 However, under such existing law nonprescription drugs which are cosmetics, as defined, which satisfy federal labeling requirements, are not required to meet the quantity labeling requirement except for the labeling of the quantity or proportion of certain specified ingredients, or any derivative or preparation of any such substances contained therein, whether active or not, including any alcohol

This bill would delete reference to "any alcohol" in the provisions requiring the labeling of the quantity or proportion of the specified ingredients, or any derivative or preparation of any such substances contained therein, and instead require the quantity and proportion of any alcohol to be labeled on such drugs in compliance with federal labeling requirements

Ch 539 (AB 1627) D Brown Juvenile court law

Existing law provides that if a minor is declared not a fit and proper subject to be dealt with under the juvenile court law, the district attorney or other appropriate prosecuting officer acquires the authority to file an accusatory pleading against the minor in a court of criminal jurisdiction Unless the juvenile court orders the minor delivered to the sheriff upon a finding that the safety of the public or of the inmates of the juvenile hall cannot otherwise be protected, the minor is required to be detained in the juvenile hall pending final disposition by the criminal court

This bill would recast the finding required to be made so that the presence of the minor in the juvenile hall must endanger the safety of the public or be detrimental to the other inmates detained in juvenile hall

This bill would also make it unlawful to permit a person under 18 years of age detained in an adult facility to have or remain in contact with adult detainees

Ch 540 (AB 1628) D Brown Juvenile court law

Existing law requires a supplemental petition for application for an order changing or modifying a previous juvenile court order by removing a minor from the physical custody of a parent, guardian, relative, or friend and directing placement in a foster home or commitment to a private or county institution to contain a statement of facts sufficient to support the conclusion that a previous disposition has not been effective in the rehabilitation or protection of the minor

This bill would eliminate, except as specified, the necessity for allegation and proof of such facts if the petition alleges a violation of a condition of probation and the request is for a commitment to a county juvenile institution for a period of 15 days or less if such a commitment is found to be in the best interests of the minor

Ch 541 (AB 1599) Hughes Loans

Existing law provides that a savings and loan association may make amortized loans upon the security of real property in an amount in excess of 80% of the appraised value of the real property if the loan includes amounts to finance the rehabilitation of a structure if the loan amount is not in excess of $45,000 or 90% of the appraised value of the real property plus an additional 15% for amounts attributable to rehabilitation, whichever is less.

This bill would change the monetary limits on such loans to 90% of the appraised value plus 15% of the appraised value for amounts attributable to rehabilitation, provided that the appraised value or the purchase price shall not exceed $50,000

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

Ch 542 (AB 1690) Rogers. Financial institutions banks.

Under existing law, a commercial bank may borrow money for temporary purposes by discounting or otherwise

This bill would provide that a bank may borrow money secured by real property owned by the bank.

Ch 543 (AB 981) Kapiloff Appropriation Department of Fish and Game

This bill would appropriate $1,757,422 to the Department of Fish and Game, $1,676,922 from the Fish and Game Preservation Fund and $80,500 from the California Environmental Protection Program Fund, in augmentation of the appropriations made in Items 214 and 215 of the Budget Act of 1979, to be used as specified

The bill would authorize the appropriation to be expended as if the bill had been operative on July 1, 1979

The bill would take effect immediately as an urgency statute

Ch. 544 (AB 866) Levine State officers and employees employment applications.

Existing provisions of law do not specifically require volunteer experience to be considered when applications are submitted for positions with the state and the California State University and Colleges

This bill would require all applications to include a place to list volunteer experience and for such experience to be considered if it is relevant to the position being applied for It would require notice of the consideration of volunteer experience to be displayed on the application form

Ch 545 (AB 947) Chappie County service area additional services

Under existing law, any proposal for the establishment of a county service area must specify the type or types of services to be provided in the area, and proceedings for establishment of the county service area may not commence until approval of the proposal by the local agency formation commission is first obtained. When a county service area has been established, the county board of supervisors may, under existing law, extend the services to be provided within the county service area without further approval of the local agency formation commission

This bill would permit the local agency formation commission, in its initial approval of the establishment of a county service area, to make its approval conditional upon a requirement that services be limited to those specified by the county board of supervisors in its resolution of intention, and that any subsequent authorization by the board of supervisors for the provision of additional services become effective only upon approval thereof by the local agency formation commission.

Ch 546 (AB 1046) Ryan Elections

Existing law provides for the methods and procedures for undertaking the reapportionment of districts situated in counties and cities when the legislative bodies of such local governments are elected from or by districts Such law is contained in the Government Code

This bill would repeal such law as set forth in the Government Code, and would substantively reenact it in the Elections Code

Ch 547 (SB 301) Alquist Public Utilities Commission· telephone directory advertising

Under existing law, the Public Utilities Commission may generally supervise and regulate the equipment, practices, facilities, rates, and services of every privately owned public utility in California, including telephone corporations

This bill would specify that the commission shall have no jurisdiction over classified telephone directories or commercial advertising included as part of a telephone corporation's alphabetical telephone directories, except that the commission would be required to investigate and consider revenues and expenses from such advertising for ratemaking purposes, and would repeal these provisions January 1, 1983 The bill would also require the commission to study and report to the Legislature on or before January 1, 1982, on the effect of the bill upon competition in the telephone directory advertising industry

Ch 548 (AB 755) Lehman School disruption

Existing law makes it a misdemeanor for any person to remain upon or to reenter, within 72 hours of being asked to leave, school grounds or adjacent areas without lawful business if his presence or acts interfere with or disrupt the peaceful conduct of school activities

This bill would add city police officers, sheriffs, deputy sheriffs, and California Highway Patrol officers to the persons authorized to ask persons to leave such premises with respect to this offense This bill would also replace the acting chief administrative official of a school with the designated representative of the chief administrative official as a person authorized to request persons to leave the premises

Existing law provides that every person who loiters around any school or public place at or near which children attend or normally congregate is a vagrant and punishable by a fine, or imprisonment, or both

This bill would make every person who so loiters and remains at or near, or who reenters, within 72 hours after being asked by specified persons to leave, such a place, a vagrant, subject to the same penalties.

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

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

Ch 549 (AB 710) Gage Financial responsibility

(1) Existing law requires every driver of, and owner of, a motor vehicle to maintain some form of financial responsibility The driver of a motor vehicle involved in an accident resulting in damage to the property of one person in excess of $350 or in death or bodily injury of any person is required to report the accident to the Department of Motor Vehicles Every driver involved in a reportable accident is required to establish proof of financial responsibility

This bill would require an accident to be reported only if it results in damage to property of one person in excess of $500 or results in death or injury of any person

(2) Existing law requires the department to suspend the driving privilege of any person who after being involved in an accident resulting in more than $350 worth of damage has a judgment rendered against him which he fails to satisfy

The bill would make suspension provisions applicable in the case of unsatisfied judgments rendered as a result of an accident resulting in more than $500 worth of property damage

(3) Under existing law, when an insurance certificate is required to be filed as proof of ability to respond in damages, the department is required to restrict the driver's license of the person in whose behalf the certificate is filed to conform to the coverage shown on the certification

This bill would delete the provision requiring the driver's license to be restricted

Ch. 550 (AB 689) Lancaster Insurance production agency licensees

Existing law requires every applicant for a license to act as a life agent, an insurance agent, or a travel insurance agent to file a notice of appointment executed by an admitted insurer, as specified

This bill would provide that the filing of an incomplete or deficient action notice shall require the filing of an amended, complete action notice, together with the payment of a fee of $2 50

Existing law requires the commissioner, on or before March 15 of the year in which a permanent license will expire, to mail to the licensee, or to the employer in the case of a solicitor, an application to renew such license

This bill would delete the requirement that such application be sent to the employer of a solicitor

Existing law requires applications for renewal of licenses to be filed on or before April 15 prior to the termination of the license year or term, or to be filed between April 15 and July 1 of such year upon the payment of a penalty fee not to exceed $25

This bill would increase such penalty fee from $25 to $30

Existing law specifies that, upon the failure of a licensee to renew in the proper manner, the license shall expire on July 1 of the applicable year, but permits the holder to file an application for a new license Until June 30 of the next succeeding year, the fee is the total of the normal renewal fee plus the $25 penalty fee

This bill would delete such expiration provision and, instead, permit the holder to file an application for a renewal of his or her license until June 30 of the next succeeding year

Existing law provides, with specified exceptions, that all production agency licensees shall be for a term of two years

This bill would permit the commissioner to institute year-round licensing of production agency licensees whenever the commissioner determines that such system would be practical and feasible

This bill would incorporate changes made by AB 711 to be operative only if AB 711 is chaptered before this bill

Ch 551 (AB 1169) McVittie Political Reform Act audits

Under existing law, contained in the Political Reform Act of 1974, each committee must be audited that is primarily supporting a candidate for state office who is being audited

This bill would provide that such committees that support or oppose such candidates, other than specified major donor committees, must be audited only if it is determined that the committee has expended more than $10,000 This bill would also make other technical and conforming changes in the auditing provisions of the act

Ch 552 (AB 1204) Torres Sterilization

Under existing law, a person lawfully committed or admitted to a state hospital or home, under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, who is afflicted with or suffers from certain mental conditions may, after a hearing, be sterilized

This bill would repeal such provision

Ch. 553 (AB 1177) McVittie Nuclear medicine

Existing law requires the State Department of Health Services to establish standards of competence for nuclear medicine technologists Existing law requires certain specified persons to meet standards of competence for nuclear medicine technologists

This bill would make such provisions inapplicable to a registered pharmacist who handles radioactive drugs in accordance with specified regulations

Ch 554 (AB 1273) Moore Community care facilities listing

Present law requires the State Department of Social Services to annually prepare with a quarterly update commencing July 1, 1979, a list of all licensed community care facilities in the state, except foster family homes. The list is required to contain specified information concerning such facilities and a relative evaluation rating of each facility

This bill would exclude family day care homes, as defined, from the types of facilities required to be included in such lists

This bill would take effect immediately as an urgency statute

Ch 555 (AB 1392) Torres Mobile intensive care paramedics

Existing law contains provisions regarding the establishment by a county of a mobile intensive care paramedic program which is to remain in effect until December 31, 1979

This bill would extend such date to January 1, 1982.

Ch 556 (AB 1366) Alatorre Insurance fraudulent claims

Existing law makes it unlawful to knowingly present or cause to be presented any false or fraudulent claim for the payment of a loss under a contract of insurance

This bill additionally specifies that knowingly filing multiple claims for the same loss or injury with more than one insurer with an intent to defraud the insurer would be unlawful

Ch. 557 (AB 7) Egeland Mental health. community programs.

The Short-Doyle Act presently organizes and finances community health services for the mentally disordered in every county through locally administered and controlled community mental health programs Each county is required to describe such services and programs in its county Short-Doyle plan

This bill would prescribe Short-Doyle Act goals and standards for community mental health programs The bill would require the county Short-Doyle plan to give priority through the 1983–84 fiscal year to persons who because of a mental disorder are institutionalized or who have a high risk of becoming institutionalized The bill would also delete the requirement that the county Short-Doyle plan describe target groups by age groups

The bill would require the State Department of Mental Health to report to the Legislature by March 31, 1980, on primary prevention and early intervention services in community mental health programs.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies for certain costs mandated by the state.

This bill provides that there are no state-mandated local costs except that such costs may result from executive orders based on the act and requires such costs to be reimbursed pursuant to Sections 2231 and 2234 of the Revenue and Taxation Code

Ch. 558 (AB 433) Robinson Auditor General· records

Existing law provides that it is a misdemeanor for the Auditor General or any employee of the Auditor General to divulge, in any manner not permitted by law, the particulars of any record or document, the disclosure of which is restricted by law

This bill would extend the application of this provision to former employees of the Auditor General and to contractors with the Auditor General, and the employees and former employees of such contractors

Ch 559 (AB 923) Alatorre Public records.

Various provisions of existing law make certain records of public agencies confidential Additionally, the Information Practices Act of 1977 restricts disclosure of various records of public agencies, certain restrictions being applicable to district attorneys.

This bill would provide that, notwithstanding any other provision of law, the district attorney shall have access to any complaints against or investigations of a person licensed, regulated, or certified by a consumer oriented state public agency, as specified

Ch 560 (SB 1178) Carpenter Human remains

Under existing law, the coroner has the right to retain body tissue, removed at the time of autopsy, for scientific investigation or for submission to specified institutions for training, educational, and research purposes

This bill would prohibit the coroner from retaining such body tissue if the tissue sought to be retained is that of a patient who has died in a state hospital and, if the patient, prior to death, requests that such tissue not be retained or if such retention is not permitted by the person responsible for the disposition of the body, as specified

Ch 561 (AB 1448) Papan Vehicles lessor-retailers· licenses exemptions.

Under existing law, lessor-retailers of automobiles are required to be licensed by the Department of Motor Vehicles A lessor-retailer who sells previously leased or rented vehicles only to the person who leased the vehicle, a buyer for agricultural, business, or commercial purposes, or a governmental agency is not required to be licensed.

The bill would expand the exemption to include lessor-retailers who sell a previously leased or rented vehicle to a person who, although technically not the lessee, has been designated by the lessee as the driver of the vehicle, for at least a year, covered by a written lease agreement

Ch 562 (SB 1140) Beverly Savings and loan associations loans

No provision of existing law specifically permits a savings and loan association to make loans on the security of a mobilehome park development

This bill would permit associations to make amortized loans upon the security of an improved mobilehome park in an amount not more than 80% of the appraised value and for a term not to exceed 31 years

This bill also would permit associations to make loans on the security of unimproved real property in an amount not in excess of 75% of the appraised value for a term of not

more than 3 years if the property is a site for the construction of specified mobilehome park developments

Ch 563 (AB 1432) Calvo Timber yield tax

Under existing provisions of the Timber Yield Tax Law, a tax is imposed on every timber owner who harvests his timber or causes it to be harvested and on every timber owner of felled or downed timber who acquires title to such felled or downed timber in this state from certain exempt persons at a specified rate of the total immediate harvest value of the timber, as determined as of the scaling date

Except for national forest timber, the scaling date shall be no later than the date of delivery of the felled trees to the storage of wood-processing area, or an approved alternate, while, with regard to national forest timber, the definitely determined timber volume in federal forest service billing statements to timber sale contract holders is the basis for the tax payment

This bill would authorize the use of an alternative basis for the tax payment with regard to national forest timber, upon approval by the State Board of Equalization after a public hearing

This bill would take effect immediately as a tax levy

Ch 564 (AB 1312) Chappie State Contract Act

Existing provisions of the State Contract Act provide that the Department of General Services, as to any project under the jurisdiction of that department, may authorize the carrying out of the project by the state agency concerned therewith if the estimated cost does not exceed $100,000, with specified exemptions

This bill would raise the cost limitation to $150,000

Ch 565 (AB 173) Bergeson Voter registration

Existing law does not penalize persons for willfully causing, procuring, or allowing the completion, alteration, or defacement of the affiant's party affiliation declaration contained in an affidavit of registration

This bill would provide that every person, other than the county clerk when carrying out the duties of the office, who willfully and with the intent to affect an affiant's voting rights, causes, procures, or allows such action, without the affiant's consent, shall be punished by imprisonment in state prison for 16 months or 2 or 3 years, or in the county jail for not more than 1 year

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 of the Revenue and Taxation Code because this bill creates a new crime or infraction, or changes the penalty for a crime or infraction, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 566 (AB 1885) Rogers County garbage franchises extension

Existing law authorizes a county to grant franchises or privileges to collect, dispose, or destroy garbage, waste, offal, and debris pursuant to competitive bid called by resolution of the board of supervisors for a period of time not to exceed 25 years

This bill would authorize a county to extend such franchises granted, without further competitive bid, for one, but not more than one, additional period not to exceed 25 years, if certain conditions specified in the bill are met

Ch 567 (AB 1111) McCarthy Government regulation Office of Administrative Hearings

(1) Under existing law the Office of Administrative Hearings is established in the Department of General Services and it is responsible, among other things, for the filing and publication of the regulations of most state agencies.

This bill would create the Office of Administrative Law and would transfer to such office the present functions of the Office of Administrative Hearings which deal with the adoption, filing and publication of state regulations and would provide a term for its director coterminous with that of the appointing power

This bill would also provide that the Office of Administrative Law would receive reimbursement for its services from the state agencies.

(2) Under existing law the Office of Administrative Hearings is required to supply a

complete set of the California Administrative Code and the California Administrative Register to the county clerk of each county or his delegatee

This bill would require the Office of Administrative Law to supply such publications to the counties provided the Director of General Services makes specified determinations

(3) Under existing law emergency regulations must be accompanied by a written statement setting forth specified findings Also, under existing law, the agency officer to whom inquiries regarding emergency regulations must be directed, must make available certain information to the public upon request

This bill would delete such provisions

(4) Under existing law no agency has the authority to review the regulations of agencies and disapprove such regulations on the basis that they do not meet specified standards

This bill would provide the Office of Administrative Law with such authority, but would authorize the Governor to overrule a decision of the office disapproving a regulation

This bill would also require agencies to review their existing regulations, as specified.

(5) Existing law requires the notice of the proposed adoption, amendment, or repeal of a regulation to include specified information

This bill would, in addition, require the notice of proposed adoption or amendment of a regulation to inform the public that the agency proposing the regulation has prepared a general statement of the basis for and purpose of the regulation, to be made available to the public, as specified

(6) This bill also makes various other technical and conforming changes in provisions to be transferred from the Administrative Procedure Act

(7) This bill would, with specified exceptions, become operative on July 1, 1980

(8) This bill provides that its provisions relating to the review of regulations shall not be applicable to building standards subject to the approval of the State Building Standards Commission under the provisions of SB 331 of the 1979–80 Regular Session.

(9) This bill would incorporate provisions proposed by SB 772 and AB 939, to be effective only if SB 772 and AB 939 are both chaptered and become effective January 1, 1980, and this bill is chaptered last.

Ch. 568 (AB 714) M Waters Confession of judgment

Under existing statutory law, a judgment generally may be entered on the basis of a signed confession without notice and hearing in nonconsumer cases, however, no court may enter a confessed judgment pursuant thereto in view of the case of Isbell v. County of Sonoma, 21 Cal 3d 61 In specified consumer cases, a judgment by confession may be entered only if an attorney independently representing the defendant signs a certificate that he has examined the proposed judgment and has advised the defendant with respect to the waiver of rights and defenses under the confession of judgment procedure and has advised the defendant to utilize the confession of judgment procedure.

This bill would extend such present requirement of independent, private legal counsel in consumer cases to all cases.

Ch 569 (AB 884) Papan Vehicle liens.

Under existing law, foreign commercial vehicles subject to registration under the Vehicle Code may obtain a trip permit to operate in this state for a period of 5 consecutive days in lieu of temporary or permanent registration. The fee for a trip permit is $5 Every registration or transfer fee which becomes due and any penalty added for nonpayment constitutes a lien upon the vehicle for which the fee is due and the Department of Motor Vehicles is authorized to seize the vehicle and sell it in order to collect the fee or any penalty, or both, plus the department's costs, not exceeding $200, in preparing to seize or seizing the vehicle

This bill would provide that, if a foreign vehicle is operating under an invalid permit, an amount equal to the cost of the minimum registration fees and penalty added thereto would, at the election of the truck or tractor operator, constitute a lien upon the California registered truck or tractor The bill would authorize the Director of Motor Vehicles, with the concurrence of the Commissioner of the California Highway Patrol, to permit employees of the California Highway Patrol to collect delinquent fees for commercial

vehicles and to sell trip permits at commercial scale facilities, as specified

Ch 570 (AB 501) Lehman Alcoholic beverages business restrictions

Existing law permits a manufacturer, manufacturer's agent, winegrower, rectifier, importer, or wholesaler to hold a diminutive amount of stock in a corporate retail licensee under specified conditions

This bill would additionally permit such licensees to serve on the board of directors of a corporate off-sale retail licensee subject to the same specified conditions

This bill would take effect immediately as an urgency statute

Ch 571 (AB 312) McAlister Sureties· limitation of actions

Existing law imposes an absolute requirement that an action against a contractor or real estate developer to recover damages for a latent construction defect be brought within 10 years of the date of substantial completion of construction, regardless of the date of discovery of the defect Construction sureties are not among the category of parties protected by such 10-year limitation on actions Under existing law, actions against construction sureties are governed by the general 4-year limitation on actions based upon any contract, obligation, or liability founded upon an instrument in writing, which period of limitation may not commence to run until a date at some time after substantial completion of construction

This bill would expressly include construction sureties within the category of persons against whom actions to recover damages for latent construction defects must be brought, in any event, within 10 years of the date of substantial completion of construction

Ch 572 (AB 239) N Waters State highways Route 207

Under existing law, there is no State Highway Route 207

This bill would designate Route 207 as being from Route 4, 1 35 miles west of Lake Alpine, to the Mt Reba Ski Area.

Ch 573 (AB 848) Alatorre Board of Dental Examiners

Existing law does not authorize the Board of Dental Examiners to employ their own investigators but rather requires such board to utilize investigators of the Division of Investigation of the Department of Consumer Affairs when investigating the laws administered by such board

This bill would authorize the Board of Dental Examiners to employ investigators and provides that such investigtors shall be peace officers while investigating for the board.

Ch 574 (AB 19) Hughes. Credit cards

Under existing law, cities, counties, cities and counties, and the subdivisions, departments, and agencies thereof, are required to accept personal checks in payment for fees, fines, or other obligations owed to the public agencies. Also, for any traffic offense, other than a felony, bail may be deposited in advance by personal check, as specified.

This bill would permit a court, city, or other public agency to authorize the acceptance of a credit card for payment for the deposit of bail or for any fine for any offense not declared to be a felony or for payment of towage or storage costs for a vehicle, as specified

Under the provisions of the bill, a court, city, or other public agency which authorizes the acceptance of credit cards may enter into specified contracts with one or more card issuers or draft purchasers, and the honoring of a credit card pursuant to the bill would constitute payment of the amount owing to the court, city, or other public agency as of the date the credit card is honored provided the credit card draft is paid following its due presentment to a card issuer or draft purchaser The bill would also provide that if any credit card draft is not paid following due presentment to a card issuer or draft purchaser or is charged back to the court, city, or other public agency for any reason, any record of payment made by the court, city, or public agency honoring the credit card shall be void, that any receipt issued in acknowledgment of payment shall also be void, and that the obligation of the cardholder shall continue as an outstanding obligation as though no payment had been attempted.

The bill also would delete specified devices that may be used to obtain credit pursuant to an electronic fund transfer from the definition of "credit card" for purposes of the

Song-Beverly Credit Card Act of 1971
The bill would take effect immediately as an urgency statute

Ch. 575 (AB 322) Ryan Wetlands Madrona Marsh
Under existing law, the sum of $2,695,000 was appropriated to the Department of Parks and Recreation for planning and acquisition of specified wetlands projects, including Madrona Marsh, Los Angeles County, from the Collier Park Preservation Fund.
This bill would reappropriate to the department the unencumbered balance, as of June 30, 1979, of such appropriation for the planning and acquisition of Madrona Marsh.
The bill would take effect immediately as an urgency statute

Ch 576 (AB 603) Mello State park system· fees
Under existing law, any person over 62 years of age whose total monthly income from all sources does not exceed $250 for a single person or $500 combined income for married persons, or any elderly person receiving aid to the aged, upon application therefor and payment of $3 50 to the Department of Parks and Recreation, may be issued a "Golden Bear Pass for Senior Citizens" which is valid until January 1, 1980, and which entitles the bearer and spouse to free use of the day-use facilities in units of the state park system, with certain exceptions and subject to certain limitations Such pass does not entitle the bearer and spouse to use such facilities on any Saturday, Sunday, or holiday The program will terminate January 1, 1980
This bill would increase the allowable income levels for persons over 62 years of age to $350 for a single person and to $700 combined income for married persons and provide for such pass to be issued on an annual basis. Entitlements under the pass would be extended to any day The income limitation would also be annually adjusted to reflect increases in cost of living.

Ch 577 (AB 483) Ingalls Household goods carriers
Existing law defines "household goods carrier" for purposes of regulation by the Public Utilities Commission as including any corporation or person engaged in transportation for hire as a business using a motor vehicle used exclusively in the transportation of used household goods and personal effects, office, store, and institution fixtures.
This bill would delete the term "exclusively"
The bill would take effect immediately as an urgency measure

Ch 578 (AB 1700) Knox. Transportation by water
(1) Existing law exempts from the jurisdiction of the Public Utilities Commission and the provisions of the Public Utilities Act the transportation by water of liquid cargoes in bulk in tank vessels designed exclusively for such service, except that provisions regarding rate regulation specifically apply
This bill would delete the provisions specifying that the commission shall regulate the rates for such transportation, thereby making the exemption of such transportation from the commission's jurisdiction complete
(2) Under existing law, any vessel under the burden of 5 tons net register is exempt from the requirement for obtaining a certificate of public convenience and necessity from the commission, but is not expressly exempt from the provisions regarding rate regulation
This bill would expressly exempt such a vessel from the provisions regarding rate regulation, and would make related changes.

Ch 579 (AB 103) Ingalls Transportation
(1) The Southern California Rapid Transit District Law contains legislative findings and declarations of the purposes of the Southern California Rapid Transit District and the needs it was created to fulfill. D
This bill would provide, in addition, a declaration to the effect that it is the policy of the state to foster the developmentDof trade and the movement of people in and around the Los Angeles area for the benefit of the entire state, and one of the district's purposes is in fulfillment of this policy
(2) Under existing law, the Southern California Rapid Transit District is authorized to issue grant anticipation notes secured by grants from the state or federal government for which funds have been appropriated and committed to the district

The bill would authorize the district to issue such notes for specified capital expenditures even though the money is not appropriated, if the grant would be made pursuant to federal mass transportation assistance acts and is evidenced by an appropriate document of intent

(3) Under the Mills-Alquist-Deddeh Act, an "included municipal operator" is defined, in general, as a city or county which is included, in whole or in part, within a transit district or which has been extended the authority to join a transit district by that district's enabling legislation, and in which city or county public transportation services have continually been provided since at least January 1, 1971, by the city or county

The bill would define "included municipal operator" to also mean any city or unincorporated area within the County of Los Angeles that (a) is not receiving adequate local public transportation services and (b) has met the criteria established by the Los Angeles County Transportation Commission

(4) Under the act, a claim for local transportation funds of the County of Los Angeles may not be allowed for the establishment of a new service area outside a municipality by it which might further fragment public transportation services within the Southern California Rapid Transit District. This act states the legislative intent to restrain expansion of municipal bus systems, which would inhibit development of coordinated transit service, beyond city boundaries.

The bill would delete such prohibition and, instead, prohibit approval of a claim for such funds for the establishment by an included municipal operator after January 1, 1980, of new transportation services not meeting the criteria established by the Los Angeles County Transportation Commission, and would specify that it is the legislative intent to restrain the expansion of municipal bus systems, which would inhibit coordinated transit, beyond reserved service areas The bill would also make the commission the governmental entity responsible for establishing a unified or officially coordinated public transportation system in Los Angeles County and require the Southern California Rapid Transit District to cooperate and coordinate its activities with the commission for providing public transportation systems and facilities within the region

(5) Under the act, up to ¾ of 1% of the funds in the local transportation funds of Los Angeles, Orange, Riverside, and San Bernardino Counties is required to be allocated to the Southern California Association of Governments for the transportation planning and programming process

The bill would provide that the ¾ of 1% of annual revenues required to be allocated to the Southern California Association of Governments shall not exceed $1 million per year

(6) Under the act, the Los Angeles County Transportation Commission is required to approve proposals for the use of local transportation funds, but is prohibited from providing the included municipal operators less than 15% of such funds.

The bill would provide that the 15% minimum allocation requirement will only remain in effect until such time as the commission, after public hearing, adopts a formula for the allocation of funds available under Section 1604 of Title 49 of the United States Code and the act, which formula the commission would be required to adopt, by 8 affirmative votes, not later than January 1, 1980 The bill would require 8 commission votes to adopt or modify the formula for allocation of such funds and for allocating such funds to an included municipal operator which had not previously received funds

The bill would require the commission's formula for allocation of such funds to remain in effect for 3 years unless modified by 8 affirmative votes and require the commission to annually review the adopted formula prior to adoption of the transportation improvement program Eight affirmative votes would also be required to establish or change criteria for determining new included municipal operators and to allocate funds to such an operator

(7) Under existing law, the Los Angeles, Orange, Riverside, and San Bernardino County Transportation Commissions are required annually to elect a chairman at their first meetings in January

The bill would alternatively allow such commissions to elect their chairman at such other date as the commission determines

(8) Under existing law, the Los Angeles County Transportation Commission is required to send to the Legislature, not later than July 1, 1978, a final report on transit operations within the County of Los Angeles

The bill would require the commission to send to the Legislature an additional update on the final report, not later than January 10, 1980, regarding progress of the commission in implementing legislative intent in creating the commission and carrying out the recommendations of the final report

(9) The Los Angeles County Transportation Commission, followng a specified procedure, would be required to adopt rules and regulations by 8 affirmative votes, not later than April 1, 1980, to resolve transit service disputes in Los Angeles County The decision of the commission would be final and binding.

(10) The Los Angeles County Transportation Commission would be required to adopt, by 8 affirmative votes, a transit coordination and service program, based on specified criteria, to govern the coordination and allocation of transit services in Los Angeles County The bill would require the commission to adopt the program by January 10, 1981, and to update the program biennially thereafter

Ch 580 (AB 1428) Ingalls. Highways federal-aid funds

(1) This bill would redesignate the "Secondary Highways Act of 1951" as the "Federal-Aid Secondary Highways Act "

(2) Under the existing act, at least 98¼% of the funds allocated to the state for the construction of federal-aid secondary roads is required to be allocated to the counties for such construction

The bill would require instead that 98% of such funds be allocated to the counties

(3) Under the existing act, a county may exchange its apportionment of federal-aid secondary funds for an equal amount of nonfederal funds in the State Highway Account in the State Transportation Fund, if its apportionment is less than $100,000 in a year If the apportionment to a county is more than $500,000 in a year, the county may exchange the portion in excess of $500,000 for an equal amount of nonfederal funds in the State Highway Account

The bill would authorize a county to exchange its apportionment of federal-aid secondary funds for an equal amount of nonfederal funds in the State Highway Account, if its apportionment is less than 1% of the total allocations to all the counties or, if its apportionment is more than 3¼% of such total, that portion in excess of 3¼%

(4) Under the existing act, the Department of Transportation, for matching purposes, pays from the State Highway Account $1, but not to exceed $100,000 in any year, for every $2 the county receives as its federal-aid secondary apportionment

The bill would require the California Transportation Commission to allocate that amount from funds appropriated for such purposes

(5) Under the existing act, the federal-aid secondary apportionment of a county not claimed by the county is required to be expended on a state highway federal-aid secondary project in the county group that includes the county

The bill would authorize the unclaimed apportionment to be expended on any state highway project in the county group that includes the county

(6) Under existing law, a city or county is required to submit to the department documents for the construction of a safer off-system road project within 3 years of the beginning of the federal fiscal year of apportionment in order to qualify the project for federal funds of that federal fiscal year

The bill would change the submission period from 3 years to 4 years.

(7) The bill would make other related changes.

(8) The bill would make an appropriation by authorizing the use, under specified circumstances, of federal-aid secondary funds for state projects not on the federal-aid secondary system, since federal funds in the State Highway Account are continuously appropriated

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

Ch 581 (AB 1699) Lancaster Interstate and foreign highway carriers

Existing provisions of the Interstate and Foreign Highway Carriers' Registration Act require highway carriers engaging in interstate or foreign commerce by motor vehicle subject to federal regulation to register with the Public Utilities Commission and submit a copy of the operating authority issued by the Interstate Commerce Commission, and directs the commission to prescribe a suitable means of identification of the vehicles thus operated

This bill would provide that if any carrier registered under these provisions also engages in intrastate operations, such carrier shall be subject to the vehicle identification requirements of the Highway Carriers' Act rather than the Interstate and Foreign Highway Carriers' Registration Act

Ch 582 (AB 288) Naylor San Mateo County Transit District, Golden Gate Bridge, Highway and Transportation District

(1) In the absence of an emergency, existing law requires that San Mateo County Transit District contracts for the purchase of supplies, equipment and materials totaling more than $3,500 are required to be awarded on the basis of competitive bidding to the lowest bidder

This bill would require only contracts in excess of $10,000 to be awarded on the basis of a competitive bid

(2) Under existing law, the Golden Gate Bridge, Highway and Transportation District is required to advertise for competitive bids on insurance purchased by the district for any reason except for physical damage insurance covering the bridge structure itself

This bill would broaden this exception to the competitive bidding requirements to exempt any kind of physical damage insurance

Ch 583 (AB 55) Vicencia. California National Guard Members' Farm and Home Purchase Act of 1978

Existing law provides for farm and home purchase benefits for specified part-time members of the California National Guard to be administered by the Military Department with authorization for the department to assign pursuant to agreement any function to the Department of Veterans Affairs or the California Housing Finance Agency It directs the California National Guard Finance Committee to establish interest rates on contracts of purchase by a ⅘ vote It prohibits the acquisition of a home pursuant to these provisions where the market value of the improvements exceeds $53,000, prescribes a procedure for the issuance of revenue bonds, as specified, and creates 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

This bill would redefine "member" as an individual on active National Guard status assigned to a federally recognized unit of the California National Guard It would permit the assignment of the entire administration of these provisions, rather than any function of such administration, to the Department of Veterans Affairs or the California Housing Finance Agency within 90 days of the effective date of this bill, and would declare such assignment to be irrevocable unless later modified by statute It would reduce from ⅘ to a majority the vote by which the California National Guard Finance Committee may set interest rates. It would repeal the prohibition that the department not acquire a home where the market value of the improvements exceeds the sum of $53,000. The bill would provide with respect to home loans, that not more than $25,000,000 of revenue bonds may be issued in any 12-month period. It would create the Supplementary Bond Security Account within the building fund, and provide that moneys appropriated to the account shall be used to secure payment of the principal of and interest on outstanding revenue bonds

Existing law limits the amount which the department may expend for acquisition of an existing home or for construction of a new home for sale to a National Guard member to $43,000

This bill would increase this limit to $55,000, effective only if AB 45 is enacted

The bill would also initiate various changes in the procedures for preparation, authentication, and issuance of revenue bonds and the appointment of a trustee to represent and enforce the rights of bondholders

The bill would appropriate $2,500,000 from the General Fund to the Supplementary Bond Security Account to secure revenue bonds during the fiscal year 1979–80

This bill would make additional changes in Section 270 03 of the Military and Veterans Code, proposed by SB 572, to be operative only if this bill and SB 572 are both chaptered and this bill is chaptered after SB 572

The bill would take effect immediately as an urgency statute

Ch 584 (AB 133) Lockyer Disclosure and accountability

Existing law does not provide for state officers and employees to disclose improper government activities to the Auditor General

This bill would provide procedures for officers and employees of the state to disclose improper government actions and would prohibit the use of official authority or influence for the purpose of intimidating, threatening, or coercing any individual, promising to confer benefits, or recommending personnel action against an individual disclosing such actions

This bill would be administered by the Joint Legislative Audit Committee through the Auditor General The committee would be given the authority to investigate and report improper government actions to the Attorney General or other appropriate authority

Existing law provides that no state officer or employee may use or threaten to use official authority or influence against any other state officer or employee who reports to the Attorney General about a violation of the law occurring on the job

This bill would extend such protection to state officers or employees reporting such violations to the Joint Legislative Audit Committee

This bill would remain in effect only until January 1, 1982, unless a later enacted statute, which is chaptered before that date, deletes or extends such date

Ch 585 (AB 185) Lehman Cal-Vet farm purchases.

Existing provisions of the Veterans Farm and Home Purchase Act of 1974 define a farm as a tract of land capable of providing a living for the veteran purchaser and his dependents under the Cal-Vet program, and limit the purchase price thereof to the Department of Veterans Affairs for purposes of sale to a veteran pursuant to the Cal-Vet program to $120,000

This bill would revise the definition of a farm to be a tract of land capable of providing sufficient income to meet the payments therefor, and would raise the purchase price limit therefor to $180,000

This bill would make additional changes in Section 987 53 of the Military and Veterans Code to be operative only if this bill and AB 879 or SB 572, or all three bills, are chaptered and become effective January 1, 1980, and this bill is chaptered last

This bill would make additional changes in Section 987 65 of the Military and Veterans Code proposed by AB 879 to become operative only if this bill and AB 879 are both chaptered and this bill is chaptered last

Ch 586 (AB 1597) Naylor Special elections

(1) Existing law provides that if any candidate at a special primary election to fill a vacancy in the Office of Representative in Congress or the Legislature receives a majority of all the votes cast such person must be declared elected, and there must be no special general election

This bill would provide that if only one candidate qualifies for listing on the special general election ballot, that candidate shall be declared elected and no special general election shall be held, even if that candidate received less than a majority of the total votes cast

(2) Under existing law if no candidate receives a majority of votes cast at a special primary election to fill a vacancy in the Office of Representative in Congress or the Legislature, the name of that candidate of each qualified political party who receives the most votes cast for all candidates of that party shall be placed on the special general election ballot as the candidate for that party In addition, a recent appellate court decision has construed applicable statutory provisions as permitting independent candidates the right to participate in special general elections.

The bill would also permit independent candidates the right to participate in the special general election It would also provide that if 2 or more candidates are recorded on their affidavits of registration as being affiliated with the same political body, only the candidate with the greatest number of votes shall be placed on the special general election ballot

Ch 587 (AB 279) Roos Farmworker housing grants

(1) Under existing law, the Department of Housing and Community Development is authorized to make grants for the construction or rehabilitation of housing, including land acquisition and necessary related support facilities, for agricultural employees and their families Under this Farmworker Housing Grant Program, the department is re-

quired and authorized to exercise certain controls over housing assisted under the program, including the following

(a) That the grantee and subsequent purchasers of such housing enter into an agreement with the department providing for prior department approval of any sale or conveyance of such housing

(b) That the sale of such housing for continued use of agricultural employees may be approved by the department if no profit is realized from the sale by the grantee If loss is incurred by such sale, the proceeds may be apportioned by the department and grantee as designated

(c) That a sale for profit or loss may be approved if the housing is no longer suitable for agricultural employee purposes if the proceeds or profit from such a sale are apportioned between the department and grantee as designated

This bill would amend the existing provisions of the Farmworker Housing Grant Program to revise the controls of the department over housing assisted under the program as follows

(a) Require that the agreement between the grantee of the assisted real property and the department include provisions for a lien in favor of the State of California, as specified.

(b) Require that the department cause the lien to be recorded and require that the lien be indexed by the county recorder of the county in which the real property is located, as specified

(c) Require that the department adopt, by regulation, criteria for the subordination of the lien, as specified Subordination would only be permitted if it does not jeopardize the state's security interest and furthers the interest of farmworker housing

(d) Authorize the department to cause to be recorded a subordination of the lien in a manner prescribed by regulations adopted by the department, as specified

(e) Require upon sale or conveyance of the real property for use other than for agricultural employee occupancy, that the grantee or its successors, as a condition of the lien, repay the grant funds, as specified The money received from these repayments would be deposited in the Farmworker Housing Grant Fund, which is a continuously appropriated fund, and the bill would therefore be an appropriation bill.

(f) Require, upon such a sale or conveyance for continued agricultural employee occupancy, that the transferee assume the obligation of the transferor, including the assumption of such transferor's agreement with the department and that the new owner take subject to the lien, as specified

(g) Require that the lien, at the time of transfer of the property to the new owner, be extended for such additional lien period as determined by the department, but grant the lien priority as of the recording date of the lien for the original grantee, unless the department makes certain determinations, as specified.

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

Ch 588 (AB 1277) Calvo Property taxation· exemptions student bookstores

Under existing law, all property is taxable unless otherwise exempted

This bill would exempt from property taxation personal property which is owned or used by a nonprofit corporation operating a student bookstore affiliated with an educational institution

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

Ch 589 (AB 1237) Harris Transportation Department of Transportation

(1) Under existing law, the Department of Transportation is required to submit to the Legislature an annual report on state freeway overpass screening, an annual report on the development of exclusive busways, and a quadrennial report on cost reductions changes proposed by a contractor on projects.

This bill would delete the requirement that the department submit such reports to the Legislature

(2) Under existing law, each county and city is required to submit to the department by May 1, 1980, and by May 1st each 4th year thereafter, a report of specified content

on its street and road system The department is required to compile those reports into a single report to be submitted to the Legislature by January 1, 1981, and by January 1st each 4th year thereafter

The bill would delay the submission of all such reports by 1 year (May 1, 1981, and May 1st each 4th year thereafter, and January 1, 1982, and January 1st each 4th year thereafter)

(3) The bill would also delete obsolete provisions regarding reports.

Ch 590 (AB 1382) Thurman Vector biology and control

Under existing law, the State Department of Health Services is not expressly required to maintain a program of vector biology and control which includes the provision of consultation and assistance to local vector control agencies, surveillance of vectors and vector-borne diseases, coordinating and conducting emergency vector control, training and certifying government agency vector control technicians, and disseminating information to the public regarding protection from vectors and vector-borne diseases

This bill would require the department to maintain such a program and, for such purposes, would define "vector"

Ch 591 (AB 1564) Wray. Planning cities and counties

Existing law requires the planning agency of each city and county to adopt a general plan consisting of various elements, including a housing element Under existing law, the housing element is required to be developed pursuant to regulations of the Department of Housing and Community Development Existing law also requires such element to make adequate provision for housing needs of all economic segments of the community

This bill would require the housing element of the general plan to consider all aspects of current housing technology, to include provisions for not only site-built housing, but also manufactured housing, including mobilehomes and modular homes.

It would also make a technical nonsubstantive change in existing law.

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

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

Ch 592 (SB 810) Campbell Lobbying

Under existing law, contained in the Political Reform Act of 1974, a registered lobbyist must establish 1 or more accounts designated by name Existing law provides that all payments received by a lobbyist for the purpose of paying expenses in connection with his activities as a lobbyist must be deposited without delay into his account

This bill would delete the above provisions and provide, instead, that a lobbyist shall keep such detailed accounts, records, bills and receipts as required by regulations of the Fair Political Practices Commission to expedite the obligations imposed by the Political Reform Act's provisions relating to lobbying

Existing law provides that, except as provided by commission regulation, no person shall pay the expenses of a lobbyist incurred in connection with his lobbyist activities, unless the payment is made from the lobbyist's account Existing law provides that any lobbyist who makes a gift to specified state officials is deemed to be acting in connection with his activities as a lobbyist Existing law provides further that the commission shall promulgate regulations permitting the use of cash to pay for petty cash items

This bill would delete the above provisions

Existing law, relating to the periodic reports filed by lobbyists, requires specified information to be disclosed with respect to each account controlled by a lobbyist at any time during the reporting period, including the cash balance of the account at the beginning and end of the period.

This bill would delete the above provisions

Existing law provides, as respects periodic lobbyist reports, that the date and amount of each disbursement from the lobbyist's account be shown, including other specified

information and provides that the commission may, by regulation, provide for the reporting of overhead expenditures without detailed itemization

This bill would delete the above and provide, instead, that only the total amount of payments during the reporting period must be disclosed along with expenses which benefit specified state officials or their immediate families, which must be itemized, as specified This bill would provide, further, that the commission, by regulation, may provide for the reporting of other lobbying expenses

Existing law provides that persons who spend $250 or more in any month to influence legislative or administrative action must file monthly reports when the Legislature is in session

This bill would require, instead, that such persons spending $2,500 in a calendar quarter must file such reports

Existing law provides that lobbyists and others required to file periodic reports must report monthly when the Legislature is in session

This bill would provide, instead, that such reports be filed on a quarterly basis

Existing law provides that 1 original and 2 copies of lobbying reports shall be filed with the Secretary of State who is required to send 1 copy to Los Angeles.

This bill would, instead, provide that the original and 1 copy be filed with the Secretary of State

Ch 593 (AB 743) Perino Elections

(1) Existing law sets forth the procedures, including a prescribed form furnished by county clerks, for a registered voter to change his address on his affidavit of registration.

This bill would delete the use and preparation of change of address forms for affidavits of registration

(2) Existing law requires the clerk to instruct precinct inspectors concerning the inspectors' duties in connection with the conduct of an election

This bill would, at the request of the clerk, authorize the legislative body to contract with any person or organization for purposes of providing such instruction

(3) Existing law allows county central committees of qualified political parties to provide party contributor envelopes to the county clerk for inclusion in the sample ballot envelope

This bill would require the county central committees to provide the envelopes at least 60 days before the day of election

Ch 594 (AB 653) Bane Savings and loan associations

Under existing law, savings and loan associations are prohibited from making loans to or acquiring loans from any substantial stockholder, director, officer, employee or any member of the immediate family of such person For the purposes of these sections, the current definition of "member of the immediate family" includes relatives not living in such person's household if the loan exceeds $40,000

This bill would eliminate the dollar figure and instead would exclude relatives not living in the affected person's household from the definition of "member of the immediate family" if the loan were secured by a single-family dwelling owned and occupied by the borrower as a principal residence This bill would also permit loans to be made to officers or employees of an association if secured by the principal residence of such person The bill would also define "single-family dwelling"

Existing law prohibits any employee of the Department of Savings and Loan from being or becoming indebted, directly or indirectly, to any association under the Savings and Loan Commissioner's supervision or subject to his examination

This bill would make an exception to the prohibition to allow an indebtedness secured by an employee's principal residence to remain in effect if the indebtedness was incurred prior to the borrower's application for employment by the department

Existing law provides for the annual renewal of a license as a service office of a savings and loan association The renewal fee is $150

This bill would delete the requirement of annual renewal of service offices

Under existing law, all certificates of a savings and loan association are redeemable

This bill would prohibit the redemption of fixed-rate, fixed-term certificates

Existing law provides that no association shall enter into or assume leases covering real property used or to be used in connection with the business of such association which

provide in the aggregate for rental payments in any one year in excess of a specified amount.

This bill would provide instead that no association shall enter into or assume such leases without the approval of ⅔ of the directors and the written approval of the commissioner

Existing law provides that an association may invest in loans, advances of credit, and interest secured by commercial real property, as specified Such provisions are to be repealed on January 1, 1980

This bill would delete such repeal

Under existing law the commissioner's prior approval is required before making any loan in excess of $75,000 if the loan exceeds 1 percent of the book value of the association's assets

This bill would raise the dollar amount to $125,000

Existing law requires an association to obtain a financial statement from any borrower to whom it proposes to make a single loan exceeding $50,000 or total loans exceeding $75,000

This bill would raise those limits to $150,000 and $250,000, respectively

Ch. 595 (AB 985) Hannigan Real estate corporate licensees

Existing law permits a corporation to obtain from the Real Estate Commissioner a broker's license authorizing such corporation to perform all acts for which such license is required The corporate licensee must designate, in the license application, one officer who shall engage in the business of real estate broker for and on behalf of the corporation

Existing law also permits the commissioner to suspend or revoke the license of any licensee, or to deny a license to an applicant who commits specified prohibited acts, including the failure to exercise reasonable supervision, as a broker licensee, over the activities of the salesmen

This bill would require that the officer designated by a corporate broker licensee shall be responsible for the supervision and control of the actions of officers, employees and salespersons in performing acts, on behalf of the corporation, for which a real estate license is required It would permit the assignment of supervisory responsibilities to other officer-licensees, and would require the submission to the commissioner of a resolution assigning supervisory responsibility over salespersons, as specified.

This bill would also permit the commissioner to suspend, revoke, or deny a license for the failure, by the officer designated by the corporate licensee, to exercise reasonable supervision and control of corporate activities for which a real estate license is required

This bill would provide that the provisions of this bill shall become operative on July 1, 1980

Ch 596 (AB 658) Imbrecht Juvenile court law rehearings

Section 252 of the Welfare and Institutions Code provides that if an application for rehearing of the order of a juvenile court referee is not granted within 20 days following receipt it shall be deemed denied It specifies that the court may extend such period up to 45 days, at which time the application for hearing is to be deemed denied unless granted within such period However, the California Supreme Court has construed such statute to require that the reviewing judge must expressly deny the application for rehearing, or extend the time to do so, within 20 days of its receipt, or it is deemed granted (In re Edgar M., 14 Cal. 3d 727, In re Lionel P, 20 Cal 3d 260)

This bill would revise the language of Section 252 to reflect the above cited holdings to provide that if an application for rehearing is not granted, denied, or extended within 20 days following the date of its receipt it shall be deemed granted It would authorize the court to extend such period for up to 45 days, following receipt of the application, at which time the application for rehearing would be deemed granted unless denied within such period It would require all decisions to grant or deny the application or to extend the period to be expressly made in a written minute order as designated

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

of Control for reimbursement

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason

Ch 597 (AB 1008) Mori Vehicles sales documents, registration

Under existing state law, new and used vehicles not licensed in this state may be operated without license plates or registration cards, and used vehicles licensed in this state may be operated without registration cards, not to exceed 20 days from the date sold by a dealer or until the license plates or cards are received from the Department of Motor Vehicles, when a copy of the report of sale form and the temporary identification device are used and displayed in accordance with departmental rules and regulations, if the following conditions are met (a) the copy of the report of sale and the temporary identification device are affixed to the vehicle, (b) all fees and penalties due the department are paid by the selling dealer within 20 days of the sale (c) the sale is reported to the department, and (d) an application to register, or transfer ownership to, the vehicle, together with supporting documents are submitted to the department on behalf of the purchaser (if the documents do not include regularly required evidence of ownership, a dealer is required to also submit a bond in undertaking or an affidavit or other information) Any dealer who fails to comply within 20 days from the date of sale is subject to an administrative service fee of $5 for each instance of noncompliance

This bill would repeal and recast these provisions by requiring dealers to use numbered report-of-sale forms, specifying that the registration or transfer application is to be submitted to the department within 20 days from the date of sale of a new vehicle, and within 30 days from the date of sale of a used vehicle, and providing that a vehicle displaying a report-of-sale form may be operated without license plates or registration card until the plates and card are received by the purchaser

The bill would alter the amount of the administrative fee to be paid by vehicle dealers who violate registration provisions by imposing a $5 fee if the application is submitted after 20 but within 30 days of the date of sale, $10 if the application is submitted after 30 but within 40 days, and $15 if the application is submitted 40 days from the date of sale Nonpayment of the fee would provide a separate ground for discipline, as specified

Ch 598 (AB 1154) Duffy State Transportation Fund Aeronautics Account grant validation.

This bill would validate a grant of $35,909 52 from the Aeronautics Account in the State Transportation Fund to the City of Tulare which was expended for airport purposes, provided that the city establishes and maintains a special fund or account for the deposit of allocations from the Aeronautics Account The bill would make legislative findings regarding special circumstances applicable only to the City of Tulare

Ch 599 (AB 1175) McAlister Unemployment insurance fairs

Existing law contains a provision providing that the Legislature will annually appropriate to the Department of Food and Agriculture a sum necessary to pay for the contributions, or cost of benefits in lieu of contributions, that are payable to the Unemployment Fund, by fairs, to finance unemployment insurance benefits.

This bill would provide instead that such appropriation is made for all entities conducting fairs, including county, district, combined county and district, and citrus fairs.

The bill also would appropriate $225,000 from the Fair and Exposition Fund to the Department of Food and Agriculture for allocation and disbursement to such agencies for the cost of contributions, or the cost of benefits in lieu of contributions, incurred by such agencies since January 1, 1978, in financing unemployment compensation benefits for employees of such agencies

The bill would take effect immediately as an urgency statute

Ch. 600 (AB 334) McVittie Liens livestock

Existing law provides for a specific lien, dependent upon possession, for livery or boarding for feed stable or feed yard proprietors for their compensation in caring for, boarding, feeding, or pasturing livestock, and provides a summary procedure for the lienholder to sell the livestock to satisfy the lien without providing an express opportunity for a hearing if the owner so desires. Existing law also provides for other liens

relating to livestock, such as for veterinary care

This bill would delete the specific lien for livestock, and would instead provide for a general lien on all livestock of the owner in possession of a person who provides livestock services to secure the performance of all obligations of the owner arising out of the provision of livestock services The bill provides for the sale of livestock after a hearing, for substitution of sureties, and for assignment of the lien, and contains related provisions The lien would have priority over all other liens or security interests.

Ch 601 (AB 350) Knox District attorneys.

Existing law provides that certain information held by state agencies is confidential, but permits disclosure to law enforcement agencies in certain circumstances

Existing law also provides that certain records are subject to public inspection, but exempts certain records of licensing agencies.

This bill would require agencies to disclose certain records to a district attorney upon request, as specified It would permit the district attorney to petition a court to compel disclosure

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

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

Ch 602 (AB 410) Knox Health staff privileges

Existing law requires the chief administrators or executive officers of hospitals and similar institutions which deny, suspend, revoke, or restrict a physician's, podiatrist's, or dentist's staff privileges in certain instances to report such suspension to the appropriate licensing authority

This bill would include clinical psychologists in such requirements and would also require such reports by the chief of the medical staff, if one exists It would delete a penalty of imprisonment for a violation

This bill would require that prior to granting or renewing staff privileges of a physician, clinical psychologist, podiatrist, or dentist, hospitals and similar institutions shall request a report from the board as to whether a hospital has reported the denial, suspension, revocation, or restriction of that physician's, clinical psychologist's, podiatrist's, or dentist's staff privileges The board would furnish a copy of certain reports. The failure to make or request such reports would be a misdemeanor

The bill would require a report by the Board of Medical Quality Assurance

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

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

The bill would appropriate $13,000 to the Board of Medical Quality Assurance from the contingency fund of the board

Ch 603 (AB 464) Bane Workers' compensation

Existing law requires an employer or insurance carrier who requests that a deposition be taken of an injured employee to provide the injured employee with specified reimbursement and a copy of the deposition in addition to any other benefits he might receive under the workers' compensation law

This bill would, in addition, require the specified benefits to be provided to any person claiming benefits as a dependent of an injured employee whose deposition any employer or insurance carrier requests to be taken

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide

that the state shall reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

Ch 604 (AB 629) Bergeson Narcotic addicts confinement.

Under existing law, when a person is committed to the custody of the Department of Corrections for treatment of narcotic addiction, pursuant to proceedings on criminal conduct, if the Director of Corrections concludes that the person, because of excessive criminality or for other relevant reason, is not a fit subject for confinement or treatment in such narcotic detention, treatment and rehabilitation facility, he is required to return the person to the court in which the case originated for such further proceedings on the criminal charges as that court may deem warranted If the person was committed in proceedings not relative to criminal conduct, the director under the above circumstances may order the person discharged

Under this bill, a subsequent conviction would automatically terminate such a commitment It would require the sentencing of the defendant on the earlier criminal charges, if any

This bill also makes additional changes proposed by SB 749, to be operative only if SB 749 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered after SB 749

Ch. 605 (AB 1758) Lockyer Employment

Existing law provides that there is a rebuttable presumption affecting the burden of proof that a worker is an employee rather than an independent contractor, and specifies factors which must be proven to show independent contractor status Such provisions specify that for purposes of workers' compensation, such presumption is a supplement to existing statutory definitions of employee and independent contractor, and is not intended to lessen the coverage of a specified provision of the workers' compensation law

This bill would provide that such presumption is not intended to lessen the coverage of employees under the workers' compensation law and worker safety laws

Ch 606 (AB 1080) Fenton Municipal courts Los Angeles County

Existing law specifies the number and compensation of various municipal court personnel in Los Angeles County

This bill would revise the number and compensation of such municipal court personnel in Los Angeles County

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

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

Ch 607 (AB 1228) Ingalls. Municipal Courts—Riverside County

Existing law specifies the number, classification, and compensation of various officers and employees of the municipal courts in Riverside County

This bill would revise the number, classification, and compensation of various officers and employees of the municipal courts in Riverside County

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

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

Ch 608 (AB 1181) Chappie Certified shorthand reporters

Existing law relating to the certification and regulation of shorthand reporters authorizes the Certified Shorthand Reporters Board to assist in such matters as public relations and advancing the professional interests of certified shorthand reporters.

The bill would delete such authorization

Existing law provides that the Certified Shorthand Reporters Board has various duties and powers, as specified, including the power to suspend or revoke a certificate, on specified grounds, by an affirmative vote of at least four members of the board

This bill would revise the duties of the board to include that of adopting, amending, or repealing rules and regulations which are reasonably necessary to carry out the provisions of the chapter relating to the certification and regulation of shorthand reporters This bill would also provide that the board may suspend or revoke a certificate by an affirmative vote of three members of the board

Existing law provides that the purposes of the provisions relating to certification and regulation of shorthand reporters are to encourage professional proficiency, promote reporting efficiency, and extend the protection afforded by a standardized profession to the courts and the public by establishing a standard of competency for those engaged in it

This bill would delete such purposes and instead proclaim that such provisions are designed to establish and maintain a standard of competency for those engaged in the practice of shorthand reporting for the protection of the public, in general, and for the protection of all litigants whose rights to personal freedom and property are affected by the competency of shorthand reporters, in particular

Ch 609 (AB 372) Knox Credit unions

No provision of existing law permits a credit union organized and duly qualified as a credit union in another state of the United States to conduct business as a credit union in California

This bill would permit a credit union organized as such in another state to conduct business in California provided it complies with the requirements set forth in this bill. This bill would also exempt from the necessity of qualifying under the securities laws, any security issued or guaranteed by such a credit union

This bill would also incorporate additional changes in Section 25100 of the Corporations Code proposed by SB 181, to be effective only if both bills are chaptered and this bill is chaptered last

Ch 610 (AB 294) Roos Juvenile court law

Under existing juvenile court law, probation officers are required to make such periodic reports to the Bureau of Criminal Statistics as the bureau may require and upon forms furnished by the bureau

Such reports are prohibited from containing any personally identifying information regarding proceedings to declare a minor a dependent child of the court

This bill would instead prohibit the transmission of names or social security numbers and also include proceedings to declare a minor a ward of the court on the basis of noncriminal conduct (i e , so-called "status" offenders) within such prohibition

Ch 611 (AB 384) Alatorre Use of foreign languages in public services.

Existing law provides for the use of foreign languages to facilitate effective communication between all levels of government and the people of the state who are precluded from utilizing public services because of language barriers.

This bill would require local offices or facilities of a state agency servicing substantial numbers of non-English-speaking people to provide materials in the language understood by such persons under specified conditions or, as an alternative, provide translation aids or guides or provide assistance as specified and provide for a method of determining percentages of non-English-speaking people in surveys conducted

Ch 612 (AB 423) Mangers Fee exemption

(1) Under existing law, a disabled veteran who has lost, or lost the use of, 2 or more limbs, an eye and a limb, or who is legally blind is permitted to register 1 passenger vehicle, motorcycle, or light-duty truck without having to pay a registration or license fee for the vehicle

This bill would provide that any veteran who is rated as 100% disabled, as specified, shall be exempt from registration and license fees, as prescribed.

The bill would authorize the Department of Motor Vehicles to require a certificate substantiating the disability before granting the exemption

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

This bill provides that no appropriation is made by this act pursuant to Section 2229 or 2230 because there are no state-mandated local costs and any revenue loss implied in this act is not reimbursable under Section 2229 or 2230

(3) The bill would incorporate changes in Section 9105 of the Vehicle Code, proposed by SB 435, to be effective only if SB 435 and this bill are both chaptered and become effective on January 1, 1980, and this bill is chaptered last

Ch 613 (AB 452) Young County health facilities. education programs.

Existing law does not expressly authorize a county to conduct continuing education programs for non-county-employed health workers

This bill would authorize counties to establish such programs under the auspices of county health facilities, utilizing county staff personnel, or by contracting with certain specified entities. It would require a county conducting such a program to charge and collect a fee sufficient to defray the cost of such instruction and training It would also specify the manner in which such fees collected are to be accounted for and utilized It would require such a county to keep certain records with respect to such a program

Ch 614 (AB 466) Chappie Off-highway motor vehicles

Existing law specifies that a portion of continuously appropriated moneys in the Off-Highway Vehicle Fund is available for grants to cities, counties, and districts for recreation projects for off-highway motor vehicles in accordance with local government planning and the statewide plans for trails for recreational motor vehicles developed by the Department of Parks and Recreation To be eligible for such funds, local governments are required to provide matching funds, or the value of services, material, or property used, in an amount equal to, but not less than 25% of, the total expense of the off-highway motor vehicle facility

This bill would specifically provide that grants to local agencies may be expended for planning, acquisition, development, construction, maintenance, administration, operation, and conservation of trails, areas, and other facilities for the use of recreational motor vehicles, and would require that local governments provide at least 25% of the total expense of the off-highway motor vehicle project

The bill would require that the Department of Parks and Recreation adopt criteria, as specified, for the expenditure of such grants made to local agencies. In addition, a local agency receiving funds for maintenance, administration, and operation costs would be required to agree that all revenues accruing from the project be expended exclusively for the project

The bill would also provide that until June 30, 1983, there shall be no matching fund requirement imposed with respect to a grant for a regional off-highway motor vehicle project, thus making state funds available for this amount of project costs, and would require that the Department of Parks and Recreation adopt criteria, as specified, for determining which projects are regional

Ch 615 (AB 560) M Waters Forced sales proceeds.

Existing law authorizes certain local agencies to sell property, at public auction, for delinquent taxes or assessments, and provides that the proceeds in excess of such taxes or assessments and certain costs of selling the property, shall be distributed to qualified claimants who have an interest in the property

This bill would require that written notice of the right to claim such excess proceeds

shall be sent to certain persons who have a recorded interest in the property, and if the address of such persons is not known, to publish such notice in a newspaper of general circulation, and would specify the minimum amount such property shall be sold for shall not be less than 50% of the fair market value of the property.

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

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

Ch 616 (AB 513) Naylor Demonstration projects funding

Existing law sets forth a specified demonstration program relative to juvenile court law to be financed during the 1977–78 fiscal year on a basis of 90 percent state funds and 10 percent county funds, during the 1978–79 fiscal year on a basis of 80 percent state funds and 20 percent county funds, and during the 1979–80 and 1980–81 fiscal years on the basis of 66⅔ percent state funds and 33⅓ percent county funds.

This bill would require the State Department of Social Services, commencing July 1, 1979, to advance such payments monthly on the basis of one-twelfth the annual allocation per county, and require the department to reconcile such payments in the last month of each fiscal year

This bill would take effect immediately as an urgency statute.

Ch 617 (AB 584) Bane Candidates

(1) Existing law requires a candidate for legislative office to pay a filing fee at the time he files a declaration of intention to become a candidate

This bill would require all candidates mandated to file a declaration of intent to pay the filing fee when filing that declaration. The only other candidates required to file such a declaration are candidates for judicial office

(2) Existing law requires the payment of a filing fee of $10 when filing a declaration of candidacy to become a candidate for an office to be voted for wholly within one county Persons filing for offices the compensation for which does not exceed the sum of $600 annually are exempted from payment of this fee

This bill would eliminate the $10 filing fee, require filing fees, as specified, to be paid to the county clerk and raise the salary exemption for those candidates filing for an office to be voted for wholly within one county to an annual salary of $2,500

Finally, the bill would take effect immediately as an urgency statute

Ch 618 (AB 684) Felando Mailing of notice

Existing law contains no specific requirements regarding mailing of notice pursuant to the Fish and Game Code

This bill would provide that any notice or other written communication required to be sent to any person by the Fish and Game Code, or regulations made pursuant thereto, is sufficient notice if sent by certified mail to the last address furnished to the department by such person

Ch 619 (AB 711) McAlister Insurance fees and penalties.

Existing law provides for the payment of various fees and penalties by insurers and production agencies

This bill would increase specified fees and penalty charges paid by insurers and production agencies.

This bill would incorporate changes made by AB 689 to be operative only if AB 689 is chaptered before this bill and would also incorporate changes made by AB 752 to be operative only if AB 752 is chaptered before this bill.

Ch 620 (AB 739) Roos Savings and loan associations.

Existing law specifies the activities in which a savings and loan association may engage

This bill would additionally permit an association to serve as a depository for federal taxes, or as a treasury tax and loan depository, subject to the regulations of the United

States Treasury Department

Existing law contains an authorization for a savings and loan association to invest an amount not in excess of 2% of its total assets in loans, advances of credit, and interests therein, secured by commercial real property which are not otherwise authorized Such provision would be repealed on January 1, 1980

This bill would delete such repeal.

Existing law permits an association to make amortized loans on the security of real property in an amount in excess of 80% of the appraised value, if, among other things, there is located thereon only a structure designed for residential use for one family

This bill would permit such loans if there is located upon the security real property a structure for residential use for two families. This bill would also raise the maximum amount which an association may invest in such loans from 10% to 25% of the association's assets for loans of 95% of the appraised value, and from 30% to 50% of the association's assets for loans from 80% to 90% of the appraised value

Ch 621 (AB 746) McVittie 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 In such a case the court may order the parties to such prospective marriage to participate in premarital counseling

This bill would authorize the court to impose a fee to cover the cost of any such counseling provided by the county, as specified A provision prohibiting the imposition of such fee where counseling services are provided by a conciliation court would become operative only if SB 961 and this bill are enacted

Ch 622 (AB 762) Thurman Vehicles· occupational licensing.

(1) Existing law defines the term "automobile dismantler" and excludes specified persons and activities from dismantler licensing requirements.

This bill would provide an exclusion from dismantler licensing requirements for any person who acquires used parts or components for resale purposes, provided the parts are from vehicles that have been previously cleared for dismantling

(2) Existing law, generally, defines "dealer" as a person who sells, exchanges, or buys vehicles subject to registration under the Vehicle Code, and specifies those persons who are excluded from the definition It is unlawful for any person to act as a dealer, manufacturer, transporter, or distributor of vehicles subject to registration or snowmobiles without having a valid occupational license or temporary permit issued by the Department of Motor Vehicles.

This bill would expand the definition of dealer to include persons who sell, exchange, or buy motorcycles required to be identified (but not registered) under the code and would specify that these dealers are also required to be licensed

(3) Existing law requires every mobilehome dealer to take and successfully complete an examination administered by the department prior to licensing.

The bill would specify that if the applicant for a mobilehome dealership is a partnership, only the partners who actively control, direct, or manage the sales operation or act as vehicle salesmen would be required to take the examination

(4) Under existing law, the New Motor Vehicle Board is authorized to, among other things, adopt rules and regulations, investigate and consider activities and practices of persons holding licenses as new motor vehicle dealers, manufacturers, and distributors However, these provisions do not apply to transporters, salesmen, and specified dealers.

This bill would provide that these provisions do not apply to dealers of off-highway motor vehicles, as specified.

(5) Existing law requires every applicant for a mobilehome dealer's or salesperson's license, including every partner in a partnership, to take and successfully complete a written examination

This bill would provide that only those partners in a partnership applying for a mobilehome dealer's license who participate in the direction, control, or management of the sales operation shall be required to take and successfully complete the written examination

(6) Under existing law, a vehicle dealer who is already licensed and bonded is not

required to obtain a license as a snowmobile dealer.

The bill would repeal this provision

Ch 623 (AB 767) Boatwright 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 social clubs with at least 100 members composed of mobilehome owners within a private mobilehome park if such owners have participated as social club members with a designated clubhouse for not less than 1 year.

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 624 (AB 772) N Waters Historical resources evaluation procedures.

Under existing law, the State Historical Resources Commission is required to receive and evaluate applications for, and make recommendations with respect to, entries on the National Register of Historic Places to the State Historic Preservation Officer. The commission is required to consult with, and consider the recommendations of, public agencies, civic groups, and citizens interested in historic preservations

This bill would specifically require the commission, upon receipt of an application for an entry on the National Register of Historic Places and prior to making any evaluation and recommendation with respect to such application, to first submit the application to the appropriate city council or county board of supervisors for comment The city council or county board of supervisors would have 45 days from the date of receipt in which to transmit written comments to the commission. The bill would require that each member of the commission be provided by staff with a copy of such comments not less than 15 days prior to the hearing on the application by the commission

Ch 625 (AB 777) Calvo Drivers' licenses license extensions

(1) Existing law permits the Director of Motor Vehicles to extend drivers' licenses for not more than 1 year for workload leveling purposes

This proposal would delete such authority

(2) Under existing law, the Department of Motor Vehicles may, until January 1, 1982, establish a demonstration program to evaluate the effect of extending drivers' licenses for a 1- or 2-year period, if, at the time of license expiration, the licensee has had no traffic convictions or traffic accident involvement within the past 4 years. No more than 10 percent of the total number of licensees eligible may have their license extended.

This bill would delete the provisions for a demonstration program and instead would authorize the department to provide for a single 4-year extension of the drivers' license for any driver below 70 years of age whose record shows no convictions of traffic laws or involvement in a traffic accident within the past 4 years upon payment of a $3 25 fee

The bill would also require the department to notify licensees receiving extensions of changes in traffic laws occurring during the prior four years The department would be required to conduct a study of the effects of the license extension and submit a report to the Legislature not later than January 1, 1982. The bill would state that there are to be no layoffs of staff as a result of implementation of the bill

The bill would specify that the money appropriated in Item 176 of the 1979 Budget Act be reduced by $1,605,000 which amount would revert to the Motor Vehicle Account

Ch 626 (AB 845) Papan (G O) Fireworks licenses

Existing law requires the State Fire Marshal to deny a license for the manufacture, wholesale, import, export, sale, or presentation of public displays of fireworks and for licenses for research or experimentation of experimental or model rockets and missiles, and prohibits such authorization to extend to an employee of such licensee who has been convicted of a felony

This bill would make such denial or prohibition permissive

Ch 627 (AB 995) McVittie Public entities name reform

(1) Existing law does not specifically require a public agency, public entity, district, city, county, and city and county to be identified as a public agency, public entity, district, city, county, or city and county on its letterhead stationery and identification cards

This bill would require such identification, as specified

(2) Under existing law, a claim against public entities related to a cause of action for death or for injury to person or to personal property or growing crops is required to be presented not later than the 100th day after accrual of the cause of action, except that when such a claim is not presented within such time, a written application may be made to the public entity for leave to present such claim The governing body of the public entity is required to grant such application in specified cases

This bill would require the public entity to grant the application when it can be shown that the claimant acted with reasonable diligence in pursuing the claim and reasonably believed that the responsible entity was not a public agency by reason of its representations

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

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

Ch 628 (AB 1012) Ingalls. Southern California Rapid Transit District violations.

Existing law authorizes the Southern California Rapid Transit District to maintain a security force, but makes no special provision for violation of district ordinances, rules, or regulations of the district

This bill would make the violation of any ordinance, rule, or regulation of the district relating to smoking or playing of radios or other sound equipment in any transit facility of the district an infraction punishable by a fine of not more than $50 and would provide that fines and forfeitures for violations thereof be transferred to the district treasury and the county general fund

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, but not for the creation of a new crime or infraction, for making claims to the State Board of Control for reimbursement

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

Ch 629 (AB 1097) Rosenthal Health insurance prenatal diagnosis of genetic disorders

Existing law does not require health care service plans, disability insurance policies, or nonprofit hospital service plans covering hospital, medical, or surgical expenses on a group basis which offer maternity coverage to also offer coverage for prenatal diagnosis of genetic disorders of the fetus in cases of high risk pregnancy as specified in the bill

This bill would require the offering of such coverage on or after January 1, 1980, and with respect to group policies of disability insurance would require that such coverage be offered under such terms and conditions as may be agreed upon between the insurers and group policyholders. It would also require communication of the availability of such coverage, as specified

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may

pursue their other available remedies to seek reimbursement for these costs.

Ch 630 (AB 1213) Cline Teachers' Retirement System, State benefits.

Existing State Teachers' Retirement Law permits employers to establish regulations authorizing certain members employed on a part-time basis to receive the retirement credit that they would have received on a full-time basis if specified contributions are paid as on a full-time basis by the member and the employer The members are required to have at least 10 years of full-time employment of which the immediately preceding 5 years were full-time employment

This bill would provide that the option of part-time employment can be revoked only with the mutual consent of the employer and the member, and would provide that the Teachers' Retirement Board would specify the employer contribution rate.

The bill would provide that the provisions of law would be repealed on June 30, 1983, unless such date is deleted or extended by a later enacted statute, but would authorize any member who commences such part-time employment prior to June 30, 1983, to continue such part-time employment until completion of five years of such employment.

The bill would also require the Legislative Analyst to evaluate and report on the part-time employment program

Ch 631 (AB 1271) Rosenthal Subdivision public report.

Existing law requires the Real Estate Commissioner to make an examination of subdivided lands offered for sale or lease, and to issue to the subdivider a public report authorizing the sale or lease thereof, unless specified grounds for denial exist Such public report must be provided to the prospective purchaser prior to the execution of a binding contract or agreement for the sale or lease of any lot or parcel in a subdivision.

Existing regulations of the Real Estate Commissioner prohibit any person engaged in the sale or lease of subdivided lands from accepting a written offer to purchase or lease, or from accepting any consideration therefor, until the prospective purchaser or lessee has had the opportunity to read the Subdivision Final Public Report and has acknowledged in writing the receipt thereof

This bill would require that a receipt shall be taken from the prospective purchaser in the form and manner required by regulations of the commissioner

This bill would require that a copy of the public report shall be given by the subdivider to any member of the public, upon request

This bill would also require the posting of the public report along with a notice advising the availability of such report from the subdivider, as specified

This bill would provide that the provisions of this bill shall become operative on a specified date.

Ch 632 (AB 1313) Fenton International wills.

Existing law provides that a will made out of this state is not valid as a will in this state unless it is executed according to existing provisions of law in this state, or executed according to the laws of the state in which it was executed, or valid under the laws of the state in which the testator was domiciled at the time of his death, or valid under the laws of the state in which the testator was domiciled on the date the will was executed.

This bill, in addition, would provide that, as to the manner of execution of a will, it would be valid, irrespective as to the place it is made, or of the location of assets, and of the nationality, domicile, or residence of the testator, if it is made in the form of an international will, as specified It would provide essential requirements for the execution and form of an international will and would require an attorney to attach to the will a signed, certificate establishing that such requirements of execution have been met.

The bill also would require the Secretary of State to establish a registry system for information regarding the execution of international wills

Ch 633 (AB 1334) Tucker Alcoholic Beverage Tax Law refunds.

The existing Alcoholic Beverage Tax Law provides for refunds of taxes which have been erroneously or illegally collected or computed

This bill would provide for refunds without interest of such taxes in certain cases where such beverages are lost, rendered unmarketable, or condemned because of disaster or damage

Ch 634 (AB 1681) Bates Prescriptions controlled substances

Under existing law, prescriptions for certain controlled substances are written on an official prescription form issued by the Department of Justice in triplicate Such prescriptions are required to contain specified information in the handwriting of the prescriber. One copy is transmitted by the pharmacist to the Department of Justice

This bill would permit the pharmacist to enter certain information on the face of the prescription upon receipt of an incompletely prepared official prescription form

Under existing law, if authorized by the prescriber, an employee of a prescriber may orally transmit a prescription for a controlled substance classified as a Schedule IV or V substance.

This bill would permit the employee to also orally transmit a prescription for a Schedule III substance

Nothing in existing law permits a single prescription for controlled substances classified as Schedule V substances to be written for more than one person

This bill would permit such a prescription to be made for more than one person in the same family with the same medical need

Under existing law a pharmacist filling a prescription for a Schedule II substance pursuant to an oral prescription for an emergency situation is required to inform the Department of Justice immediately if he is not provided a written prescription by the prescriber within 72 hours

This bill would allow the pharmacist to inform the department of the failure of the prescriber to so provide such a written prescription within 144 hours from the time when the prescription is filled

Ch 635 (AB 1605) Lehman Community college facilities 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 a specified facility in the State Center Community College District until June 30, 1982, and would exempt the facility from provisions of the Field Act during such period

This bill would permit the Los Angeles City College to use a specified building until September 30, 1980, and would exempt the building from provisions of the Field Act during such period

This bill would take effect immediately as an urgency statute

Ch 636 (AB 1686) N Waters Tear gas

Existing law prohibits the purchase, possession, or use of tear gas or any tear gas weapon by a person who has not been issued a permit by the police chief or sheriff having jurisdiction over the person's place of legal residence. In order to obtain a permit, a person must complete a specified course in the use of tear gas and tear gas weapons and make application to the police chief or sheriff who may charge a fee covering the actual cost of processing the application

This bill would provide that, with respect to applicants 62 years of age or older, such fee shall not exceed $5

Existing law provides with respect to such tear gas and tear gas weapons that the Departments of Justice and Health Services determine which type of tear gas may be used The law specifies that regulations shall be made pertaining to the type of warning to be placed on any "mace container and tear gas weapon "

This bill would delete the word "mace" and substitute the term "tear gas."

Ch 637 (AB 1748) Leonard Controlled substances seizure

(1) Existing law authorizes the Department of Justice to initiate forfeiture proceedings for specified vehicles seized by any peace officer in this state when such a vehicle was used to unlawfully transport for sale any controlled substance Existing law also authorizes the State Department of General Services, after forfeiture is judicially declared, to sell the vehicle at public auction in the manner prescribed Existing law prescribes that the proceeds of such sale be distributed in the following order (1) to any bona fide or innocent purchaser, conditional sales vendor, or mortgagee of the vehicle if the court orders such distribution; (2) to the Department of General Services for the costs and expenses of sale; (3) to the Attorney General for costs incurred in connection with the forfeiture proceeding, (4) to the state for expenses incurred by the Department

of Justice after seizure of the vehicle, (5) the remainder, if the vehicle was originally seized by a state officer, to the State Treasury for credit to the General Fund, (6) the remainder, if the vehicle was originally seized by a peace officer of a city or county, to the State Controller for credit to the general fund of the city or county involved in the amount of any expenditures incurred in connection with the seizure, (7) the remainder to the State Treasurer for credit to the General Fund

The bill would permit certain local governmental entities to initiate such forfeiture proceedings with respect to certain transportive vehicles seized by peace officers of such entities This bill would permit the local government entity, after forfeiture is judicially declared, to either sell such vehicle at public auction, as specified, or to register the vehicle in its name or the local entity for use in its law enforcement effort The proceeds of any such sale would be distributed first to any bona fide or innocent purchaser, conditional sales vendor, or mortgagee of such vehicle, then to the general fund of the government entity initiating the forfeiture proceeding, as specified This bill would prescribe that its provisions would be applicable to vehicles, boats, or airplanes which are seized by peace officers, as specified, which are in possession of and being held by such officers on or after the effective date of this bill

This bill would prescribe that its provisions remain in effect only until January 1, 1984, as specified

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

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

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

Ch 638 (AB 1826) Kapiloff Community property personal injury damages

Existing law provides that all money or other property received by a married person in satisfaction of a judgment for damages for personal injuries or pursuant to an agreement for the settlement or compromise of a claim for such damages is the separate property of the injured person if the money or other property is received after a decree of legal separation or interlocutory or final judgment of dissolution, or while the spouses are living separate and apart

This bill would instead provide that such money or property received or to be received is separate property if the cause of action for such damages arose while the spouses are living separate and apart or after a decree of legal separation or interlocutory or final judgment of dissolution It would specify that such change is to apply retroactively to any case where marital property rights have not been adjudicated by a decree of dissolution or legal separation which has become final

Ch 639 (SB 443) Vuich Bees pesticides

Under existing law, effective until January 1, 1981, the Director of Food and Agriculture is required to adopt regulations deemed necessary to minimize the effect of pesticides on bees, while providing for the reasonable and necessary use of pesticides. Specified regulations are required to be adopted before other specified regulations may be adopted. Violation of such regulations or of the provisions of law relating to registration and identification of apiaries is subject to a civil penalty Further provisions of law providing for enforcement by citation are specifically applicable to the enforcement of specified provisions of the law relating to apiaries

This bill would extend the effective date of such provisions until January 1, 1985

Ch 640 (SB 526) Watson Food sulphurs

Existing law prohibits the use and sale of sulphur for sulphuring fruit or other foods, as defined, which contains more than 10 parts per million of arsenic oxide Existing law also requires the labeling or tagging of every package, parcel, bag, or container of sulphur for sulphuring fruit or other foods in a specified manner Under existing law the State Department of Health Services is required to prescribe the form of the tags and

labels used, to adopt rules and regulations to carry out the purposes of such law, and to enforce such provisions.

This bill would repeal such provisions.

Ch. 641 (SB 572) Keene. Farm and home purchase California National Guard members and veterans.

Existing law provides farm and home purchase benefits for members of the California National Guard and for veterans who qualify whereby the Military Department in the case of National Guard members or the Department of Veterans Affairs in the case of veterans will acquire title to a farm or home or property on which a house is to be constructed for purposes of sale to a member or veteran pursuant to a contract of sale

This bill would permit either department to acquire rights to leasehold interests in trust land, allotment trust land, or tribal trust land for purposes of making these farm and home purchase benefits available to an Indian member or Indian veteran who otherwise qualifies except for the fact that such lands are held in trust by the United States for Indian tribes, and makes related changes. It would also direct each department to report biennially to the Legislature on certain aspects of this program

This bill would make additional changes in Section 270 03 of the Military and Veterans Code to be operative only if this bill and AB 55 are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered after AB 55

This bill would make additional changes in Section 987 53 of the Military and Veterans Code to be operative only if this bill and AB 185 or AB 879, or all three bills, are chaptered and become effective January 1, 1980, and this bill is chaptered last

Ch. 642 (SB 609) Dills. Alcoholic beverage licenses stay of suspension· offer in compromise.

Existing law with respect to suspension of an alcoholic beverage license makes provision for an offer in compromise, under specified conditions, in an amount the equivalent of 20% of the estimated gross sales for each day of proposed suspension, but not less than $250 nor more than $2,000

This bill would provide that the offer in compromise for nonretail licensees shall be the equivalent of 20% of the estimated gross sales of alcoholic beverages for each day of the proposed suspension, and such offer in compromise shall not exceed $10,000 unless the nonretail licensee has violated specified provisions by giving to any licensee illegal inducements, secret rebates, or free goods amounting to more than $10,000 in value, in which case the offer in compromise shall be equal to the value of the illegal inducements, secret rebates, or free goods given Such penalties would be deposited in the General Fund in the State Treasury rather than the Alcoholic Beverage Control Fund

Ch. 643 (SB 626) Nielsen Licensed professionals

Under existing law, the provisions of the Psychiatric Technicians Law are not applicable to specified professional individuals nor to categories of persons the Board of Vocational Nurse and Psychiatric Technician Examiners determines are entitled to exemption in accordance with specified criteria.

This bill would include art therapists, dance therapists, music therapists, and recreation therapists, as defined, among those specified professionals to whom that law is not applicable and would limit the power of the board to exempt such other categories to those specialized areas of training within the discipline for which an exemption is granted

Ch. 644 (SB 622) Craven Medical records.

Existing law provides that any person who alters or modifies the medical record of any person, with fraudulent intent, is guilty of a misdemeanor Violation of these provisions by a licensed physician and surgeon or podiatrist constitutes grounds for disciplinary action

This bill would make it a misdemeanor to create any false medical record with fraudulent intent Violation of this provision would also subject a physician and surgeon or podiatrist to disciplinary action

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by

the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

Ch 645 (SB 637) Watson Walnut shelling licensing

Existing law makes it a misdemeanor to shell, pack, clean, grade, or otherwise prepare walnuts for human consumption except on premises licensed by the State Department of Health Services. Existing law provides for the issue, suspension, revocation, and renewal of such licenses and authorizes the department to provide for fees for such licenses

This bill would repeal such provisions

Ch 646 (SB 659) Vuich Revegetation management pilot projects.

Under existing law, the Department of Forestry is authorized to undertake projects for the establishment and maintenance of forest and vegetative cover on forest and watershed lands

This bill would authorize the department to undertake 4 pilot projects in 4 different areas of the state with different soils and vegetation types to demonstrate the values of vegetation management following emergency revegetation projects The bill would specify the conditions under which such projects are to be undertaken and powers and duties of the department in such connection The bill would require the department to report to the Legislature on the results of such projects, as specified

The bill would remain in effect only until January 1, 1991

Ch 647 (SB 707) Marks. Local agencies financial reports.

Under the existing law, the State Controller may require various special districts and nonprofit corporations to submit reports of their financial transactions

This bill would expand the circumstances under which a nonprofit corporation may be required to submit such a report

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

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

Ch 648 (SB 1132) Nielsen Local agency funds investment

Existing law provides that in order to secure deposits of local agency funds in depositories, a depository must maintain with its agent securities having a market value of at least 10 percent in excess of all deposits as specified

This bill would provide that when determining the security requirements for such deposits, uncollected funds would be excluded from the amount deposited with the depository

Ch 649 (SB 1164) Roberti Parking violation proof

(1) Existing law provides that in any prosecution against the registered owner, lessee, or renter of a vehicle for a parking violation, proof by the people of the State of California that the vehicle was illegally parked, together with proof that the defendant was the registered owner, lessee, or renter of the vehicle is prima facie evidence that the registered owner, lessee, or renter was the person who placed the vehicle where the violation occurred during the time in which it occurred In a prosecution for failure to display evidence of registration, proof by the people of the State of California that the vehicle described in the complaint failed to display evidence of registration together with proof that the defendant was the registered owner of the vehicle is prima facie evidence that the registered owner was responsible for the vehicle when the violation occurred

This bill would, in each instance, delete the words "by the people of the State of California" and would specify that the same provisions apply to prosecutions for violations of federal statutes or regulations.

(2) Under existing law, notice of a parking violation is given by securely attaching a citation, containing reference to the section of the Vehicle Code or the ordinance violated, to the vehicle If the owner or lessee of the vehicle does not appear in court, deposit bail, or file an affidavit of nonownership, the court issues a notice of noncompliance When a fine or forfeiture is received after a notice of noncompliance has been forwarded to the Department of Motor Vehicles, an additional service fee is charged These fees are transmitted monthly to the State Treasurer for deposit in the Motor Vehicle Account in the State Transportation Fund

This bill would specify that the citation is to contain reference to the code section, local ordinance, or federal statute or regulation which has been violated The bill would also provide that service fees collected in cases involving federal jurisdiction shall be transmitted to the department for deposit in the Motor Vehicle Account

Ch 650 (SB 1182) Nimmo Cities bonds sales and use tax

Currently, the law permits cities with a population of 4,000 or less, and cities with a permanent population of not less than 12,000 and a prescribed additional seasonal population, to issue limited obligation bonds which are secured solely from the revenues of sales and use taxes.

This bill would remove the restrictions on the size of cities which may issue limited obligation bonds and would, instead, extend such authority to any city or city and county, including chartered cities. This bill would also permit the principal and interest on limited obligation bonds to be paid from any legally available funds of the city, including ad valorem property taxes, in the event of the city's default on the bonds.

Ch. 651 (SB 1189) Greene. Vocational nurses.

Existing law authorizes vocational nursing services to be rendered by a graduate of a school of vocational nursing while such graduate is working under the supervision of such school and is awaiting the results of the first licensing examination taken by such person following graduation

This bill would delete such provision

Existing law defines an accredited school of vocational nursing as one which, among other things, offers a course of instruction in vocational nursing covering 12 months

This bill would delete such 12-month coverage provision, and would instead require such a school to give a course of not less than 1530 hours, approved by the board pursuant to specified provisions The bill also would require the board to adopt regulations for the approval of courses as specified

Existing law provides that specified continuing education requirements for vocational nurses are not to apply to licensees during the first two years immediately following their graduation from vocational nursing school

This bill would revise such exemption to provide that such continuing education requirements shall not apply to the first license renewal following the initial issuance of a license

Ch 652 (AB 771) Hart Landlord and tenant

Under existing law, the lessor is precluded for 60 days, after the occurrence of certain events, from taking any of certain specified actions against a lessee where the lessee is not in default in the payment of rent and the lessor has as his dominant purpose retaliation against the lessee because of the lessee's exercise of any of certain specified rights

This bill would preclude retaliation by the lessor within 180 days after the exercise of certain rights It would revise the list of specified rights to include, among others, certain oral complaints, certain complaints to appropriate agencies, and filing of action The bill would also prohibit specified forms of retaliation for certain acts relating to lessees' rights

This bill would also provide for an action to recover actual and punitive damages for retaliatory eviction In such an action, reasonable attorney's fees may be recoverable by the prevailing party if requested The remedies provided by the act are in addition to

any other remedies provided by statutory or decisional law

Ch 653 (AB 210) Goggin Professional advertising.

Existing law makes provision for the regulation of the various business and professions licensees with respect to advertising of professional services

This bill would extensively revise existing law and enact the Right to Compete Act of 1979 which would, among other things, do the following

(1) Delete existing prohibitions against advertising of commodities or services at a discount, and instead prohibit the dissemination of any form of public communication, as defined, containing false, fraudulent, misleading, or deceptive statements or claims, for the purpose of, or likely to induce, directly or indirectly, the rendering of professional services or furnishing of products in connection with the professional practice or business of the licensee,

(2) Delete existing prohibitions against the advertising of any free commodity or service except as to the examination of the eyes and the furnishing of optometric services;

(3) Delete prohibitions against advertising the cost, price, charge of fees of any commodity or service of a licensed physician and surgeon, optometrist, pharmacist, or registered dispensing optician,

(4) Delete existing authorization to deny, revoke, or suspend licensure for the advertising of clinical laboratory procedures, as specified,

(5) Define unprofessional conduct and delete as a basis for unprofessional conduct the advertising of definite or fixed prices for professional services, the use of advertising containing the representation of a tooth, teeth, bridgework or any portion of the human head, and the advertising of podiatry services at a stipulated price or variation, or as free,

(6) Delete various other related advertising restrictions relating to lens, lenses, glasses, frames, fittings and the dispensing thereof,

(7) Deletes a provision requiring pharmacies to maintain a list of the most frequently prescribed drugs in the state and requires pharmacies to post a notice provided by the board concerning the availability of prescription price information, the possibility of generic drug product selection, and the type of services provided by the pharmacy, and specifies that advertisements for the retail price of prescription drugs shall be limited to quantities, strength, dosage forms and the dates such price will be in effect, and

(8) Delete criminal restrictions against the advertising of the procuring or obtaining of dissolutions of marriage or annulment, or offering to engage or appear as attorney, counsel or referee in any such suit

The bill would also provide that there shall be no appropriation to reimburse local entities for costs incurred pursuant to the act for specified reasons

Ch 654 (AB 788) Wyman Business license coordination

Existing law contains no express provision requiring the Department of Economic and Business Development to categorize permits, licenses, and registrations required of a person desiring to operate a business enterprise in California.

This bill would enact the Business License Information Act of 1979 which would, among other things, require the department to categorize the required permits, except for certain permits, licenses, and registrations into a handbook, to be completed and in use no later than July 1, 1980, indicating each state license, permit, except for certain permits, or registration required of a person attempting to establish an enterprise according to the type of enterprise

In addition, this bill would, among other things, require state agencies to notify the department within 5 days of a change in any information contained in the handbook and provide that the handbook shall be made available to public libraries, and educational institutions, and the state and local agencies listed in the handbook This bill would further provide that the department shall charge a fee for costs of publication and distribution

Ch 655 (AB 827) Hughes Real property

Existing law does not specifically regulate the activities of persons who deal in residential real property in foreclosure

This bill would provide that it is unlawful for any person to take unconscionable

advantage of a property owner in foreclosure

This bill would provide for the rescission of any transaction in which unconscionable advantage has been taken of a property owner in foreclosure and for an action to enforce the rescission.

Existing law requires that a notice of default under a deed of trust or mortgage contain, printed or typed thereon, a notice as to how to cure the default

This bill would revise such notice regarding how to cure the default so as to make it more conspicuous, readable, and understandable

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

This bill provides that, notwithstanding Sections 2231 and 2234 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to those sections nor shall there be an appropriation made by this act, for a specified reason

This bill would take effect immediately as an urgency statute

Ch 656 (AB 876) Hughes Retirement benefits

Existing Public Employees' Retirement Law and the State Teachers' Retirement Law generally limit retirement service credit to time actually served in employment

This bill would permit employees of the California State University and Colleges to receive 2 years of service credit in those systems if the Governor, upon the recommendation of the Board of Trustees of the California State University and Colleges, determines that, because of an impending curtailment of service, the best interests of the state would be served and the Board of Trustees of the California State University and Colleges elects to make specified payments to the retirement funds and if the employee retires during a designated period The provisions would be repealed on June 30, 1980, unless a later enacted statute deletes or extends such date

Ch 657 (AB 873) Agnos. Maternal and child health genetic disease testing.

Existing law requires the State Department of Health Services to maintain a program of maternal and child health which may include specified provisions The genetic disease unit of the department is required to coordinate genetic disease programs of the department and is required to designate tests to be used in executing such program The tests are required to be administered to every child born in California and the department is authorized to provide laboratory testing facilities or to contract with any laboratory which it deems qualified to conduct such tests The department is required to charge a fee for any test conducted pursuant to such program, the revenues from which are deposited in the Genetic Disease Testing Fund, which fund is continuously appropriated to the department for the purposes of such early detection program

This bill would make the authority of the department to provide laboratory testing facilities contingent upon the provision of funding therefor by specific appropriation by the Legislature to the Genetic Disease Testing Fund

This bill would also incorporate into the Health and Safety Code, and continue in existence, the provisions of law which created, and continuously appropriate to the department the funds in, the Genetic Disease Testing Fund

Existing law also requires the genetic disease unit to evaluate and prepare recommendations on the implementation of tests for the detection of specified diseases

This bill would add hypothyroidism to such specified diseases.

This bill would also require that the department implement a program for the detection of phenylketonuria, galactosemia, and hypothyroidism, commencing on or before January 1, 1980

The bill would also require the genetic disease unit to prepare a report to the Legislature outlining the compliance with an implementation schedule and submit the report on or before a date 2 months after the effective date of this bill

This bill would take effect immediately as an urgency statute

Ch 658 (AB 968) Agnos Children's institutions fire and life safety

Under present law, private nonprofit children's institutions are eligible to receive state loans for installation of fire sprinklers or smoke detectors Moneys have been appropriated and are available for such purpose

This bill would authorize a loan not exceeding $35,000 to children's institutions meeting prescribed criteria for fire sprinklers and would also authorize the proceeds of the loan to be used to meet other fire and life safety requirements The interest rate and terms of the loan would be the same as prescribed by existing law

By authorizing the proceeds of the loan made pursuant to the bill to be used for purposes not authorized under present law, the bill would permit new uses for moneys previously appropriated and would, thus, reappropriate such moneys

This bill would take effect immediately as an urgency statute

Ch 659 (SB 852) Russell Unemployment insurance confidentiality of records

Existing law generally restricts the Director of Employment Development from disclosing information obtained in the administration of the provisions of the Unemployment Insurance Code except for specified purposes. Existing law also provides that such information is inadmissible in evidence in any proceeding other than, among others, a proceeding to determine entitlement to public social services

This bill would require that wage information which is necessary, as determined by the federal Secretary of Health, Education and Welfare, in order to determine an individual's eligibility for aid or services to families with dependent children which is contained in records maintained by the department, be made available to any state or subdivision thereof

The bill would take effect immediately as an urgency statute

Ch 660 (AB 938) McVittie Pest control

(1) Under existing law, generally, any person who uses pesticides in the business of pest control, advises in the use of pesticides, or who uses restricted materials is required to register with, or to obtain a license or permit from, an appropriate county agricultural commissioner The existing law provides for the cancellation, revocation, or refusal to issue any such registration, license, or permit by the commissioner

This bill would allow any such person to appeal to the Director of Food and Agriculture, within a specified time, whenever the commissioner suspends a county registration or permit pursuant to designated provisions for 10 days or less This bill would prescribe the procedure in carrying out any such appeal, and authorize the director to sustain, reverse, or modify the suspension of a county registration or permit, for a period of 10 days or less

(2) The provisions of the bill would be repealed as of January 1, 1983, at which time existing law would again be operative

Ch 661 (SB 796) Russell Unemployment insurance. elective coverage

Existing law permits certain employers to elect to be covered by the provisions of law providing for unemployment compensation and unemployment compensation disability benefits Existing law prohibits the Director of Employment Development from approving such election until he or she is satisfied that such individual is normally and continuously engaged in a regular trade, business, or occupation Once such election is approved by the director, existing law permits such individuals to cancel such election, under specified conditions, but does not specifically authorize the Employment Development Department to do so

This bill would, in addition, prohibit the director from approving such election if the director finds that such individual intends to discontinue business within 2 years, that the business is seasonal in its operations, that such individual failed to pay required contributions, or that such individual has been convicted of specified violations The condition with regard to the seasonal operation of a business would not apply to public entities The bill would also permit the director to terminate an election for similar reasons subject to a specified procedure

Ch 662 (AB 388) Berman Schools· teaching credentials

Under existing law, the Commission for Teacher Preparation and Licensing may deny any application for the issuance or renewal of a credential for specified reasons

This bill would add mental disability to the reasons for which the commission may deny an application, and would require specified denials of an application for issuance

or renewal of a credential to be based on reasons related to the applicant's fitness to teach or fitness to perform other duties for which that applicant is certificated, or competence to perform the duties for which the credential is required

The bill would also prohibit the fact of seeking or receiving psychiatric treatment from being considered as preliminary evidence of mental disability or from provoking special scrutiny of the applicant's qualifications for a credential

Ch 663 (AB 1353) Berman Disability benefits pregnancy

Existing law generally provides for the payment of nonindustrial disability benefits to state employees and unemployment compensation disability benefits to disabled employees in "covered employment," including, in both instances, employees disabled because of an abnormal and involuntary complication of pregnancy or a condition possibly arising out of pregnancy that would disable the claimant without regard to the pregnancy, for a period of, generally, 26 weeks However, existing law generally limits the payment of nonindustrial disability benefits and unemployment compensation disability benefits for a normal pregnancy, as defined, to a six-week period

This bill would repeal such limitation on the payment of disability benefits for a normal pregnancy, thus making the receipt of such benefits for a normal pregnancy available on the same terms and conditions as other disabilities.

The bill would appropriate $1,505,000 from the General Fund to the Department of Finance for the cost of benefits provided by this bill to state employees eligible for nonindustrial disability benefits

The bill would take effect immediately as an urgency statute and would become operative with respect to periods of disability existing on or after April 29, 1979

Ch 664 (AB 1217) Cline Community colleges target budget

For the 1978–79 fiscal year, statutory law prescribed a method for apportioning funds from Section B of the State School Fund to community college districts based upon the computation of a "target budget" for the 1978–79 fiscal year and the application of various factors to the "target budget "

The target budget was computed on the basis, in part, of the amount apportioned to each community college district in the 1977–78 fiscal year

This bill would require that for the 1979–80 fiscal year the apportionment to a community college district, which changed its regular academic year calendar from a quarter system to a semester system in the 1977–78 school year, be increased or decreased by the amount that its 1978–79 fiscal year apportionment would have been increased or decreased if the target budget for the 1978–79 fiscal year had been increased by an amount equal to the amount withheld from, or decreased by an amount added to, the district's apportionment for the 1977–78 fiscal year pursuant to a specified provision relating to the adjustment of errors in apportionments

This bill would require that the amount of such increase or decrease in the 1979–80 fiscal year apportionment be deemed to be included in the 1978–79 fiscal year apportionment of a community college district that changed its regular academic year calendar, as specified, if the 1979–80 fiscal year apportionments to community college districts are computed on the basis of the amount of apportionments for the 1978–79 fiscal year

This bill would take effect immediately as an urgency statute

Ch 665 (AB 1321) Knox. Regulated persons

Existing provisions of the new Nonprofit Corporation Law, which will become operative on January 1, 1980, contain general provisions relating to public benefit, mutual benefit, and religious corporations. The new law also contains special provisions relating to nonprofit medical or legal services corporations

This bill would add special provisions relating to nonprofit hospital services corporations It would specify that such corporations could be formed or subject to the laws relating to public benefit or mutual benefit corporations It would specify that a corporation formed under or subject to the laws relating to public benefit corporations would be exempt from certain of those provisions, but instead would be subject to provisions of this bill relating to breach of trust, removal of directors, and self-dealing transactions Among other things, the Insurance Commissioner would have certain duties respecting such corporations

Existing law prohibits the offer or sale of any security in an issuer or nonissuer transaction unless such sale is qualified under, or exempted by, law

This bill would exclude an individual retirement account from the category of pension or profit-sharing trusts to which such offer or sale is exempted by law

Under existing law, no agent of a broker-dealer may effect any transaction in, or induce or attempt to induce the purchase or sale of, any security in this state unless the agent has applied for and secured a certificate from the Commissioner of Corporations.

This bill would eliminate the licensing requirement for agents. It would eliminate application and renewal fees for agents, and instead provide for a $25 fee for notification of employment of an agent It would also make transition provisions with respect thereto

Under existing law a broker-dealer registered under the Securities Exchange Act who is a member of the New York Stock Exchange, the American Stock Exchange or the Pacific Stock Exchange must be licensed according to the same procedures as other broker-dealers

This bill would provide that such persons may also be members of the National Association of Securities Dealers, and would require such persons to not have had a certificate as a broker-dealer, investment adviser or agent previously denied or revoked, and may be licensed by notification by filing specified information with the commissioner

The bill would also authorize the commissioner by rule or order to waive the provision which would preclude application thereunder by a person who has had a certificate denied or revoked if he finds such waiver to be in the public interest, as specified

Existing law sets the fee for filing an application, or for renewal of a certificate for an additional office as a broker-dealer at $85

This bill would raise such fees to $100

The bill would additionally specify additional grounds by which the commissioner may summarily suspend or revoke the certificate of a broker-dealer or agent or an investment adviser

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason

Ch 666 (AB 875) Hughes School employees dismissal procedures State Board of Education

(1) Existing law authorizes a permanent certificated 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 a Commission on Professional Competence If the commission determines that the employee should be dismissed, the governing board and the employee share equally the expenses of the hearing, and the state pays specified costs and expenses of certain commission members If the commission determines the employee should not be dismissed, the governing board pays all expenses of the hearing, including such specified costs and expenses of certain commission members

The bill would require that in the event a decision of the commission is reversed or vacated by a court, the entity that paid such specified costs and expenses of certain commission members be reimbursed by the entity legally obligated to pay such expenses, and the employee or governing board who paid the other's portion of the expenses of the hearing, including the cost of the hearing officer, shall be reimbursed by such other person or entity

The bill would also define the term "reasonable expenses," as used in such existing law, to include payments or obligations incurred for travel, meals, and lodging.

(2) Under current law members of the State Board of Education must serve as members without pay However, they receive actual and necessary traveling expenses while on official business

This bill would provide that each member is entitled to, in addition to actual and

necessary traveling expenses, $50 for each day such member is acting in an official capacity

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

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

Ch 667 (AB 1047) Ryan Elections

(1) Existing law provides that generally a properly executed affidavit of registration is deemed effective upon receipt of the affidavit by the county clerk

This bill would provide that for purposes of verifying signatures on election petitions or paper, properly executed affidavits of registration must be deemed effective if they are signed on the same date or a date prior to the signing of such petition or paper and the affidavit is received by the county clerk on or before the date on which the petition or paper is received

(2) Existing law authorizes and, in certain cases, requires the county clerk to alter precinct boundaries.

This bill would provide that any such boundary change occurring less than 74 days before an election shall not be effective for purposes of that election

(3) Existing law provides that a governing body of a jurisdiction may by resolution provide that all ballots of certain precincts must be tallied at a central polling place and not at the precincts The governing body is required to give certain notices concerning such counting procedure

This bill would require the clerk or the secretary of such jurisdiction to undertake the above functions

(4) Existing law authorizes the consolidation of local elections with the general statewide elections.

This bill would provide that whenever such consolidations occur nomination documents must be filed with the county clerk not less than 88 days and not more than 113 days prior to the statewide general election

(5) Existing law prohibits the conduct of any election on the day after a state holiday

This bill would, in addition to the above stated prohibition, prohibit the conduct of an election on the day before or the day after a state holiday

(6) Existing law authorizes counties, cities, and special districts to limit campaign expenditures or contributions in local elections.

This bill would delete the authorization to limit campaign expenditures

(7) Existing law provides for the format of ballots.

This bill would provide that whenever a foreign translation of the ballot is required by the Voting Rights Act of 1965, as amended, to appear on the ballot, the ballot may be so designed as to place the foreign translation to the right of the voting square

(8) Existing provisions of the Revenue and Taxation Code require that property exempted from property taxation by the welfare exemption must, under specified conditions, be provided for free use as a polling place

This bill would add similar provisions to the Elections Code

(9) A provision of an existing statute requires the second stub attached to each ballot card to show in print the designation of the congressional, senatorial, and Assembly district

This bill would repeal that provision

(10) Existing statutes (a) prescribe the contents of a notice of intention to circulate a recall petition, (b) authorize the officer sought to be recalled to file and serve an answer, as specified, and (c) require publication or posting of such notice

This bill would require the notice referred to in (a) to contain the provisions of the statute referred to in (b), except when it is published or posted pursuant to (c)

(11) A provision of the Irrigation District Law requires that notice of an irrigation district bond election be both posted in three public places in each election precinct for at least 20 days and published in some newspaper published in the office county, once

a week for at least three consecutive weeks

This bill would delete the posting requirement

(12) The bill also makes various updating, corrective, technical, and clarifying changes in existing law

Ch. 668 (AB 1105) D Brown. Schools. information regarding applicants for employment and employees

(1) Under existing law, the governing board of any school district [, with specified exceptions]* must request each person to be employed, or employed in, a position not requiring certification qualifications to have fingerprint cards, together with a personal description of the applicant or employee, as the case may be, prepared by a local public law enforcement agency for transmittal to the Department of Justice for the purpose of providing all information pertaining to any such person of whom there is a record in its office A school district, or districts with a common board, having an average daily attendance of 60,000 or more may process the fingerprint cards The term "local public law enforcement agency," as used for such purposes, includes a school district with an average daily attendance of 60,000 or more.

This bill would allow any school district, or districts with a common board ~~; with specified exceptions,~~* to process the fingerprint cards, and would redefine the term "local public law enforcement agency" to include any school district

~~(2) Under existing law, if a local public law enforcement agency that prepares or processes fingerprint cards of applicants or employees of a school district applies to the Department of Justice for information pertaining to such persons, the department is required to provide all such information in its records to such agency.~~

~~Existing law does not expressly restrict each such district to applying for and obtaining information about its own applicants, including applicants who are employees of another district, and employees~~

~~This bill would impose such an express restriction.~~*

[(2) Under existing law, the Department of Justice is required to furnish, upon application of a local public law enforcement agency, as that term is defined, all information pertaining to an employee or applicant of a school district of whom there is a record in the department's office.

This bill would expressly provide that the Department of Justice is required to provide to any school district, upon application, information pertaining only to applicants for employment by the district, including employees of another district and persons already employed by the district]*

Ch 669 (SB 927) Dills Teaching credentials.

Existing law requires the Commission for Teacher Preparation and Licensing to levy a fee for the issuance and renewal of teaching and related credentials and, generally, limits the amount of such fees to $20 The fee proceeds are deposited into the Teacher Credentials Fund, which is continuously appropriated for specified purposes

This bill would permit the commission to increase such fee to $30.

Ch 670 (AB 367) N. Waters Mono Lake gull rookery

Existing law does not appropriate state funds for protecting and maintaining the Negit Island gull rookery in Mono Lake

This bill would appropriate $250,000 from the California Environmental Protection Program Fund to the Department of Fish and Game for expenditure for the 1979–80 and 1980–81 fiscal years for the best available temporary measures for protecting and maintaining the Negit Island gull rookery, including specified measures, and would express legislative intent in such connection. The bill would require the department to report by December 1, 1980, on the expenditure of funds and the measures undertaken, and on the need for additional work

The bill would also require the Secretary of the Resources Agency to report to the Legislature by June 1, 1980, on the proposals of the Interagency Task Force on Mono Lake

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

Ch 671 (SB 406) Wilson Denial of probation infliction of great bodily injury

Existing law provides for the addition of 3 years to the sentence of a defendant who intentionally inflicts great bodily injury upon a person other than an accomplice in the commission or attempted commission of a felony with specified exceptions

This bill would provide that probation shall not be granted to, nor sentence suspended for a person who with the intent to inflict such injury, personally inflicts great bodily injury, as defined, on any person in the commission or attempted commission of specified crimes and would prohibit the striking of a finding that would bring a defendant within such provision

Ch 672 (SB 1242) Carpenter Ice cream trucks warning devices

Existing law permits the City of Los Angeles to require, by ordinance, that ice cream trucks display flashing amber warning lamps and activate a caution arm only when parked, as defined, to sell ice cream products on a street within a residence district of the city The driver of any vehicle, upon meeting or overtaking from either direction an ice cream truck displaying the lamps and with the arm activated within the city, is required to immediately slow the vehicle to 10 m p h or less before passing the truck and to yield the right-of-way to any pedestrian in the immediate vicinity of the truck and to proceed only with caution The city is authorized to include in the ordinance such other provisions as may be necessary to reduce injuries to children in the vicinity of ice cream trucks, and the city, or any public or private agency it designates, is required to conduct an evaluation of the implementation of the provisions which would be enacted by the bill and to report the findings to the Governor and the Legislature regarding the desirability of implementing statewide the requirements imposed pursuant to such provisions

These provisions are to be repealed on January 1, 1980

This bill would extend the repeal date to January 1, 1982

The bill would take effect immediately as an urgency statute

Ch 673 (AB 1687) Egeland Dead bodies autopsy

Under present law, a coroner performing an autopsy may permit removal of parts of the deceased person which have been donated pursuant to the Uniform Anatomical Gift Act if such removal will not interfere with the autopsy or unnecessarily mutilate the corpse Additionally, present law authorizes the coroner to retain the pituitary gland of an autopsied corpse, for transmission to a university for research or advancement of medical science, if the corpse is not claimed within 48 hours after the autopsy and the coronor has not been informed of any relatives of the decedent

This bill would authorize the coroner to remove the pituitary gland of a corpse during an autopsy for transmittal to a public agency manufacturing a hormone used for treating or averting hypopituitary dwarfism, unless notified of specified religious objections by the person having the right to control disposition of the corpse. The bill would require the coroner to notify such person, if known to the coroner, of intent to remove the pituitary gland and the bases upon which such person may refuse to permit same The above provisions of the bill would not supersede the terms of a gift made pursuant to the Uniform Anatomical Gift Act

Ch. 674 (SB 1098) Beverly. Financial disclosure

Under existing law, contained in the Political Reform Act of 1974, members of planning commissions, if classified as designated employees, are required to file financial disclosure statements as specified in the conflict of interest code of their agency

This bill would instead add members of planning commissions to the group of high level public officials required to comply with the financial disclosure provisions set forth in the Political Reform Act

Under existing law the financial disclosure statements of persons holding the office of city manager, county chief administrative officer and of planning commissioner are not generally filed with the Fair Political Practices Commission

This bill would require that the original of the financial disclosure statements of the above officers be filed with the commission

Under existing law, if a financial disclosure statement is filed by the head of an agency, a member of a board or commission not under a department of state government, or a member of a board or commission not under the jurisdiction of a local legislative body, the agency is required to retain a copy and forward the original to the code reviewing

body.

This bill would provide that the code reviewing body in its discretion may provide that the original statement be filed directly with the code reviewing body and that no copy of a financial disclosure statement be retained by the official's agency This bill would also, in some cases, provide that the agency's conflict of interest code shall provide where a financial disclosure statement shall be filed

Under existing law certain filers must disclose the names of persons from whom they received, through their ownership of a business entity, $10,000 or more during a calendar year

This bill would provide instead that the disclosure cover the period covered by the statement rather than the calendar year

Existing law does not specifically require designated employees who leave public employment to file financial disclosure statements after leaving.

This bill would specifically require such employees to file such statements within 30 days of leaving office

Existing law requires a member of the Legislature and of the State Board of Equalization, and a candidate for such an office, to file a financial disclosure statement with the clerk of the largest county by population which in whole or part is included within the election district

This bill would require, instead, such a statement to be filed with the clerk of the county which contains the largest percentage of registered voters in the election district

This bill would make other technical and conforming changes

Ch 675 (AB 1272) Statham Air pollution subventions

(1) Under existing law, the State Air Resources Board is authorized to subvene up to $1 for every $1 budgeted by a basinwide air pollution control district or by all the air pollution control districts comprising an air basin joined by a joint powers agreement with specified provisions, but not to exceed 23¢ per capita. For the districts in an air basin of less than 98,000 in population, the total subvention may be up to $45,000, if the districts adopt budgets equal to or exceeding 23¢ per capita

This bill would require the subvention to any such district be not less than $18,000, if the district provides the required matching funds.

(2) Under existing law, for districts not receiving funds under (1) above, the state board may subvene $2 for every $3 budgeted by the district, but not to exceed 18 4¢ per capita

The bill would require the subvention to any such district be not less than $12,000, if the district provides the required matching funds.

Ch 676 (AB 663) Wray Transportation

(1) Under the Orange County Transit District Act of 1965, the purchase of supplies, equipment, and materials, and construction of facilities, by the Orange County Transit District is required to be done in the manner as is required of Orange County under state law and county ordinance

This bill would delete the requirement that such purchase and construction by the district be subject to the county ordinance and would require that the purchase of services by the district be done in the same manner as is required of the county under state law

(2) Under existing law, there is no specific requirement that the California Transportation Commission prepare a report which identifies the transportation capital needs of Orange County and submit it to the Legislature no later than March 1, 1980

This bill would enact such a requirement

(3) Existing law specifies that Route 22 is from Route 1 near Long Beach to Route 55 near Orange and that Route 55 is from Newport Beach to Route 91 in Santa Ana Canyon

This bill would require the Department of Transportation to take the necessary action to remove Route 55 and a portion of Route 22 from the federal-aid urban system and place them in the federal-aid primary system

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review

statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

Ch. 677 (AB 429) Young. Business and professions

Under existing law, with certain exceptions a prospective barber must have practiced as a registered apprentice for a period of 15 months in order to be qualified to receive a certificate of registration to practice barbering

This bill would provide for graduation from an approved college as an alternative to the apprenticeship requirement In addition this bill would revise the requirements for a certificate of registration as a registered apprentice by, among other things, deleting the requirement that the apprentice pass an examination

The bill would also revise requirements for registration to practice barbering This bill would also make related changes.

Under existing law, no person holding a certificate of registration as a registered apprentice may work for more than 5 years as an apprentice

This bill would lower the maximum permissible period to work as an apprentice to 3 years

Existing law prescribes the qualifications necessary to receive a certificate as a registered barber

This bill would provide for an alternative method of obtaining registration by, generally, recognizing cosmetological training or education.

Existing law specifies the qualifications necessary to admit an applicant to examination for a certificate of registration and license as a cosmetologist

This bill would provide for an alternative method of obtaining a certificate of registration and license by, generally, recognizing training as a barber or apprentice.

Ch. 678 (SB 1075) Cusanovich Municipal courts Ventura County

Existing law provides for sessions of the municipal court in Ventura County, unless a majority of the judges determine otherwise with the approval of the board of supervisors, in the Cities of Ventura, Oxnard, Camarillo, Fillmore, Santa Paula, Ojai, and Simi Valley

This bill would delete the sessions in Oxnard, Camarillo, Fillmore, Santa Paula, and Ojai

Existing law specifies the number, classification, and compensation of municipal court employees in Ventura County

This bill would revise the number, classification, and compensation of municipal court employees in Ventura County

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

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, but recognizes, however, that a local agency or school district may pursue their other available remedies to seek reimbursement for these costs

Ch. 679 (AB 272) Hart Alcohol and drug programs.

Under existing law the State Department of Alcohol and Drug Abuse is created, with various powers and duties with regard to prevention, treatment and rehabilitation, exercised through a Division of Alcohol Abuse and Alcoholism and a Division of Drug Abuse

This bill would abolish the State Department of Alcohol and Drug Abuse and its divisions, and would establish, instead, the State Department of Alcohol and Drug Programs, which would succeed to the duties and jurisdiction of the State Department of Alcohol and Drug Abuse and have other specified powers and duties. Such department would encompass a Division of Alcohol Programs, a Division of Drug Programs,

and a Division of Administration with unspecified powers and duties. It would authorize the creation of other divisions by the department pursuant to the procedures of existing law

The bill would make several substantive changes in existing law with respect to the role of state and local government in dealing with alcohol problems, including changes in the following areas (1) provision of both direct services to individuals, and indirect services such as community education programs, (2) limiting the role of state government under appropriate circumstances, (3) general powers and duties of state government, and its relationship with other governmental agencies and the private sector, (4) the membership and functions of a State Advisory Board, (5) research, (6) the state-county relationship with regard to funding and program administration, (7) the membership and functions of a county advisory board, (8) the county alcohol plan, (9) state and county relationships to health planning agencies, (10) statewide and county evaluation, (11) specified powers and duties of the department, (12) procedures and standards for adoption of regulations by the department, (13) services to persons convicted for driving while under the influence of alcohol, (14) state and county matching funds, (15) quality assurance standards, and (16) fees and other sources of revenue for programs and services

Finally, the bill would include provisions, as does existing law, making application for state funds and compliance with state requirements optional on the part of counties.

Ch 680 (AB 1029) Rosenthal Hospital district formation health planning.

Under present law, a hearing may not be held upon a petition to form a hospital district until a certificate-of-need issued under the health planning laws has been obtained and filed with the county board of supervisors

This bill would delete such requirement for obtaining and filing a certificate-of-need and would instead require filing of the comments and recommendations of the Office of Statewide Health Planning and Development and affected area health planning agencies, concerning the need for new or additional health facilities in the area to be served by the proposed district Such comments and recommendations would be required to be submitted within 60 days after receipt of a request from the proponents Failure to submit such comments would be deemed a "no comment" response.

This bill would incorporate additional changes in Section 32002 of the Health and Safety Code proposed by AB 1047, to be operative only if this bill and AB 1047 are both chaptered and become effective January 1, 1980, and this bill is chaptered after AB 1047

Ch 681 (AB 1632) Knox. Corporations. nonprofit corporations

The new Nonprofit Corporation Law which will take effect January 1, 1980, contains a provision applicable to religious corporations that provides that notwithstanding the enactment of the new law, the duties and liabilities of directors of religious corporations shall continue to be governed by the law which would be applicable in the absence of such enactment

This bill would repeal such provision and instead detail standards relating to conduct and investments that shall be met by such directors

Ch 682 (SB 1030) Mills. Public trails.

Under existing law, a person may bring an action to abate a nuisance where his property is injuriously affected or where his personal enjoyment is affected The Attorney General, district attorney, or city attorney may bring an action to abate a public nuisance Additionally, taxpayers or residents may bring an action to prevent injury or waste of certain public property

This bill would provide that whenever any person unlawfully closes any of certain public trails, as defined, a person who uses such trail or would use such trail, or any association or other entity whose membership as a whole is adversely affected by such closure, may bring an action to enjoin such closure

Under existing law, the prevailing party in a civil action is generally entitled to costs, but such costs do not include attorney's fees

This bill would provide that in an action to enjoin the closure of a public trail, the prevailing party is entitled to reasonable attorney's fees, in addition to court costs

Ch. 683 (AB 200) Boatwright Wildlife Restoration Fund: old Antioch Bridge.

(1) Under existing law, $750,000 of moneys received from license fees for conducting horseracing meetings is paid into the Wildlife Restoration Fund each fiscal year to carry out the provisions of the Wildlife Conservation Law of 1947 administered by the Wildlife Conservation Board Moneys in such fund are continuously appropriated for the purposes of such law.

Federal moneys made available for projects authorized by the board are deposited in various funds.

This bill would require such federal moneys to be deposited in the Wildlife Restoration Fund, thereby making an appropriation

(2) In addition, the bill would appropriate $54,000 from the General Fund to the Department of Finance for allocation to the Department of Parks and Recreation when the Department of Finance makes a specified determination. Thereafter, the Department of Parks and Recreation would be required, with the consent of the Wildlife Conservation Board, to assume responsibility for the operation and maintenance of the old Antioch Bridge fishing pier and adjoining park, until the Director of Finance determines that the East Bay Regional Park District is financially capable of reassuming responsibility for such facilities.

Ch. 684 (AB 879) Lehman. Cal-Vet: mobilehomes.

Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 authorize the purchase of a mobilehome situated in a mobilehome park by the Department of Veterans Affairs for sale to a veteran pursuant to the Cal-Vet program as well as a mobilehome sited on a lot owned by the veteran purchaser. Other provisions permit the department to waive the requirement that the purchaser of a farm or home occupy the property where health hazards on adjacent property render the farm or home unsuitable for occupancy.

This bill would reorganize and restate for clarity the provisions relating to mobilehomes sited in a mobilehome park, and would extend the department's authority to grant occupancy waivers to situations where there are health hazards on property adjacent to a mobilehome site

This bill would make additional changes in Section 987.53 of the Military and Veterans Code to be operative only if this bill and AB 185 or SB 572, or all three bills, are chaptered and become effective January 1, 1980, and this bill is chaptered last

This bill would make additional changes in Section 987.65 of the Military and Veterans Code proposed by AB 185 to become operative only if this bill and AB 185 are both chaptered and this bill is chaptered last

Ch 685 (SB 849) Foran. Vehicles. length limitations.

Existing law specifies the allowable length of vehicles and loads and, generally, prohibits operating vehicles which exceed, or have loads exceeding, the maximum length. Loads of integral structural material, as specified, being transported in a specified manner are exempt from the limitation on load length as long as the load does not exceed 80 feet. The exemption applies only to loads which cannot be transported within the length limitations otherwise applicable.

The bill would make a legislative finding and would expand the exemption to exempt loads consisting of single unit component parts, including missile components, aircraft assemblies, drilling equipment, and tanks, if they do not exceed 80 feet in length. The bill would delete the language making the exemption applicable only to loads which cannot be transported within legal limits and would provide instead that the exemption would not apply to loads transported in tandem.

Ch 686 (AB 1016) Calvo. Conflict of interest codes: deadline for submission: loans.

Existing provisions of the Political Reform Act of 1974 define the term "income" for the purposes of its provisions and exclude certain items from the definition Excluded from the definition is any loan from a commercial lending institution which is used for the purchase of the principal residence of the filer if the loan is made in the regular course of business on specified terms

This bill would exclude from the definition such a loan or loans made in the lender's regular course of business on specified terms if used to purchase the principal residence of the filer or if the balance owed does not exceed $10,000

This bill would further exclude from the definition of "income" any indebtedness

created as part of a retail installment or credit card transaction if made in the regular course of business on specified terms so long as the balance owed does not exceed $10,000

Existing law sets forth the instances in which an official may be deemed to have a financial interest in a decision for purposes of the conflicts of interest provisions of the act One such instance occurs if it is reasonably foreseeable that a decision will have a material financial effect on any source of income, other than specified loans, of a given amount and received by or promised to the official within a specified period of time

This bill would provide that a loan excluded from consideration as a source of income be a loan provided by a commercial lending institution in the regular course of business on terms available to the public without regard to official status It would further provide that the source of income referred to be provided by, received by, or promised to the public official within the specified period of time

Existing law provides that when income is required to be reported pursuant to the act, the statement must contain certain information such as a statement whether the aggregate value of income from each source is greater than specified amounts.

This bill would require such a statement regarding the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source.

This bill would further provide that when income is required to be reported, the statement must contain, in the case of a loan, the annual interest rate and the security, if any, given for the loan

Under existing law, no deadline is set for submission of conflict of interest codes to code-reviewing bodies by agencies in existence on April 1, 1975 Existing law does provide that agencies not in existence on April 1, 1976, must submit such codes 6 months after such agencies come into existence

This bill would provide that any agency in existence on April 1, 1975, must submit a conflict of interest code not later than June 30, 1980 It would further provide that agencies not in existence on April 1, 1975, must submit such codes 6 months after they come into existence

This bill contains a finding that its provisions further the purposes of the Political Reform Act of 1974

This bill further provides that the amendment effected by this act must not be construed to deprive any person or public agency of specified rights

This bill, in addition, incorporates additional changes in Sections 82030 and 87103 of the Government Code, proposed by AB 1682, to be operative only if AB 1682 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last.

Ch 687 (AB 1127) Boatwright Structural pest control

Existing law prohibits a licensed structural pest control operator from commencing work on a contract, or signing, issuing, or delivering any documents expressing an opinion or statement relating to the absence or presence of wood-destroying pests or organisms until an inspection has been made and an inspection report has been issued The law prescribes the form and content for such inspection report

This bill would require that such inspection report contain specified information relating to a reinspection of the structure if an estimate or bid was given with the original inspection report, or thereafter The bill would require an estimate to be given with an original inspection report if the person requesting such inspection so requests and if the licensee is regularly in the business of performing corrective measures

Existing law authorizes a licensed contractor to apply wood preservatives directly on wood, as specified, and to remove and replace structures damaged by wood-destroying pests or organisms if such work is incidental to other work being performed on such structure

This bill would delete such authority for contractors to apply wood preservatives and would additionally authorize contractors to remove and replace such pest-damaged structures if such work has been identified by a structural pest control inspection report

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

of Control for reimbursement

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

Ch 688 (AB 1197) Torres Pharmacy

Existing law prohibits any person licensed under the Medical Practice Act from having any membership, proprietary interest, or coownership in any form in or with a pharmacy, and prohibits the State Board of Pharmacy from issuing a permit to conduct a pharmacy to any person licensed under the Medical Practice Act

This bill would delete such provisions and would specifically prohibit the board from issuing any new permit or renewing any existing permit after January 1, 1985, to (1) any person who is authorized to prescribe or write a prescription in this state, (2) any person with whom a person so authorized to prescribe shares a community or financial interest in the permit sought, and (3) a corporation which is controlled by or in which 10% or more of the stock is owned by a person specified in (1) or (2)

Ch 689 (AB 577) Roos Motor vehicles former law enforcement vehicles.

(1) Existing law does not require that a former law enforcement vehicle which is sold for use other than law enforcement be repainted so that it will no longer resemble a law enforcement vehicle

This bill would require the agency formerly operating a vehicle which was used in traffic law enforcement or motor vehicle accident investigation or seller thereof to completely or partially repaint the vehicle and remove all law enforcement insignia. The bill would except vehicles, without insignia, painted one solid color or those which are identified as "movie cars" and used in movie and television production

(2) Existing law does not prohibit persons from owning or operating motor vehicles painted to resemble such law enforcement vehicles

This bill would enact such a prohibition, but would exempt those law enforcement vehicles which are painted one solid color or those which are owned or used by certain specified owners and agencies.

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

This bill would provide that there shall be no appropriation pursuant to Section 2231 or 2234 of the Revenue and Taxation Code for a specified reason

Ch 690 (SB 636) Watson Juvenile court law

Chapter 1071 of the Statutes of 1976 made extensive revisions in the law relating to juvenile courts

This bill would appropriate $9,000,000 from the General Fund to the State Controller for disbursement to counties for reimbursement for costs incurred as a result of the above act during fiscal years 1976–77 and 1977–78 pursuant to a designated procedure

It would take effect immediately as an urgency statute

Ch 691 (AB 1859) Filante County officers consolidation assessor, recorder

Existing law specifies the officers of a county, and expressly permits certain enumerated offices to be consolidated, pursuant to county ordinance Existing law contains no authority for combining the offices of county assessor and county recorder

This bill would permit a county ordinance of a county of the 18th class to provide for consolidation of the offices of county assessor and county recorder

The bill would take effect immediately as an urgency statute

Ch 692 (AB 1092) Moore Low-rent housing projects

(1) Existing law with respect to the implementation of Article XXXIV of the California Constitution prescribes, among other things, that a low-rent housing project, as defined in such article, does not apply to any development composed of urban or rural dwellings, apartments, or other living accommodations when the development is privately owned housing and is not exempt from ad valorem taxation by reason of any

public ownership and is not financed with direct long-term lending.

This bill would revise for such purposes the condition that the development not be financed with direct long-term lending, to provide, instead, that it not be financed with long-term financing from a state public body. The bill would in addition prescribe that a low-rent housing project, for purposes of Article XXXIV, does not include (1) a development, intended for owner-occupancy, including cooperative or condominium ownership, rather than for rental occupancy, (2) a development consisting of newly constructed, privately owned, one-to-four family dwellings not located on adjoining sites; and (3) a development consisting of existing dwelling units leased by the state public body, as defined, from the private owner, and (4) a development consisting of rehabilitation, reconstruction, improvement or addition to, or replacement of dwelling units of a previously existing low-rent housing project

(2) Under Section 1 of Article XXXIV of the California Constitution, "persons of low income" is defined to mean persons or families who lack the amount of income which is necessary (as determined by the state public body developing, constructing, or acquiring the housing project) to enable them, without financial assistance to live in decent, safe, and sanitary dwellings without overcrowding.

This bill would make such term inapplicable to persons or families whose income exceeds the maximum income of lower income households, as defined in a provision proposed by SB 23 The bill would indicate that such change is intended to clarify ambiguities relating to the scope of Article XXXIV of the California Constitution.

(3) The bill would require that the words "develop, construct, or acquire" in Section 1 of Article XXXIV of the California Constitution be interpreted in a specified manner, and would also indicate that such change is intended to clarify ambiguities relating to the scope of Article XXXIV

Ch 693 (SB 891) Presley Medi-Cal nonemergency medical transportation services. local standards.

Existing law includes medical transportation services in the schedule of benefits for the California Medical Assistance Program (Medi-Cal) Medical transportation vehicles are not subject to licensure by the Public Utilities Commission

This bill would prohibit any city or county from establishing equipment and personnel standards for furnishing nonemergency medical transportation services for eligible Medi-Cal beneficiaries which conflict with Medi-Cal reimbursement equipment and personnel standards established by the State Department of Health Services, but would not prevent a city or county from allowing both emergency and nonemergency medical transportation services to operate within its jurisdiction under a sole franchise when determined necessary to assure economic viability of such services.

This act shall not become operative unless and until the department has adopted equipment and personnel standards.

This act would remain in effect only until January 1, 1981

Ch 694 (AB 628) Mello Municipal court Monterey County

Existing law establishes the judicial districts for the municipal court in Monterey County and prescribes the number, classification, and compensation of municipal court personnel in Monterey and Santa Cruz Counties

This bill would repeal the existing provisions relative to the municipal court in Monterey County and enact new provisions establishing a single judicial district for the municipal court in Monterey County, and revise the number, classification, and compensation of specified personnel in the municipal courts in Monterey and Santa Cruz Counties. The bill also would require the Board of Supervisors of Monterey County to fix the compensation of official court reporters pro tempore of the municipal court in Monterey County at the rate of $55 per diem and would authorize the supervisors to adjust such rate

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

This bill provides that no appropriation is made by this act pursuant to Section 2231

or 2234 for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

Ch 695 (SB 1207) Johnson Emergency medical care delivery system

Existing law authorizes the State Department of Health Services to conduct a program of contracting with defined regional emergency care councils for planning, organizing, implementing, and maintaining regional emergency medical care delivery systems Such existing law also appropriates $170,000 to the department to provide state funding without regard to fiscal year to match equal local funding for the operation of the Northern California Emergency Care Council, with no more than $170,000 of the moneys appropriated to be expended during any single fiscal year

This bill would increase such appropriation and annual expenditure limit to $250,000 †

The bill would take effect immediately as an urgency statute

Ch 696 (AB 1195) Boatwright Reflectorized plates bids fees

The Department of Motor Vehicles issues a license plate, or plates, as appropriate, to each motor vehicle registered in the state The department is required to implement a change from regular license plates to reflectorized safety plates as soon as possible, but is prohibited from letting a contract with any nongovernmental entity for the manufacture of reflectorized plates or for the purchase or securing of reflectorized material for plates unless bids have been received from at least two independent, responsible bidders

This bill would provide that no contract could be let with a nongovernmental entity for reflectorized material unless the department has made every reasonable effort to secure bids from as many independent, responsible bidders as possible and would prohibit contracting with a nongovernmental entity for the manufacture of reflectorized plates The bill would also specify that the department is to implement a voluntary phase-in of either partially or entirely reflectorized plates as soon as practicable and would provide that, after a contract is awarded, the department would be required to inform each applicant for original registration that reflectorized plates are available for an additional fee, as specified, sufficient to cover the department's administrative cost and cost of reflectorization The reflectorized plates would be issued only upon the applicant's request

Ch 697 (AB 1534) Ingalls Environmental quality out-of-state projects

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

The bill would exempt from the act any project or portion thereof located in another state which will be subject to environmental impact review pursuant to the National Environmental Policy Act of 1969 or similar state laws of that state Any emissions or discharges that would have a significant effect on the environment in California would be subject to the act

The bill would also relocate exemptions relating to designated classes of projects, a project for the institution or increase of passenger or commuter service on rail lines already in use, and a project for the development of a regional transportation improvement program or the state transportation improvement program

Ch 698 (SB 692) Nimmo. Court personnel· San Luis Obispo County

Existing law sets forth the number, classification, and compensation of the municipal court in San Luis Obispo County

This bill would revise the number, classification and compensation of municipal court personnel in San Luis Obispo County.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandat-

† Appropriation reduced to $232,500 by action of the Governor

ed by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill would provide that no appropriation is made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act because this act is in accordance with the request of a local governmental entity or entities which desire legislative authority to carry out the program specified in this act

Ch 699 (SB 479) Vuich Schools· buildings earthquake safety

Under existing law, the so-called Field Act prohibits a "school building" which has been examined and found unsafe for school use to be used as a school building for elementary or secondary school purposes after June 30, 1975, except under specified circumstances Certain structures which pupils are not required to enter, and certain other buildings are specifically excluded from such prohibition

This bill would also exclude from such prohibition any building operated by an official or board of a public entity for purposes other than educational

Ch 700 (AB 1142) Chacon Court reporters San Diego County

Existing law sets forth the compensation of court reporters in San Diego County

This bill would revise such compensation, impose a duty on such court reporters to report annually to the Judicial Council and the board of supervisors, require such reporters to cooperate with county personnel as specified, and prohibit such reporters from engaging in or soliciting outside employment during the hours of judicial business

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

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

Ch 701 (AB 1068) Boatwright Trapping fur-bearing mammals nongame mammals fur dealer license

Existing law requires that every person who takes or sells for profit raw furs of fur-bearing or nongame mammals procure a trapping license, and specifies that a trapping license authorizes the licensee to take fur-bearing and nongame mammals for profit for a specified period

This bill would require persons other than fur dealers who take with a trap or sell raw furs, as defined, of fur-bearing or nongame mammals to procure a trapping license, and would specify that a trapping license authorizes the licensee to take fur-bearing and nongame mammals for a specified period, and to sell the raw fur of any such animal.

The bill would also designate certain categories of persons as fur dealers and require that they procure a fur dealer license Persons employed by fur dealers would be required to procure a fur agent license The bill further requires that fur dealers maintain specified records, and that each submit an annual report of raw fur transactions to the department

Existing law provides that fur-bearing mammals which are injuring property may be taken at any time and in any manner, except as specified

The bill would make it unlawful to use snares, hooks, or barbed wire to remove from the den, or fire, except as specified, to kill in the den, any immature depredator mammal

The bill would require that fees be paid into the Fish and Game Preservation Fund, a continuously appropriated fund, and would therefor make an appropriation

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes

disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason, but recognizes that the Department of Finance shall make a report on costs mandated by this act, as required by law

Ch 702 (AB 1634) Rosenthal Practice of medicine

Existing law provides that the renewal fee for persons who hold osteopathic licenses is to be fixed by the Board of Osteopathic Examiners at a sum, as specified, which shall, until December 31, 1979, not exceed $200, and after December 31, 1979, shall not exceed $50 The fee for a reciprocity certificate, until December 31, 1979, shall be a sum not to exceed $200, and after December 31, 1979, shall be a sum not to exceed $100

It also makes provision for an annual tax and registration fee to be set by the board, until December 31, 1979, at a sum not exceeding $200, and after December 31, 1979, at a sum not exceeding $75 For those applicants who inform the board in writing that they do not intend to practice under the Osteopathic Act for that period of time covered by the annual tax and registration fee a lesser fee shall be set and such fee shall only be levied until December 31, 1979

This bill would delete the decrease in the amount of maximum fees authorized to be fixed by the board and extend the time in which the board may set the present specified ranges of fees until December 31, 1982. [After December 31, 1982, it would preclude the levy of the annual tax and registration fee for nonpracticing applicants.]*

Under existing law fees of the Board of Osteopathic Examiners are deposited in the Board of Osteopathic Examiners Contingent Fund which fund is continuously appropriated to the board.

The increased fees provided by this bill would result in an increase in the amount of funds deposited in such continuously appropriated fund

It also would take effect immediately as an urgency statute

Ch. 703 (AB 1116) Robinson Audits joint powers entities, special purpose districts.

(1) Existing law generally requires annual audits of accounts and records of joint exercise of powers agencies or entities and of special purpose districts.

This bill would exempt such agencies or entities and districts from such requirement if the financial statements of such agencies or entities and districts are audited by the State Controller to satisfy federal audit requirements

(2) Existing law requires county auditors to either make, or contract with a certified public accountant or public accountant to make, an audit of the accounts and records of each special purpose district within the county for which an audit by a certified public accountant or public accountant is not otherwise provided

The existing law further requires that a report on each special purpose district audit prepared by a certified public accountant or public accountant be filed with the county auditor, the cost of which is a charge against the district's funds

This bill would require that such a report also be filed with the State Controller

Ch 704 (AB 1087) McVittie California Institution for Men lease

This bill would permit the Director of General Services, with the consent of the Department of Corrections, to lease without any monetary consideration, specified property of the California Institution for Men in Chino, to the City of Chino, subject to various stated conditions, for the purposes of developing and maintaining a public park It would also provide that the lease is nonassignable and is subject to periodic review by the director

Ch 705 (AB 1009) Mori Liability

Existing law limits the liability of innkeepers, hotelkeepers, operators of hospitals or rest homes, and similar persons for losses of or injuries to personal property to $100 for each trunk, $50 for each valise or traveling bag, and $10 for each box or package, except as specified

This bill would provide that the aggregate liability for such losses or injuries would not exceed $1,000, subject to limits of $500 for each trunk, and $250 for each valise, bag, box or package

Under existing law, if such a person keeps a fireproof safe and puts up a printed notice disclaiming liability for loss of certain items if not kept in such a safe, liability for loss or injury is limited to $250, except as specified

This bill would increase such liability to $500

Under existing law it is a misdemeanor to obtain food or accommodations at a hotel, inn, restaurant, or any of several similar facilities, without paying with intent to defraud, or to do any of several related acts

This bill would also make it a misdemeanor to obtain food or accommodations from a ski area without paying, with intent to defraud

This bill would also provide that it is an infraction to use or attempt to use ski area facilities without paying as required or to resell a ski lift ticket unless authorized by the proprietor It would also provide that evidence of such a resale by a person is prima facie evidence of intent to defraud, as specified

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

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

Ch 706 (AB 124) Lockyer Public assistance personal care services.

Existing law provides for in-home supportive services such as homemaker services, consultation and other nonmedical services, for those current, former or potential recipients of public assistance who can remain in their own homes when such services are provided Under Medi-Cal, payment is made for medical services and supplies provided to recipients of public assistance and other low-income individuals The law sets forth the schedule of program benefits.

This bill would require the State Department of Health Services, in cooperation with the State Department of Social Services, to establish pilot projects, as specified, in 4 or more counties, operating in accordance with federal law, to provide as a Medi-Cal benefit, personal care services, as defined, by a social health team based on a physician's prescription, using at least 2 methods, as specified, and with specified cost limitations and to examine the feasibility of providing such services under Medi-Cal in lieu of in-home supportive services and the related cost effectiveness

The bill would also require the State Department of Health Services to submit to the Legislature specified reports on the projects, including a final report by October 1, 1982

This act would self-repeal effective June 30, 1983

Ch 707 (AB 237) Thurman Airports funds

This act would extend the time within which the City of Dos Palos is required to repay the state certain allocations totaling $14,393 02 made by the Department of Transportation from the Aeronautics Account in the State Transportation Fund to the city for airport purposes until December 1, 1980, in the case of $5,332 50 of such sum and, as to the balance of $9,060 52 of such sum, until January 1, 1985, or whenever the state or federal government approves an application for an airport development grant for the city, whichever occurs first, in settlement of all obligations arising out of the closure and transfer of Eagle Field to the federal government

This bill would take effect immediately as an urgency statute

Ch 708 (AB 540) Bane Health officers. fees

(1) Under existing law, any city, county, or city and county is authorized, whenever its governing body determines that the expenses of its health officer in the enforcement of any statute, order, quarantine, rule or regulation prescribed by state law, which either requires or authorizes its health officer to perform specified acts, are not met by any fees prescribed by the state, to adopt an ordinance or resolution prescribing such fees as will pay the reasonable expenses of such enforcement

This bill would permit a local governing body imposing such fees to authorize a direct assessment of such fees against the real property in cases where the real property is

owned by the operator of a business and such property is the subject of the enforcement for which the fee is charged It would prescribe the manner for placing such assessment on the county assessment rolls and for collection of such assessment It would permit a county to deduct its reasonable costs for specified services when such an assessment is collected on behalf of a city It would also permit such governing body to authorize the filing without charge, in certain circumstances, of a lien with respect to such delinquent health fees, in lieu of the above described assessment procedure, as specified

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

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

Ch 709 (AB 596) Johnson Judges' Retirement Law surviving spouse

(1) Existing Judges' Retirement Law provides benefits to the surviving spouse of judges who are members of the retirement system

This bill would require the surviving spouse of a judge who dies after retirement to have been married continuously to the judge one year prior to retirement and at the time of death in order to receive benefits payable to a surviving spouse under the Judges' Retirement Law The bill would state that it is the intent of the Legislature that such provision apply to all judges first appointed or elected to office on and after January 1, 1980, or to any judge who marries on or after January 1, 1980

(2) Existing law generally makes any judge who is unable to discharge his duties by reason of mental or physical disability eligible for disability retirement

This bill would require any person who becomes a judge on or after January 1, 1980, to have at least 2 years of judicial service before becoming eligible for disability retirement unless the disability is a result of injury or disease arising out of and in the course of judicial service

(3) Existing law provides that the Legislature reserves the right to increase rates of contribution by judges in the amount it may find appropriate

This bill would provide that the Legislature also reserves the right to reduce any benefits applicable to any person who becomes a judge on and after January 1, 1980

(4) The bill would also provide that its provisions are severable if any provision is held invalid

Ch 710 (AB 633) Agnos State Department of Health Services appropriation court-approved settlement

The bill would appropriate $123,211 to the Emergency Fund to repay in full a loan made to the State Department of Health Services to enable compliance with a specified court-approved settlement

Ch 711 (AB 769) Knox Corporations

Under existing law every form of proxy or written consent which provides an opportunity to specify approval or disapproval with respect to any proposal, is required to also contain an appropriate space marked "abstain" Proxies marked abstain may not be voted for or against the proposal

This bill would delete that requirement

Under existing law the filing of an agreement of merger of a foreign disappearing corporation qualified to transact intrastate business constitutes surrender by the foreign corporation of its right to engage in such business in this state

This bill would provide that with respect to corporations for which documents have not been filed, a certificate of surrender shall be filed by a foreign corporation upon its merger into another foreign corporation

Under existing law, a corporation may lend money to, or guarantee any obligation of, or otherwise assist any officer or other employee of the corporation pursuant to an employee benefit plan, if approved by the shareholders

This bill would exempt from the foregoing the payment of premiums in whole or in

part by a corporation on a life insurance policy on the life of a director or officer under specified conditions

No provision of existing law sets forth the procedure to be followed when a corporation organized for profit under the laws of this state converts to a nonprofit corporation.

This bill would do so

Existing law generally provides that the General Corporation Law applies to professional corporations

This bill would specify that a professional medical corporation may establish in its articles or bylaws the manner for selection and removal of directors, their powers, duties, and compensation Their term of office could not exceed 3 years

Ch 712 (SB 419) Petris Cigarette tax law exemptions

Existing cigarette tax law imposes a tax on certain sales or distributions of cigarettes but exempts the sales of cigarettes to certain military exchanges, commissaries, ship's stores, and the United States Veterans Administration Such exemption remains in effect only until January 1, 1980, and as of that date is repealed, unless a later enacted statute deletes or extends such date

This bill would delete the January 1, 1980, expiration date and would provide instead that the exemption shall be in effect until the first day of the first calendar month commencing more than 60 days after the existing federal law is amended by Congress to permit state taxation of sales of cigarettes by or through federal military installations.

This bill would take effect immediately as a tax levy

Ch. 713 (SB 383) Smith Victims and witnesses of crimes

Existing law provides that a fine may be imposed upon persons convicted of violent crimes and for a penalty assessment of $10 for felonies and $5 for misdemeanors to be imposed upon every other fine, penalty and forfeiture imposed and collected by the courts Such fines and penalties are deposited in the Indemnity Fund in the State Treasury to indemnify victims of violent crimes

This bill would make the "penalty assessment" an "assessment" and increase the assessment to $20 for felonies, would require the assessment to be included in a deposit for bail, as specified, provide for the return of such assessments upon acquittal or dismissal of the charges, and provide that funds from such fines and assessments shall also be used to provide financial aid to established local comprehensive programs for victims and witnesses of all types of crime, including pilot local assistance centers for victims and witnesses, pursuant to specified provisions of the Penal Code

This bill would provide that the changes made by this act shall be effective until January 1, 1982

Ch 714 (SB 1058) Presley University of California citrus virus disease

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

This bill would appropriate $200,000 † to the Regents of the University of California to fund the costs of eradicating the tristeza virus infecting citrus trees at the University of California, Riverside Campus

This bill would take effect immediately as an urgency statute

Ch 715 (SB 667) Ayala. Forest practices waste discharge

Under existing law, any person discharging, or proposing to discharge, waste that could affect the quality of the waters of the state is required to file a report of the discharge with the California regional water quality control board for the region, and, unless a waiver is granted, the regional board is required to prescribe requirements as to the nature of the discharge

Under the Z'berg-Nejedly Forest Practice Act of 1973, timber operations are regulated by the State Board of Forestry The board is required to promulgate rules and regulations relating to water quality and the protection of streams Such rules and regulations do not supersede or control over any rules, regulations, or orders of the State Water Resources Control Board or of a regional board

† Appropriation deleted by action of the Governor

This bill would, except under specified circumstances, exempt timber operations conducted pursuant to such act from such waste discharge requirements, provided that there is a certification by the federal Environmental Protection Agency that the provisions of such act constitute best management practices for silviculture pursuant to Section 208 of the Federal Water Pollution Control Act

Ch 716 (SB 534) Mills San Diego Metropolitan Transit Development Board

(1) Under the Mills-Deddeh Transit Development Act, the San Diego Metropolitan Transit Development Board consists of 1 member appointed by the Governor and 7 other local officials.

This bill would authorize any appointing authority of a local official to the board to appoint a former member to the board whom the appointing authority had previously appointed

(2) Under the act, the board is authorized to assume operation of the San Diego Transit Corporation after the first segment of an areawide guideway system enters revenue service, but requires the board to submit its plan for such operation to the Legislature at least one year prior to assuming such operation

The bill would delete the requirement that the board submit its plan for such operation to the Legislature

Ch 717 (SB 503) Nimmo. Identification cards

Under existing law, altering, falsifying, forging, duplicating, counterfeiting or reproducing a driver's license or identification card with the intent to facilitate the commission of a forgery is made punishable by 1 to 14 years in state prison, or by imprisonment in the county jail for not more than 1 year

This bill would, in addition, make it a misdemeanor to knowingly manufacture, sell, offer for sale, or transfer any document, not amounting to counterfeit, purporting to be an official government issued driver's license or identification card which, because of its wording or appearance could reasonably deceive a person into believing it is a government issued document

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, but not for the creation of a new crime or infraction, for making claims to the State Board of Control for reimbursement.

This bill, which would create a new crime, provides that there shall be no appropriation pursuant to Section 2231 or 2234, but that the Department of Finance shall make its review

Ch 718 (SB 489) Mills Public buildings public transit corridors

(1) Under existing law, the Director of General Services may acquire real property in the name of the state Also, the State Public Works Board by legislation may acquire and construct public buildings for use by state agencies.

This bill would require that after January 1, 1980, if real property to be constructed, purchased, or leased for 5 or more years, by the state is located in a standard metropolitan statistical area with a population of 250,000 or more which is served by a public transit operator, as defined, but is not located within a public transit corridor, as defined, the property to be constructed, purchased, or leased shall be subject to approval as specified

(2) Currently, a county board of supervisors may construct, lease, build, rebuild, furnish, refurnish, or repair buildings for various specified purposes and a legislative body of a city may erect and maintain buildings for municipal purposes

This bill would require that after January 1, 1980, with respect to the construction, purchase or lease of buildings by a county board of supervisors or legislative body of a city which are or will be located in a standard metropolitan statistical area with a population of 250,000 or more which is served by a public transit operator, as defined, consideration be given as to the location of such buildings in existing public transit corridors, as defined, in the area.

This bill would permit construction, purchase or lease of buildings at locations outside public transit corridors by the board or legislative body, as the case may be, subject to specified findings by the legislative body

This bill provides that no appropriation is made by this act because the duties, obligations, or responsibilities imposed on local government by this act are minor in nature, but recognizes that local agencies may pursue other available remedies to seek reimbursement for their costs

Ch 719 (SB 1069) Johnson Yuba County Water Agency

Under existing law (the Yuba County Water Agency Act), the board of supervisors of Yuba County is ex officio the board of directors of the Yuba County Water Agency. Existing law also creates an advisory council, consisting of members appointed as prescribed, to advise the board of directors

This bill would provide for the advisory council to elect 2 members who would serve on the board of directors of the agency in addition to the county supervisors. The bill would require one such member to represent the district within the agency situated to the north, and one district situated to the south, of the Yuba River, and would provide for related matters The bill would also revise the composition of the advisory council

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

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

Ch 720 (AB 1038) Knox Courts· Contra Costa County

Existing law sets forth the number of judges of the municipal court, and the compensation for various personnel of the superior and municipal courts, in Contra Costa County

This bill would revise the number of judges of the municipal court, and the compensation of various personnel of the superior and municipal courts, in Contra Costa County

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

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

Ch 721 (SB 890) Presley Water quality control regional boards.

Under existing law (the Porter-Cologne Water Quality Control Act), the state is divided into 9 regions and there is a California Regional Water Quality Control Board for each of the regions with specified powers to regulate water quality, subject to the review of the State Water Resources Control Board Each regional board consists of 9 members appointed by the Governor from specified backgrounds.

This bill would require that all persons appointed to a regional board be subject to Senate confirmation, but they would not be required to appear before any Senate committee in this connection unless requested to do so by the Senate Rules Committee.

Ch 722 (AB 841) W Brown Pilots San Francisco Bay

Existing law requires disabled pilots of San Francisco Bay to have served at least 5 years to be eligible for a pension and prescribe the amounts of pension that the widow of a pilot is eligible to receive upon his death

This bill would delete the requirement of 5 years' service by disabled pilots and would increase the amount of a widow's pension

Existing law provides that retired or disabled pilots shall receive as a monthly pension an amount which is $45 multiplied by the number of years of service

The bill would increase the $45 amount to $50

Ch 723 (AB 904) Vicencia. Vehicle equipment regulation and approval

Existing law authorizes the Department of the California Highway Patrol to establish regulations and standards for equipment and devices used on or in conjunction with

motor vehicles and bicycles, including but not limited to, lighting equipment, tires, brakes, seatbelts, and other safety equipment The highway patrol conducts tests and approves vehicle equipment, and equipment may not be sold for use on vehicles in this state unless it is of a type approved by the department and is in compliance with the department's standards

This bill would delete requirements that equipment be approved by the department prior to sale or use and would, instead, provide that the equipment is required to comply with requirements established by the department Prior to offering equipment for sale, every manufacturer of equipment or devices subject to department regulations would be required to have laboratory data showing the equipment complies with requirements In addition, the bill would specify that if a manufacturer failed to submit, within 30 days after a request from the department, a copy of the test results proving compliance, the department would be authorized to prohibit sale of the equipment in the state until acceptable proof of compliance is received.

The bill would provide that subsequent regulations of the department would not require replacement of equipment in actual use which complies with the Vehicle Code and would only apply prospectively

The bill would authorize the department to issue permits for use of experimental equipment

The bill would repeal provisions relating to the testing and regulation of vehicle equipment and would make other conforming changes.

Ch 724 (AB 495) Knox Nonprofit corporations

Under provisions of the new Nonprofit Corporation Law which will take effect January 1, 1980, where a member of a public benefit, mutual benefit or religious corporation is not a natural person, such member may authorize in writing one or more of its employees or partners to vote on its behalf

This bill would instead permit it to authorize any natural person

The provisions of the new law with respect to all 3 types of corporations specify that such corporations have the powers of any person, including specified powers

This bill would specify that they have the powers of natural persons, including among others, the power to exchange property subject to a trust

The provisions of the new law with respect to all 3 types of corporations permit the articles of incorporation to contain a provision restricting the activities in which the corporation may engage or the powers the corporation may exercise

This bill would allow such limitations to be in either the articles or bylaws.

The provisions of the new law specify the contents of articles of incorporation and bylaws and procedures for their adoption or modification

This bill would, with respect to public benefit and mutual benefit corporations, revise the contents of such articles and bylaws and the procedures for their adoption or modification, including modifications to change the corporation to another type of corporation It also revises procedures relating to all 3 types of corporations relative to certain voting requirements.

Under the provisions of the new law applicable to public benefit and mutual benefit corporations, there are various specific provisions governing the setting of record dates for determining members to take specified actions

This bill would revise the provisions relating to the setting of record dates.

Under the provisions of the new law applicable to public benefit corporations, voting agreements between members may not be enforced

This bill would also prohibit the enforcement of voting trusts.

Under the provisions of the new law governing mutual benefit corporations, no person may hold more than one membership

This bill would provide that members of homeowners' associations may hold separate memberships for each lot, parcel or area they own

Under the new law, a mutual benefit corporation must have an amendment to its articles approved by 100 percent of the voting power to become a domestic corporation

This bill would permit, as an alternative, that such amendment be approved by the members, and the fairness of such amendment to the members be approved by the Commissioner of Corporations

Existing law defines and regulates self-dealing transactions relative to public benefit

corporations, and regulates investments of assets held for investment and not used for public or charitable programs by such corporations

This bill revises the provisions which define and regulate self-dealing transactions and the investments of assets held for investment and not directly related to public or charitable programs by public benefit corporations

Existing law requires the Attorney General to be notified of various actions taken by, or brought against, any of the 3 types of corporations

This bill revises various notice requirements, and in some instances permits the Attorney General to intervene in various court actions

The bill would make numerous other changes, including changes in the definitions of "distribution," "mailing," "member," "class," "proper county," "voting power," and changes in various notice requirements

Under the new law, an existing unincorporated association may change its status to that of a corporation by filing articles of incorporation

This bill would set forth additional matters that must be contained in such articles, and would additionally require that they be accompanied by an affidavit of specified information

Under the new law applicable to nonprofit public benefit corporations and public benefit corporations, corporations are prohibited from making loans of money or property to, or guaranteeing the obligation of directors or officers, except under specified conditions

This bill would permit such corporations to pay premiums on a life insurance policy on the life of a director or officer so long as repayment to the corporation of the amount paid by it is secured by the proceeds of the policy and its cash surrender value.

Existing law applicable to both public benefit and mutual benefit corporations sets forth the requirements for voting by written ballot

This bill would revise those requirements

The new law prohibits a mutual benefit corporation from making a distribution in furtherance of a plan for the distribution of gains, profits or dividends to members.

This bill would permit such corporations to purchase or redeem memberships.

This bill would also make technical changes in the new Nonprofit Corporation Law

Ch 725 (AB 1842) Rogers Natural gas price decontrol

The federal Natural Gas Policy Act of 1978 provides for higher ceiling prices for the sale of certain categories of natural gas and authorizes a state agency having regulatory jurisdiction over the production of natural gas to make the necessary category determinations

This bill would authorize the State Oil and Gas Supervisor to make such category determinations pursuant to procedures prescribed in guidelines adopted by the supervisor

The bill would take effect immediately as an urgency statute

Ch 726 (AB 261) McAlister Protective proceedings

Existing law contains separate guardianship and conservatorship provisions The guardianship statute permits a guardian of the person or the estate or both to be appointed for a minor or for an incompetent adult The conservatorship statute provides an alternative to a guardianship for an adult

This bill would limit guardianships to minors and would retain conservatorships for adults

Under existing law the provisions relating to conservatorship are largely self-contained but are duplicative of many of the provisions relating to guardianship, such as those concerning jurisdiction, venue, temporary appointments, oaths, letters, bonds, powers, duties, inventories, and accounts

This bill would consolidate such provisions into a comprehensive statute

Existing law provides for testamentary "appointment" of a guardian by will or deed, subject to confirmation by the court

This bill would change the nomenclature by providing for a "nomination" to be made by any signed writing, including a petition for appointment of the guardian, and for the "appointment" to be made by the court

Existing law prescribes the order of preference for appointment as guardian of a

minor, authorizes a minor over 14 years of age and residing in California to nominate his or her own guardian, and provides other special rules for appointment Existing case law has applied inconsistent standards for child custody, as contained in the Family Law Act, to guardianship proceedings

This bill would codify such case law by incorporating the child custody standards of the Family Law Act for the inconsistent provisions Under the bill, preference for guardianship first would be given to either parent, then to the person or persons in whose home the child has been living in a wholesome and stable environment, and then to any other person or persons deemed by the court to be suitable and able to provide adequate and proper care and guidance for the child.

Existing law is uncertain as to the extent to which a conservatee has the legal capacity to enter into or make transactions that bind or obligate the property in the conservatorship estate

This bill would provide that the appointment of a conservator of the estate is an adjudication that the conservatee lacks the legal capacity to enter into or make any transaction that binds or obligates the conservatorship estate subject to certain exceptions and subject to the power of the court to make an order giving the conservatee power to enter into such transactions as are authorized by the order

Existing law requires that the person appointed as the court investigator be a person "trained in law"

This bill would require that the court investigator have the training or experience, or both, necessary (a) to make investigations in connection with guardianships and conservatorships, (b) to communicate with and deal with persons who are or may be the subject of guardianship or conservatorship proceedings, and (c) to perform the other duties required of a court investigator In addition, the bill would require that the court investigator have a demonstrated sufficient knowledge of the law so as to be able to inform conservatees and proposed conservatees of the nature and effect of a conservatorship proceeding and of their rights, to answer their questions, and to inform conservators concerning their powers and duties

Existing law is uncertain as to the effect of the appointment of a conservator upon the capacity of the conservatee to marry

This bill would provide that the appointment of a conservator does not affect the capacity of the conservatee to marry and would give the court in which the conservatorship proceeding is pending authority to determine whether the conservatee has the capacity to enter into a valid marriage at the time of the court determination

Existing law provides that the guardian or conservator has the care, custody, and control of the ward or conservatee

This bill would authorize the court, if the court determines that it is appropriate in the circumstances of the particular conservatee, to give the conservatee powers the conservator would otherwise have with respect to the conservatee's person

Existing law provides no procedure for simplified accounting in case of an estate consisting primarily of public benefit payments

This bill would permit the guardian or conservator, in lieu of a regular accounting, to elect to file an affidavit that all income of the estate, if not retained, has been spent for the benefit of the ward or conservatee, but the court may require a regular accounting in such a case on its own motion or upon petition of any interested person.

Existing law is uncertain as to the extent to which a guardian or conservator has the power to make necessary medical decisions for the ward or conservatee

This bill would grant to the guardian the same power as a custodial parent to require the ward to receive medical treatment. A court order for surgery on a minor over 14 is required unless the minor consents or an emergency exists in which the minor faces loss of life or serious bodily injury

Existing law, in numerous instances, requires that notice of hearing be given as required by Section 1200 of the Probate Code which relates to the notice required in proceedings for the administration of decedents' estates.

This bill would eliminate such references to Section 1200 and, instead, substitute a new general requirement of mailed notice to the guardian or conservator and, unless the court dispenses with such notice for good cause, to the ward if the ward is 14 or older, to the conservatee, to the spouse, if any, of the ward or conservatee, and to any interested person who has appeared

Existing law often requires a guardian or conservator to obtain prior court authorization with respect to particular matters of estate administration, although the conservatorship provisions permit the court to authorize a conservator to exercise independently of the court many estate management powers that otherwise would require prior court authorization

This bill would provide that, unless the court otherwise orders, the guardian or conservator may act on many specified estate management matters without the need to petition for court authorization, instruction, approval, or confirmation

Existing law does not generally authorize a guardian or conservator, without prior court approval, to compromise or settle a claim, action, or proceeding by or for the benefit of, or against, a ward or conservatee, guardian or conservatorship, or estate.

This bill would include such a provision, except that court approval would be required for specified matters, including specified matters involving real property, claims in excess of $25,000, claims by the ward or conservatee against the guardian or conservator, specified claims for support, maintenance, or education, claims for wrongful death, and other claims for harm to the ward or conservatee

Existing law requires prior court authorization for a sale of real or personal property by a guardian or conservator

This bill would continue this general requirement, except as to sales of tangible personal property not exceeding $5,000 per year and sales of listed stocks, bonds, and securities and certain United States government obligations.

Existing law permits a guardian or conservator to make a lease where the rent does not exceed $250 per month and the term does not exceed one year

This bill would increase such amount from $250 to $750 and such term from 1 year to 2 years

Under existing case law, the "substituted judgment doctrine" permits a court to authorize transfers of property of a ward or conservatee which the ward or conservatee would have made had he or she been able or competent to act

This bill would codify such doctrine and include procedural provisions and provide standards for the court to apply in determining whether to approve a proposed transaction involving the exercise of substituted judgment

Existing law provides no general procedure for court authorization for a medically recommended course of medical treatment for an adult who has no conservator but who, because of lack of capacity or some other reason, is unable to give an informed consent to the recommended course of treatment

This bill provides such a procedure, which includes petition, notice, appointed counsel if necessary, hearing, and continuing jurisdiction of the court to revoke or modify its order

Existing law makes provision for disposition of the proceeds of a compromise or judgment for a minor or incompetent person

This bill would alter such provisions by increasing the amount the court may order be paid directly to a parent to hold in trust for the minor from $1,000 to $5,000 and gives the court greater discretion in ordering the disposition of an amount between $10,000 and $20,000

Existing law provides for the administration of a small estate of a minor without the need for a guardian

This bill would alter such provisions by increasing the amount the court may order be paid directly from a parent to hold in trust for the minor from $2,000 to $5,000 and would remove the existing $2,000 minimum and the $20,000 maximum limits on the amount of money the court may order be placed in an account in a bank, savings and loan association, or credit union, subject to withdrawal only upon authorization of the court

Existing law authorizes personal property of an absentee, which term is defined to be a member of the armed forces of the United States who is in missing status or a federal governmental employee who is in missing status, as specified, in an amount not exceeding $5,000 to be set aside to the absentee's family, if the court finds it to be in the best interest of the absentee Such authority is alternative to the establishment of a conservatorship for the absentee

This bill would increase to $20,000 the amount of personal property of an absentee that may be set aside to the absentee's family and would specify that the absentee's best

interests includes the maintenance of a reasonable and adequate standard of living for the absentee's family.

Existing law relating to community and homestead property of an incompetent spouse provides for management and control of the property by a competent husband, disposition of the property with the consent of a conservator, and disposition of the property if there is no conservator upon court authorization

This bill would revise such provisions to conform to the Civil Code provisions which give each spouse the right to equal management and control of community property This bill also broadens the existing provisions to permit a court to authorize transactions in a few situations not presently covered or, as an alternative, to make a determination that either or both spouses are competent to participate in the transaction

The bill would make other corresponding changes

The bill would become operative on January 1, 1981, except the Judicial Council and the courts could adopt rules necessary for the bill to become operative on that date

The bill also would incorporate additional changes proposed by AB 326, to become operative only if AB 326 and this bill are both chaptered and this bill is chaptered last

The bill also would make conforming changes to correspond with AB 1204, to become operative only if AB 1204 and this bill are both chaptered and this bill is chaptered last

Ch 727 (SB 1077) Dills Dairy products· unfair practices.

Existing law provides that the giving of any article of any kind to a consumer for the purpose of securing dairy product business is an unfair practice

This bill would provide that such provisions shall not prohibit the issuance of devices for redemption in connection with the retail sale of any cheese except cottage cheese, provided that all costs of issuance and redemption are borne by the handler or distributor

Ch 728 (SB 309) Nimmo Commercial fishing white seabass

Existing law regulates the taking of white seabass and states the maximum poundage which may be possessed on any vessel during specified times of the year.

This bill would make such provisions inoperative until January 1, 1983, and would provide that until January 1, 1983, white seabass may be taken for commercial purposes only under a revocable permit issued by the Department of Fish and Game and subject to specified conditions It would also require that vessel operators who take white seabass for commercial purposes keep specified records. Such provisions would not be operative until the Fish and Game Commission establishes a closed season on the taking for other than commercial purposes of white seabass, as specified

The bill would make additional conforming and technical changes in existing law

Ch 729 (SB 811) Petris. Housing building standards enforcement.

(1) Existing law requires the building department of every city or county to enforce within its jurisdiction all statutes and building regulations adopted by the Commission of Housing and Community Development or alternative local regulations relating to designated construction operations on apartment houses, hotels, or dwellings. Existing law requires the housing department or health department to enforce such statutes and regulations relating to designated use and sanitation of such structures. Existing law requires any city or county fire department or fire protection district to enforce such statutes and regulations relating to fire and panic safety, as specified Existing law authorizes a city or county to designate a department or office to be charged with enforcement of such statutes and regulations, excepting such enforcement charged to a city or county fire department or fire protection district

Under existing law, where there is no local enforcement agency, the Department of Housing and Community Development is required to enforce the statutes and the rules and regulations promulgated by the department pertaining to apartment houses, hotels, and dwellings, and the department is required to enforce all rules and regulations, after notice and opportunity to be heard, in any city or county where the Commission of Housing and Community Development determines upon the hearing a lack of cause for nonenforcement or where the city or county fails to initiate proceedings to correct a violation within 30 days of the notice

This bill would define "enforcement" for such purposes to include review of plans and

permit applications, response to complaints, citation of violations, and other legal processes, and to authorize inclusion of inspection of existing buildings.

The bill would define "fire protection district" for such purposes to mean any special district or any other municipal or public corporation or district which is authorized by law to provide fire protection and prevention services

The bill would authorize a city or county or fire protection district, as defined, to prescribe fees to pay the costs of enforcement, as defined, and would limit the amount of such fees to such costs

The bill would extend the authority of the department to enforce such statutes and rules and regulations, upon failure to correct or, after hearing, a finding of lack of cause for nonenforcement, to nonenforcement in a fire protection district

The bill would extend the requirement, where the department enforces such statutes and rules and regulations because of failure to initiate proceedings to correct a violation or, upon hearing, a finding by the commission of lack of cause for nonenforcement, or where there is no designated local enforcement agency, that the cost of such enforcement by the department be borne by the affected fire protection district The bill would authorize the department to assess fees to defray the cost of such enforcement, and would prohibit the department from requiring the city, county, city and county, or fire protection district to assess fees to offset department costs

The bill would also require, where the department enforces such statutes and rules and regulations promulgated by the department because there is no designated local enforcement agency, that the department would also be required to enforce alternative standards adopted by a city or county pursuant to provisions of existing law

(2) Existing law requires the Commission of Housing and Community Development to promulgate and enforce rules and regulations relating to structural fire safety and fire exits in multiple-story structures let for human habitation, as specified, and preempts local standards unless they are substantially equivalent to the state standards as determined by the Director of Housing and Community Development

This bill would, instead, require the Department of Housing and Community Development to enforce such rules and regulations.

This bill would exempt any existing apartment house, hotel, or motel with floors over 75 feet above the building access floor subject to specified provisions relating to existing high-rise buildings

The bill would require the enforcement agency to inspect, as necessary, and to identify all structures subject to such provisions relating to multiple-story structures let for human habitation, which the bill would require to be conformed to the rules and regulations by January 1, 1982

(3) Existing law authorizes cities or counties to contract with the Department of Housing and Community Development for assistance in the enforcement of statutes and rules and regulations adopted pursuant to the State Housing Law, and provides for payment of costs of such enforcement

This bill would also authorize fire protection districts to make such contracts

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

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

(5) This bill would incorporate additional amendments to Section 17920 of the Health and Safety Code proposed by SB 812, to become operative if both bills are chaptered and this bill is chaptered last

Ch 730 (AB 167) McAlister Protective proceedings

Existing law authorizes and regulates the relationships of ward and guardian and conservatee and conservator AB 261 would make substantial changes to such law

This bill would make corresponding and conforming changes in various codes, contingent upon the enactment of AB 261

This bill would also incorporate additional changes in various codes, contingent upon

the enactment of AB 656, AB 820, AB 980, AB 1480 and SB 976

The bill would become operative January 1, 1981

The bill would also incorporate the repeal of Section 7254 of the Welfare and Institutions Code, to be operative on January 1, 1980, contingent upon the enactment of AB 1204

Ch 731 (AB 820) Fenton Estates

Existing law provides that the community property which a surviving spouse takes by succession or will passes to such surviving spouse without the necessity of probate administration, except that the surviving spouse may elect to have the community property interest administered pursuant to ordinary probate procedures. The election must be made within 4 months after issuance of letters testamentary or letters of administration

This bill would authorize the election to be made after such 4-month period, upon a showing of good cause and in the discretion of the court

Existing law provides that notice of a petition to declare death as simultaneous, in the absence of sufficient contrary evidence, is to be given to specified persons by mail, by publication in a newspaper, and by personal delivery

This bill would delete the requirement of giving notice by publication.

Existing law does not require a petition for the probate of a will or for letters of administration to state the address of the decedent's residence at the time of death or the relation to decedent of the heirs, devisees, and legatees.

This bill would so require

Existing law provides that in the absence of anyone appearing to contest the probate of a will, the court may admit the will to probate on the evidence of one of the subscribing witnesses The evidence of a subscribing witness may be received by an affidavit to which a photographic copy of the will is attached

This bill would, in addition, provide that such evidence may be admitted by an affidavit in the original will which may include or incorporate the attestation clause

Existing law sets forth various notice requirements for the probate of a will

This bill would revise and consolidate those requirements and would specify the contents of such notice

Existing law provides that when letters testamentary or of administration on the estate of the decedent are granted, the powers of the special administrator cease, and he must forthwith deliver all the property of the decedent in his hands to the executor or administrator, who may prosecute to final judgment any suit commenced by the special administrator This bill would also provide that the special administrator shall deliver to the executor or administrator, and file in the court which issued the letters, a listing of all creditors' claims presented or filed in any proceeding on the estate of the decedent of which the special administrator has knowledge, showing the name and address of each creditor, the amount of the claim and what action has been taken with respect to the claim

Existing law provides for summary probate proceedings when a decedent leaves no real property in this state and the total value of personal property, excluding any motor vehicle and excluding any salary not over $3,000 owing to the decedent, does not exceed $20,000

This bill would increase such amounts, respectively, to $5,000 and $30,000

Existing law requires the executor or administrator of a decedent's estate to publish in a newspaper, once a week for 4 consecutive weeks, notice to the decedent's creditors to file claims against the estate

This bill would, instead, specify that publication of notice of death and petition to administer estate constitutes notice to the creditors

Existing law requires a specified periodic report of the public administrator to be published 3 times in a newspaper in the county or, if none, to be posted in the county clerk's office

This bill would delete the publication and posting requirements and, instead, require such report to be open to public inspection

Existing law provides that an executor, administrator or trustee liable for the payment of any inheritance tax is not entitled to credits in his accounts and may not distribute the portion of the decedent's estate on which the tax is imposed unless a receipt signed

and sealed by the State Controller, or a certified copy thereof, is filed with the court

This bill would delete such requirements, but would continue the existing requirement that such persons may not be discharged from liability until such receipt is filed with the court

Under the existing provisions of the Inheritance Tax Law, an inheritance tax referee is required to file with the clerk of the court a written report or a certificate of no tax upon completion of the appraisal of an estate and within 60 days of the receipt of information and documentation needed to assess the tax or to issue a certificate of no tax

This bill would require the inheritance tax referee to file the written report or certificate of no tax within 60 days of the receipt of information and documentation needed to assess the tax or to issue a certificate of no tax.

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

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

This bill would also incorporate additional changes in Sections 202 and 630 of the Probate Code proposed by AB 167, to become operative only if AB 167 and this bill are both chaptered and this bill is chaptered last

Ch 732 (AB 1118) Gage Pest control aircraft pilots

(1) Under existing law, pest control aircraft pilots hold either a certificate of qualification or an apprentice certificate, which may be obtained by qualified persons for specified fees

This bill would instead provide for a single pest control aircraft pilot's certificate which would designate the holder's status as either a journeyman or an apprentice It would revise the fees payable upon application for and renewal of such certificate, and would make additional related and conforming changes in existing law

(2) Existing law does not require that pest control aircraft pilots be registered with the agricultural commissioners of counties in which the pilot intends to work

This bill would enact such provision and would authorize county boards of supervisors to set fees to cover costs of registration as specified.

(3) Existing law relating to pesticide residues covers produce intended for consumer use without further processing, and allows the Director of Food and Agriculture to prohibit the harvest of produce carrying spray residue in excess of permissible tolerance

The bill would provide that laws relating to pesticide residues also cover raw foods which will be processed before consumer use, and would allow the director to prohibit such harvest when a preharvest interval specified in the registered labeling of a pesticide applied to the produce has not been complied with or when produce carries spray residue in excess of a permissible tolerance established by the director In addition, the bill would make it unlawful for anyone to possess or use an unregistered economic poison, except pursuant to regulations of the director.

(4) Under existing law specified manufacturers of economic poisons are required to pay a specified annual fee

The bill would repeal such provisions, thereby increasing the annual fee required from such manufacturers, and thereby making an appropriation by requiring that new money be paid into the Department of Agriculture Fund, a continuously appropriated fund.

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

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

Ch. 733 (AB 1236) Harris State highways permits fees

Existing law authorizes the Department of Transportation to issue written permits authorizing a permittee to do certain acts with respect to state highways. The department is currently authorized, but not required, to supervise any work done under any such permit and the permittee is required to pay the reasonable cost of such supervision to the department

This bill would authorize the department to establish a fee schedule and to charge a fee for such permits, except permits issued to public corporations. The amount produced by the fees charged could not exceed the administrative costs of administration of the permit program, excluding the cost of issuing permits which are exempt from fees

Ch 734 (AB 1662) Alatorre Fair employment practices compulsory retirement

Existing law generally prohibits compulsory retirement but permits compulsory retirement of an employee who is between 65 and 70 years old and who is employed under a contract of unlimited tenure or who is, for two years prior to retirement, employed in an executive or high policymaking position under certain conditions.

This bill would instead permit compulsory retirement of employees employed under a contract of unlimited tenure, prior to July 1, 1982, if they have attained age 65, and on or after July 1, 1982, if they have attained age 70, and would permit compulsory retirement of employees in such executive or high policymaking positions if they have attained age 65

This bill would also make a technical correction

Ch 735 (AB 1845) Roos Criminal procedure

Existing law does not provide for delivery of a copy of a warrant, other than a citation, to the defendant

This bill would provide for delivery of a copy of a warrant to a defendant in custody on another charge, and informing him of his right to a speedy trial and specified rights relative to Vehicle Code violations

Ch 736 (AB 1464) Knox Insurance procuring information on policies

Existing law requires each insurer transacting insurance, as defined, covering liability for any public entity, where the public entity is the named insured, to annually report specified statistics to the Insurance Commissioner by type of public entity

This bill would require such insurers to also report statistics relative to specified types of claims to include, but not be limited to, workers' compensation, liability, personal injury other than automobile, property damage, other than automobile liability, liability based on the dangerous condition of public property and other general liability

Ch 737 (AB 752) Hayden Insurers name approval

Existing law authorizes the Insurance Commissioner to approve or disapprove the name of an insurer, and the articles of incorporation of each insurer must meet specified requirements .

This bill would require insurers to obtain approval from the commissioner as to its name prior to filing articles or amended articles with the Secretary of State It would require a corporation subject to the Insurance Code as an insurer to so state in its articles of incorporation or statement requesting a certificate of qualification, prohibit the Secretary of State from filing such articles or amendments unless the certificate of the Insurance Commissioner approving the corporate name is attached thereto, and reserve a corporate name for that insurer

Existing law requires an insurer to file an application for approval and registration of the name or title under which a policy is to be issued in order to issue an underwriter's policy

This bill would make such provision applicable to 2 or more insurers only, with each insurer required to file such application

The bill would also provide for specific judicial relief in instances where the insurer corporation fails to comply with such applicable provisions of law

This bill would also incorporate changes made by AB 711 to be operative only if AB 711 is chaptered before this bill

Ch 738 (AB 616) Ellis State Compensation Insurance Fund

Existing law provides for the creation of the State Compensation Insurance Fund as a revolving fund

This bill would repeal various provisions and require the fund to be organized as a public enterprise fund exempt from specified state governmental provisions This bill would also make various provisions relating to such fund permissive rather than mandatory

Existing law requires fund moneys to be delivered to the State Treasurer or deposited to his credit in banks as he designates

This bill would permit the fund board of directors to authorize the deposit of moneys in financial institutions authorized by law to receive deposit of public moneys

Existing law provides that excess fund moneys may be invested in securities authorized for investment by savings banks

This bill would instead permit the fund to invest such excess funds in the same manner provided for private insurance carriers

The bill would permit the fund to enter into service agreements with state agencies It would specifically exempt the fund from specified provisions of the Government Code applicable to state agencies generally, with specified exceptions

The bill would additionally require the Controller to draw a warrant in favor of the fund for the total amount of funds in custody of the Treasurer belonging to the fund on the effective date of the bill The Treasurer would, upon delivery of all securities belonging to the fund, be required to credit such securities to the fund

Ch 739 (AB 651) Costa. Identification cards

Except for criminal provisions prohibiting false impersonation, existing law does not generally regulate the contents of documents which may be deceptive identification documents

This bill would provide that every deceptive identification document, as defined, must have printed at the bottom the words "NOT A GOVERNMENT DOCUMENT" and the name of the manufacturer also printed on the document Violations by a person who knows or should know that the deceptive identification document will be used for fraudulent purposes would be a misdemeanor The Attorney General and district attorneys could bring actions to enjoin violations

Existing law prohibits the false impersonation of another However, existing law does not specifically prohibit the manufacture, production, sale, offer, or transfer of a false birth certificate or baptism certificate

This bill would make it a misdemeanor for a person to manufacture, produce, sell, offer, or transfer a document purporting to be a birth or baptism certificate, knowing it to be false, and would make it a misdemeanor for a person to display or possess such a certificate, or a genuine certificate describing a living or deceased person, with the intent to represent himself as another or conceal his true identity

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

This bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 740 (SB 1239) Sieroty Appropriation Department of Justice

This bill would appropriate $247,001 to the Department of Justice to pay the claim of Alonzo Wright, et al, against the State of California

This bill would take effect immediately as an urgency statute

Ch 741 (SB 817) Roberti Architects

Under existing law all accusations against licensed architects charging such person with the commission of any act constituting a cause for disciplinary action must be filed within 3 years after the act or ommission

This bill would provide that such accusation must be filed within 5 years after the board discovers, or through the use of reasonable diligence, should have discovered the act or omission, but not more than 10 years after such act or omission

Under existing law there are various modes of discipline which the California State Board of Architectural Examiners may impose on licensees

This bill would permit the board to assess a ~~file~~ [fine]* against a licensee convicted of ~~a felony in connection with the practice of architecture~~ [a crime substantially related to the qualifications, functions and duties of an architect]* in lieu of, or in addition to, a suspension or revocation of the architect's certificate.

By providing for the deposit of the fine in the California State Board of Architectural Examiners Fund, this bill would increase the funds in a continuously appropriated fund

Ch 742 (SB 816) Roberti. Architecture settlement or arbitration award reporting

Existing law specifies various grounds for disciplinary proceedings against a holder of a certificate of architecture by the State Board of Architectural Examiners.

This bill would additionally specify the following

(1) That every insurer providing professional liability coverage to a certificate holder report any settlement or arbitration award in excess of $5,000

(2) That specified settlements or arbitration awards in excess of $5,000 be reported to the board Failure to do so would be a misdemeanor punishable by specified fines

(3) Within 10 days of judgment establishing liability or the commission of certain offenses, the court report the same to the board unless otherwise determined by the judge

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year

This bill provides for no appropriation to the Controller for allocation and disbursement to local agencies and school districts for a specified reason

Ch. 743 (AB 1255) Costa. Commercial vehicles: weight fees: partial payment.

Existing law requires that, in addition to other registration fees, an applicant seeking to register a commercial vehicle also pay weight fees based on the unladen weight of the vehicle, as prescribed. Generally, the fees for vehicles subject to weight fees may be paid for a quarterly registration period with the periods expiring March 31, June 30, September 30, and December 31 of each year.

The bill would permit partial year registration of a commercial vehicle for any partial period of 3 months or more but less than one year, irrespective of calendar quarters

The bill would make additional conforming changes.

Ch. 744 (SB 787) Wilson. Coastal zone· local government: powers.

The California Coastal Act of 1976, generally, provides for the planning of, and regulation of development, under coastal development permit process, within, the coastal zone, as defined, which shall be based on various coastal resources planning and management policies set forth in the act.

This bill would provide that nothing in the act shall be construed to authorize any local government, or to authorize the California Coastal Commission to require any local government, to exercise any power it does not already have under the Constitution and laws of this state or that is not specifically delegated pursuant to designated provisions.

Ch. 745 (SB 875) Marks. San Francisco Harbor: revenues.

The Burton Act (Chapter 1333 of the Statutes of 1968) authorized the state to transfer certain harbor lands and facilities to the City and County of San Francisco in trust for purposes of commerce, navigation, and fisheries, subject to specified conditions.

This bill would delete from the act express conditions of the transfer which require at the end of each fiscal year, harbor revenues in excess of $250,000 remaining after specified expenditures, to be divided between the state and the City and County of San Francisco, as specified, and which require the city and county to file, as specified, with the Department of Finance a detailed description of a proposed capital improvement involving an amount in excess of $250,000 for determination, as specified, that such improvement is authorized under the grant

This bill would also require the Director of Finance to modify the transfer agreement to reflect the repeal of the statutorily required provisions above

Ch 746 (SB 1005) Sieroty Court-appointed experts costs

Under existing law, the compensation of a court appointed medical expert in any civil action is a charge against and paid out of the county treasury on order of the court in any county in which the board of supervisors so provides. In all civil actions in which the foregoing provisions are not applicable, the compensation of court appointed expert witnesses is, in the first instance, apportioned and charged to the several parties to the action in such proportion as the court may determine and thereafter may be taxed and allowed in like manner as other costs

This bill would provide that the compensation of all court-appointed experts in all civil actions, in the first instance, and in the discretion of the court, either shall be paid by the parties as apportioned, or shall be a charge against and payable out of the county treasury on order of the court

The bill would provide that, if the court orders that the compensation shall be a charge against and payable out of the county treasury, the county shall be entitled to reimbursement for compensation, as specified

The bill's effect upon existing law would remain only until January 1, 1983, and, as of such date, existing law would be reinstated

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

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

Ch 747 (AB 1309) Young. Swimming pool contracts.

Existing provisions of the Civil Code regulate the contents of contracts for swimming pool construction

This bill would repeal such provisions from the Civil Code and add them, with revisions made to the provisions pertaining to schedule of payments, to the Business and Professions Code This bill would also provide that a violation of any of the provisions, rather than just those pertaining to schedule of payments, is a misdemeanor punishable by fine or imprisonment or both

Under existing law relating to the licensing of contractors, a contractor, including a swimming pool contractor, must, in general, as a condition precedent to the issuance, reinstatement, reactivation or renewal of a license, file a bond or cash deposit in the sum of $2,500

This bill would provide that a swimming pool contractor must instead file a bond or cash deposit in the sum of $10,000

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

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

Ch 748 (AB 1327) Lockyer Community redevelopment

The present definition of a displaced person, for purposes of eligibility for relocation assistance in cases where the real property is acquired by a public entity, could include a person who, at the time of the public entity's acquisition of the real property, was not a tenant or occupant in lawful possession, but whose right of possession arose after, and with knowledge of, such acquisition It also could include a nonresidential tenant or occupant who moves as a result of his breach of a tenancy agreement

This bill would exclude these two categories from the definition of displaced persons, with the exception of tenants or occupants of housing made available on a permanent basis by a public agency In the case of a nonresidential tenant or occupant moving because of a breach of a tenancy agreement, such exclusion would also not include situations where federal law or regulations require that the individual be categorized as a displaced person

Ch. 749 (AB 824) Harris Workers' compensation. death benefits

Existing statutes relating to proof of dependency upon an injured employee for purposes of workers' compensation death benefits provide that (a) a wife is conclusively presumed to be wholly dependent upon a husband with whom she was living at the time of his injury, or for whose support such husband was legally liable at the time of his injury, (b) a child under the age of 18 years, or over that age but physically or mentally incapacitated from earning, is conclusively presumed to be wholly dependent for support upon a deceased employee-parent with whom he is living at the time of injury or for whose maintenance the employee-parent was legally liable at the time of injury, there being no surviving dependent parent, (c) in cases in which no such statutory presumptions apply, an applicant must prove entire or partial dependency and who are dependents and the extent of their dependency under the facts which existed at the time of the injury; and (d) various categories of relatives may qualify as dependents of a deceased employee The California Supreme Court has held that item (a) is unconstitutional and that pending action by the Legislature, applicants thereunder must establish proof of dependency under item (c)

This bill would (1) repeal the unconstitutional presumption in item (a) concerning a wife's dependency upon the husband, (2) specify that, for the conclusive presumption in item (b) to be effective, there be no surviving totally dependent parent, rather than no surviving dependent parent, and (3) add grandchildren to the categories of relatives who are potential dependents under item (d)

An existing statute prescribing the death benefit in cases of total dependency, provides, in the case of a surviving widow and one or more dependent minor children, for a death benefit of $55,000

This bill would, instead, provide that such $55,000 death benefit award shall be paid in the case of a surviving spouse, rather than a surviving widow, and one or more dependent minor children or in the case of two or more surviving dependent minor children

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 750 (SB 698) Foran. Courts

Under existing law undertakings may be required of plaintiffs in a variety of actions.

This bill would provide that in all actions in which the court has granted an injunction sought by any plaintiff, other than specified governmental agencies, to enjoin a construction project which has received all legally required licenses and permits, the defendant may apply to the court by noticed motion for an order requiring the plaintiff to furnish a written undertaking as security for costs and damages that may be incurred by the defendant. The plaintiff's liability for costs and damages would be limited to $500,000 This bill would also require the Office of Planning and Research to review the operation of this provision and report to the Governor and Legislature by January 1, 1985

Ch 751 (SB 371) Mills. Employment leisure sharing

Existing law contains various work incentive programs, employment services programs, and career opportunities development programs.

This bill would enact an experimental program encouraging employers and employees to establish "leisure sharing" programs whereby employees could voluntarily reduce their hours of work and their employers would hire additional employees in order to maintain production at the same level Grants would be made to employers in the private sector who voluntarily participate in such program to offset increases in such employers' labor costs which are directly attributable to participation in the program The directors of the Employment Development Department, the Department of Industrial Relations, and the Department of Economic and Business Development would develop the procedure for applying for such grants and various criteria are specified for such directors to consider in awarding such grants The Employment Development Department would be required to provide technical assistance to employers who desire

to, or who are, participating in such program, to contract with organizations for the purpose of evaluating such programs, and to make specified reports to the Legislature with respect to such leisure sharing programs

The bill would specify that its provisions are not to be construed to supersede or impair any contrary provisions in an existing collective bargaining agreement

The bill would authorize the Employment Development Department to accept any federal or other funds which are available in order to implement such leisure sharing program

This bill would become operative on the date that any federal or other funds are received and would remain operative for 3 years

Ch 752 (SB 540) Presley Parent and child

Under existing law, the child of a woman cohabiting with her husband who is not impotent or sterile is conclusively presumed to be a child of the marriage A man is also rebuttably presumed to be the natural father of a child in certain designated situations involving a marriage (not covered by the conclusive presumption) or attempted marriage between the man and the child's natural mother or, in the absence of a marriage or attempted marriage, when the man receives the child into his home and openly holds out the child as his natural child The consent of a presumed father is required for the adoption of the child Generally speaking, only the child, the child's natural mother, or a presumed father can bring an action either confirming a presumed father and child relationship or challenging the rebuttable presumption of legitimacy If a child has no presumed father, various persons, including a man alleged or alleging himself to be the father, may bring an action to determine the parent and child relationship Only the consent of the mother of such a child is needed for adoption

This bill would provide that where paternity is rebuttably presumed, a man other than the presumed father may also bring an action to have himself declared to be the natural father of a child if the mother of the child has relinquished for, consented to, or proposed to relinquish for or consent to, the adoption of the child Such an action would be required to be commenced within 30 days of service of a notice that he is or could be the father of the child or within 30 days after the birth of the child, whichever is later and would suspend any pending proceedings in connection with the adoption of the child until a judgment in the action is final.

With regard to a child not having a presumed father who is to be adopted or relinquished or placed for adoption, it would eliminate the requirement of existing law that a proceeding must be instituted to terminate the parental rights of an alleged father where he has been served with a notice that he is or could be the father of the child and he did not bring an action to declare the existence of the father and child relationship within 30 days of such notice or of the child's birth, whichever is later. It would also provide, however, that the bringing of an action by an alleged father to declare the existence of the father and child relationship would suspend any pending proceeding in connection with the adoption of such child until a judgment in the action is final.

Ch 753 (SB 524) Nimmo Liquid waste haulers

Existing law requires that persons hauling liquid waste register, as specified, with the State Water Resources Control Board Specified fees are required to be paid to the state board upon registration or the renewal thereof Existing law also makes it unlawful for any person to haul liquid waste, except as specified, unless he holds an unrevoked registration issued by the state board, and requires that persons producing liquid waste consign such waste to a registered hauler when such waste is to be hauled in a vehicle prior to discharge

This bill would repeal such provisions and would make additional technical changes in existing law

Ch 754 (AB 598) McAlister Unemployment compensation

Existing federal law provides that an employer may credit against the federal unemployment tax the amount of contributions paid by him into a certified state unemployment compensation law A certified state unemployment compensation law must require, among other things, that unemployment compensation payable to an individual shall be reduced by the amount of any pension, retirement or retired pay, annuity, or

other similar periodic payment which is received by the individual and is based on the individual's previous work

This bill would implement this federal requirement in the state unemployment compensation law It would also provide that the state provision shall be operative only during such time as the federal law requires such provision as a condition of certification of the state unemployment insurance law by the Secretary of Labor

Ch 755 (AB 28) Young Unemployment insurance benefits and contributions.

Existing law includes an officer of a corporation, among others, within the meaning of "employee" for purposes of making required contributions and establishing eligibility for unemployment compensation benefits and unemployment compensation disability benefits

This bill would permit an individual who is the sole stockholder of a private corporation organized for profit to file a statement disclaiming any rights to such benefits and would exempt such individual and the corporation from making the required contributions

Ch 756 (AB 1643) Knox Businesses

While existing law provides for the licensing of a crematory as a cemetery, the law does not provide for the licensing of a crematory as a separate entity

This bill would specifically provide for the licensing and regulation of crematories as separate entities by the Cemetery Board

Existing law provides that all money in the Cemetery Fund is appropriated to carry out provisions of the Cemetery Act

The fees provided by this act would result in an increase in such fund available for expenditure thereby making an appropriation.

Although existing law prohibits the execution, filing, or publication of a false fictitious business name statement, it does not specifically prohibit a person which is not a corporation, from adopting a fictitious business name which includes "Corporation", "Corp ", "Incorporated", or "Inc "

This bill would prohibit the adoption of such a name It would provide that the county clerk shall not accept a fictitious business name statement which violates such prohibition

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

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234

Ch 757 (AB 878) Lehman. State park system· veterans' passes

Existing law does not authorize the use of facilities in the state park system by veterans for a reduced fee

This bill would require the Department of Parks and Recreation to issue a pass, for $3 50, which would entitle the bearer to the use of all facilities, including boat launching facilities, in units of the state park system, to any veteran of war, as defined, having a certified 70% or greater service-connected disability and who was honorably discharged

Ch. 758 (SB 249) Alquist Appropriation federal railroad safety standards.

This bill would appropriate $76,130 from the General Fund to the Public Utilities Commission for the enforcement of federal railroad safety standards. The bill would also require that, if this program continues into the 1980–81 fiscal year, the commission report thereon to the Legislature on or before July 1, 1981

The bill would take effect immediately as an urgency statute

Ch 759 (SB 727) Presley State vehicular recreation area.

Pursuant to existing law, the Off-Highway Vehicle Fund is continuously appropriated to the Department of Parks and Recreation for, among other purposes, the planning, acquisition, development, construction, maintenance, administration, and conservation of vehicular recreation areas and trails Existing law makes no provision for the acquisi-

tion of property in the County of Riverside, and funds from the Off-Highway Vehicle Fund are, generally, appropriated to local agencies only if the agencies are contributing matching funds.

This bill would authorize the County of Riverside to acquire a fee or lesser interest in real and personal property located in the county near the area commonly known as De Anza Cycle Park The bill would specify the manner in which the property is to be acquired, developed, and administered as a county vehicular recreation area.

This bill would appropriate $6,800,000 from the Off-Highway Vehicle Fund to the Department of Parks and Recreation for expenditure as a grant to the county for the planning, acquisition, and development, of described property at or near the park and would provide that the appropriation specified is to be reduced by the amount of any donation or savings realized from below value purchases of acquired property

The bill would require the county to provide an environmental impact report, as specified, as a condition of receiving the grant The bill would further require the county, upon approval of the environmental impact report, to develop a management plan, as specified

The bill would take effect immediately as an urgency statute

Ch 760 (AB 724) Tucker State contracting nonprofit services providers. advance allocations.

Existing federal laws and related state laws authorize state departments to contract with various entities to provide various services.

This bill would authorize specified state departments, upon determining that an advance payment is essential for effective implementation of a qualified program, to advance to a community-based private nonprofit agency with which it has contracted, pursuant to federal law and related state law, for the provision of services, to the extent funds are available, and not more frequently than once each fiscal year, not to exceed 25% of the allocation to be made, pursuant to state contract and such laws, to the nonprofit agency in the fiscal year It would allow advances in excess of 25% on contracts financed by a federal program if such advances are not prohibited by federal guidelines.

It would provide that contracts over $200,000 would require prior approval by the State Department of Finance before advanced payments could be made and would require the Director of the Department of General Services, in conjunction with the State Controller and the Director of the State Department of Finance, to survey department contract methods and report his findings to the Legislature

This bill would be repealed as of January 1, 1983, unless the Legislature deletes or extends this date

Ch 761 (AB 1101) Lehman Unclaimed property

Existing law provides that contents of a safe deposit box or other safekeeping repository of a business association which are unclaimed for more than 7 years from the date of expiration of the lease or rental period on the box escheat to the state

This bill, in addition, would provide for such escheat 7 years after the date of termination of any agreement because of which the box or other repository was furnished to the owner without cost

Existing law requires the State Controller, within 120 days from the final date for the filing of reports by persons holding funds or other property escheated to the state, to publish notice as to addresses of persons named in the reports as the apparent owner of the escheated property

This bill would (a) extend the time period for publication from 120 days from the final date for filing the reports to 150 days after the receipt of the property, as specified; and (b) change the required publication frequency from at least once each week for 2 consecutive weeks to once anytime within the 150-day period and then republished 90 days after the initial publication

The bill also would specify that the State Controller is to be deemed a head of a department and the Office of State Controller is to be deemed to be a department for purposes of the provisions of law authorizing state agencies to make certain investigations and prosecute certain actions and to have authority to seek the issuance of subpoenas

Ch 762 (SB 397) Cusanovich 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, require the reservation of various specified mineral rights to such land

This bill would also authorize the director to quitclaim any interest the state may have in certain property as a result of an erroneous description in a deed conveying the property to the state

The bill would allow reimbursement of any cost incurred in the disposition of any parcel in this bill

Ch 763 (AB 1800) Greene Trusts.

No provision of existing law makes it unlawful for a person to recommend to a trustor a person to serve as trustee with knowledge or having reason to believe that the proposed trustee is insolvent or about to become insolvent

This bill would make it unlawful to do so.

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, for a specified reason, but requires the Department of Finance to make a report on costs mandated by this act

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

Ch. 764 (AB 1806) Hayes. Adult education: textbooks and materials.

Existing law contains provisions relating to adult schools and provides that unless otherwise specified, an adult enrolled in a class for adults may be required by the governing board of the school district maintaining such a class to pay a fee therefor. Existing law specifies that no charge of any kind shall be made for a class in English and citizenship for foreigners or a class in an elementary subject.

This bill would authorize the governing board of a school district maintaining adult classes in English and citizenship for foreigners or adult classes in an elementary subject to offer textbooks and classroom materials used in such classes for sale at school bookstores.

Ch. 765 (AB 547) Felando. Sales tax. library districts

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.

Under existing law 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 provide that specified nonprofit associations commonly called The Friends of the Library and equivalent organizations performing the same type of service for certain public libraries are consumers rather than retailers of tangible personal property sold by them for purposes of the sales and use taxes

This bill would appropriate $1,300 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.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date

Ch 766 (AB 1225) Mello Coroners· dead bodies autopsies.

Presently, the Uniform Anatomical Gift Act permits any person 18 years of age or older to provide for the disposition after death of his or her body or parts thereof for medical or scientific purposes

The law also requires the county coroner in certain cases to perform a post mortem examination (autopsy) of the remains of persons to determine the cause of death

This bill would prohibit a coroner in any case in which he or she knows, or has reason to believe, that the deceased has provided for the disposition of his or her body or a part or parts thereof for medical or scientific purposes in accordance with the Uniform Anatomical Gift Act from performing an autopsy on the body, unless the coroner has contacted or attempted to contact the physician last in attendance to the deceased, and, if such physician cannot be contacted, unless the coroner has notified or attempted to notify a specified relative of the deceased of the need for an autopsy to determine the cause of death The bill would permit the coroner to perform an autopsy, as otherwise authorized or required by law, following a 24-hour period after attempting to contact the physician last in attendance and notifying or attempting to notify one of the relatives of the deceased, as specified

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

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

Ch 767 (SB 266) Sieroty Corporations

Existing law requires every corporation, within 90 days after the filing of its original articles and annually thereafter, to file a statement of specified information with the Secretary of State. Upon failure of the corporation to do so, the Secretary of State certifies the corporation to the Franchise Tax Board which assesses a $250 penalty against the corporation

This bill would require the Secretary of State to advise the corporation that it may request relief because of unusual circumstances which justify its failure to file, or, if such relief is not granted, that it may pay the penalty under protest and file a claim with the Board of Control requesting relief It would also permit the Secretary of State to waive the penalty for an excusable failure to file the statement It would require the Secretary of State to decertify the name of the corporation to the Franchise Tax Board if the failure to provide notice of delinquency was due to an error of the Secretary of State

This bill would also provide for the suspension of corporate powers, rights, and privileges in the event a corporation has not filed a statement during the preceding 24 months, and was certified for penalty for the same filing period of the prior year

This act would take effect immediately as an urgency statute

Ch. 768 (SB 964) Foran Public transportation passenger tickets capital expenditures

(1) Existing law authorizes, until January 1, 1980, any city and county or transit district whose area is served by the Southern Pacific Transportation Company between San Jose and San Francisco to make a bulk purchase of passenger tickets for that line from the company, or from Greyhound Bus Lines for transportation services within the area, or from both, for resale at less than cost to the residents of the city and county or transit district, as the case may be

This bill would delete the January 1, 1980, termination date for such existing law, thereby making such existing law permanent

(2) Under the Mills-Alquist-Deddeh Act, any operator may apply to the transportation planning agency for funds to support public transportation systems and to aid public transportation research and demonstration projects and is required to use 15% of the funds allocated for it under the act for capital expenditures A city and county with a population of 700,000 or more on January 1, 1975, which is an operator is required to use an amount equal to 75% of the funds allocated to it under the act for capital expenditures

This bill would delete the 75% requirement imposed on such a city and county

Ch 769 (SB 580) Marks Claims against public entities.

Existing law provides that the State Board of Control shall grant or deny claims presented to it within 45 days and if the board does not act upon the claim within 45 days, the claim shall be deemed to have been denied on the 45th day

This bill would allow the claimant and board to agree in writing to extend the period prior to the expiration of the 45 days and that if the period is extended and the board refuses or fails to act on such a claim, the claim shall be deemed to have been denied on the last day of the period specified

This bill would also make additional changes in Section 911 6, Government Code, proposed by AB 994, to be operative only if this bill and AB 994 are both chaptered and effective January 1, 1980, and this bill is chaptered after AB 994

Ch 770 (AB 854) McAlister Unemployment compensation benefits eligibility

Existing unemployment insurance law specifies that an individual is disqualified for benefits if, among other things, the Director of the Employment Development Department finds that such individual left his most recent work voluntarily without good cause Existing law does not define the term "most recent work"

This bill would define "most recent work" as that in which a claimant last performed compensated services (1) prior to and nearest the date of filing a new, reopened, or additional claim for benefits, or (2) during the calendar week for which a continued claim is filed

The bill would apply to weeks of unemployment claimed after the effective date of the bill

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

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

The bill would take effect immediately as an urgency statute

Ch 771 (SB 494) Stiern Milk and milk products. brucellosis tested animals.

(1) Under existing law, it is unlawful to sell any milk, or any products of milk, from cows or goats that have not negatively passed a tuberculin test applied in accordance with the regulations of the Department of Food and Agriculture, as provided

This bill would, in addition, prohibit the sale of any milk or milk product from cows or goats that are reactors to a brucellosis test applied in accordance with the law and regulations of the department It would provide for the disposing of reacting goats and cattle inflicted with brucellosis The bill would accordingly revise the provisions dealing with milk or milk products produced outside this state and would make other technical and conforming changes

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

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

Ch 772 (AB 1146) Filante Impaired physicians.

Existing law does not provide for a medically oriented treatment program to rehabilitate physicians impaired by abuse of dangerous drugs or alcohol, or by mental or physical illness

This bill would so provide, under the direction of a diversion evaluation committee, as defined, with specified powers, within the Division of Medical Quality of the Board of Medical Quality Assurance

It would appropriate $59,948 from the Contingency Fund of the Board of Medical Quality Assurance for purposes of the bill.

Ch 773 (SB 480) Smith Medical information

Present law does not deal specifically with authorizations for the release of medical information

This bill would provide that, except as specified, no requester shall acquire or disclose medical information without an authorization to acquire or release such information This bill would provide that an authorization for release of medical information shall be in writing in a specified form and contain certain information It would prohibit the release of any medical information to an individual's employer or union, except pursuant to such an authorization or pursuant to a preexisting contractual provision, or when specifically required by law It would, however, permit a hospital to respond to general inquiries regarding a patient, as specified It would also permit the disclosure of information to a health care provider in specified instances

The bill would also require every contract with a billing company for the processing of medical claims, or certain related materials, to include a provision that individually identifiable medical information would not be released without the signed authorization of the patient

Existing law provides that certain medical information collected by governmental entities is confidential However, there is no general provision prohibiting the release of such information by a governmental or private entity

This bill would provide that no entity, private or governmental, that collects individually identifiable medical information regarding profiles or patterns of medical care or utilization by patients or providers, shall disclose any such information that identifies any individual patient without the signed authorization of the patient, except as specified, unless such release is required by law The bill would, however, exempt certain medical information from its provisions It would also provide that its provisions do not apply to a governmental agency investigating or prosecuting violations of law

A violation of the above provisions would be a misdemeanor, and a patient would be permitted to recover compensatory damages for a violation, civil damages up to $3,000, attorneys' fees up to $1,000, and costs

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

Ch 774 (AB 1040) Mangers. Gifted and talented pupils

Existing law provides a comprehensive program which authorizes school districts to provide specified services for mentally gifted minors

This bill would repeal such existing law and would, instead, create a program to authorize specified school districts to offer special services to gifted and talented pupils, including pupils from economically disadvantaged and varying cultural backgrounds

This bill would require the State Board of Education to establish procedures for identifying gifted and talented pupils, and to define types of programs and activities which it deems appropriate for gifted and talented pupil programs

This bill would require school districts which elect to provide such programs to submit a description of the proposed program to the State Board of Education

This bill would prescribe a formula for funding gifted and talented pupil programs for districts which have more than 50 participating pupils, and would provide a specific allocation for districts with between 1 and 50 participating pupils, as specified

This bill would require the Superintendent of Public Instruction to perform various administrative functions

The above provisions of the bill would become operative June 30, 1980, except that provisions of the bill regarding a contract for a specified evaluation of the program, authorization for State Board of Education promulgated regulations, and applications for local district programs to be developed by the State Department of Education, would become operative January 1, 1980

The provisions added by this bill would be repealed on June 30, 1985

Ch 775 (AB 1841) Bergeson Pretrial diversion

Existing law makes specified provisions relative to preemption and procedural aspects of pretrial diversion programs, other than drug and alcohol programs. The provisions include an annual report requirement and the provisions would be repealed January 1, 1980

This bill would delete the report requirement and extend the remaining provisions until January 1, 1982

Ch. 776 (AB 1595) Bergeson Schools· community colleges: transportation· fees.

(1) Current law authorizes the governing boards of school districts and community college districts which provide transportation for pupils or students to charge a fee therefor for a portion of the cost of such transportation; provided in the case of a school district, it does not qualify for reimbursement from the State School Fund for specified transportation allowances.

This bill would permit, until June 30, 1982, the governing board of a school district to charge such a fee even though the district qualifies to receive the specified transportation allowances and, under certain circumstances, would require that a specified reduction be made in such allowances

(2) Existing law also limits the amount the governing board of a school district can charge for such transportation to the amount paid for transportation on a common carrier or a municipally owned transit system by other pupils who do not use the transportation provided by the district

This bill would delete such limitation and, until June 30, 1982, would limit the amount to the statewide average nonsubsidized cost, as defined, of providing such transportation to a pupil on a publicly owned or operated transit system On and after July 1, 1982, the amount would be limited to the actual cost of providing such transportation to a pupil on a common carrier or municipally owned transit system

This bill would limit the sum received by the district from state aid and parent fees to the actual operating cost of home to school transportation and provide for certain adjustments in the event excess fees are collected

(3) Under existing law, when the governing board of a school district or community college district provides for the transportation of pupils or students to and from school by contract with a common carrier, municipally owned transit system, or responsible private party, the governing board is authorized to require the parents or guardians of all or some of the pupils or students transported to pay a portion of the cost of such transportation However, the amount the governing board is authorized to require parents or guardians to pay can be no greater than that paid for transportation on a common carrier or municipally owned transit system by other pupils or students in the district who do not use the transportation provided by the contract of the district

This bill would delete such limitation

(4) This bill would require the Department of Education, until July 1, 1982, to adopt guidelines for school districts, which require parents or guardians or pupils or students to pay a portion of the cost of transportation

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

Ch 777 (SB 1008) Smith. Audit of state and federal funds private agencies.

(1) Existing law does not require audits of state and federal funds allocated to private agencies by the Department of Education

This bill would require the Superintendent of Public Instruction, in cooperation with the Department of Finance and the Auditor General, to provide for a plan for independent audits of state and federal funds allocated to private agencies which are under contract with the Department of Education for the provision of educational services, as defined The audit plan would be required to be provided by July 1, 1980

This bill would require, effective July 1, 1980, that contracts between the Department of Education and private agencies for the provision of educational services contain a provision requiring the annual audit of state and federal funds, as limited

This bill would require the superintendent to collect any audit exception in excess of a material amount and either redistribute the amount collected to the same class of program, or withhold the amount of the audit exception from the next payment to the agency in which the audit exception was discovered.

(2) Existing law does not require private agencies which receive state funds under contract with the Department of Education for the provision of educational services to retain and make records pertaining to its state-funded programs available to the Department of Education

This bill would require every private agency which receives state funds under contract with the Department of Education for the provision of educational services to retain and make available records pertaining to its state-funded programs available to the Department of Education

This bill would also require each private agency to retain records pertaining to its state-funded programs for at least 5 years.

Ch 778 (SB 227) Robbins Punitive damages

Under existing law, in a civil action for the breach of a noncontractual obligation, the plaintiff may recover exemplary and punitive damages if the defendant has been guilty of oppression, fraud, or malice In general, the application of this provision is governed by case law which generally provides that the plaintiff has the burden of proof, that proof is by a preponderance of the evidence, and permits the consideration of various factors in determining the amount of the award.

This bill would provide that a defendant may for good cause obtain a protective order requiring the plaintiff to produce evidence of a prima facie case of liability for punitive or exemplary damages prior to introducing specified evidence related to the defendant's wealth or profits

Ch. 779 (SB 998) Wilson. Elections. campaign practices

Existing law, contained in the Political Reform Act of 1974, defines the terms "independent committee" and "voting age population" as used in that act.

This bill would delete those definitions from the act and would define the term "independent expenditure" as used in the act

Existing law provides that it shall be the duty of each candidate, treasurer and elected officer to keep such accounts, bills, records, and receipts as required by regulations of the Fair Political Practices Commission to expedite the performance of obligations imposed by the act's provisions relating to campaign disclosure

This bill would provide instead that such accounts, bills, records, and receipts must be maintained to prepare campaign statements and to comply with the provisions relating to campaign disclosure This bill would also provide that the accounts, records, bills and receipts shall be retained as specified by the commission

Existing law provides that no contribution of $100 or more shall be made in cash and that the value of all in-kind contributions of $100 or more must be reported in writing by the contributor to the recipient

This bill would provide that the value of such in-kind contributions must be reported in writing to the recipient upon the request in writing of the recipient

Ch 780 (SB 1141) Beverly Banks

Under existing law a bank may make a loan, not exceeding $30,000, to an officer of the bank, secured by a first lien on a residence owned by such officer

This bill would permit such loans to be made regardless of amount and would remove the requirement that they be authorized or confirmed by action of the board of directors of the bank.

Under existing law a bank may make a loan, not exceeding $10,000, to an officer of the bank for the purpose of financing the education of the officer's children

This bill would raise the maximum amount on such loans to $20,000, and would remove the requirement that they be reported to the superintendent and authorized or confirmed by action of the board of directors of the bank

Under existing law, a loan may be made to a director or officer if such loan, together with any outstanding loans, excluding specified types of loans, does not exceed $5,000.

This bill would raise the limit on such loans to $10,000.

This bill would also provide that no such loan or loan for a dwelling or for education of an officer's children may be made if the amount of the loan, together with all other outstanding loans, would exceed $25,000 provided, however, that a loan in excess of such amount may be made if approved in advance by a majority of the directors of the bank

Existing law prohibits a bank from making a loan to an employee of the bank, except under specified conditions.

This bill would repeal those provisions.

Existing law provides that, for the purposes of the foregoing, "loan" includes any extension of credit

This bill would exclude from that definition specified transactions.

Existing law permits a bank, under specified conditions to advance money to a director, officer or employee of such bank for expenses reasonably anticipated to be incurred in the performance of the duties of such director, officer, or employee.

This bill would repeal that provision

Under existing law any bank which fails to report a loan required to be reported to the Superintendent of Banks is liable to the people of the State in the amount of $25 per day for each day the failure continues.

This bill would delete that provision

Under existing law, officers, directors, clerks or other employees of certain international and foreign banking and financing corporations are prohibited from borrowing, directly or indirectly from such corporation

This bill would repeal that provision

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

Ch 781 (SB 741) Garamendi State lands

The State Department of Developmental Services retains a certain parcel of real property described as the Stockton State Hospital

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to convey a portion of such property to the County of San Joaquin Mineral rights in the transferred property below a depth of 500 feet would be reserved in the state and if the county ceases to use the property for county health and welfare purposes, title to the property would revert to the state

Ch 782 (SB 653) Foran Transportation Mass Transit Revolving Account

Existing law authorizes the Governor, the Secretary of the Business and Transportation Agency, and the Department of Transportation to receive and expend funds from the federal government in connection with mass transportation programs and projects for which federal funds are available

This bill would create the Mass Transit Revolving Account in the State Transportation Fund The bill would transfer $1,000,000 from the Transportation Planning and Development Account to the Mass Transit Revolving Account and appropriate such funds to the department for allocation for effectuating the purposes of the Urban Mass Transportation Act of 1964, as amended

Ch 783 (SB 651) Ayala 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, when requested by resolution of the governing body of the local agency, to agencies of this state, and 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

This bill would authorize the State Board of Equalization to provide, with certain exceptions, assessment information and records in its possession to county assessors without the request by resolution of the county board of supervisors.

Ch 784 (SB 900) Russell. Precursors of controlled substances

(1) Present law, with certain exceptions, requires any person manufacturing, selling, transferring, or otherwise furnishing certain chemical precursors capable of being used in the manufacture of controlled substances, to report such transactions to the Department of Justice

This bill would include N-acetylanthranilic acid within such reporting requirements, but would require the reports with respect thereto to be submitted at least 21 days prior to delivery

(2) Present law, with certain exceptions, requires all transfers of such precursors to be reported to the Department of Justice Present law also requires reporting of thefts or losses of such precursors, as prescribed The above reports must be certified under penalty of perjury

This bill would delete the requirement that the above reports be certified under penalty of perjury, and would, instead, make it an offense, punishable as either a felony or misdemeanor as prescribed, to knowingly make a false statement in any such report or related records

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason, but provides that a local agency or school district may pursue other remedies and procedures for obtaining reimbursement

Ch 785 (SB 611) Keene Health maintenance organizations· health planning.

(1) Existing California law contains extensive provisions relating to health planning, but does not define the term "health maintenance organization"

This bill would make such a definition, as specified

(2) Existing law requires the Office of Statewide Health Planning and Development to review applications for certificates of need and to issue such certificates when certain criteria are met

This bill would make revisions in such review process with respect to health maintenance organizations in a specified manner

The bill would also make other conforming changes

(3) Under present law relating to health planning, a certificate of exemption may be issued until July 1, 1986, for the remodeling or replacement of a health facility which was licensed as of September 9, 1976 The cost of remodeling or replacement undertaken pursuant to such exemption is generally subject to specified maximum limitations as to cost However, remodeling or replacement which meets prescribed criteria and requirements is not subject to such cost limitations One of the requirements is that the applicant agree not to sell, lease, or rent the facility for 5 years without the permission of the Office of Statewide Health Planning and Development

This bill would require such agreements to be written and also be recorded The bill would make failure to record the agreement grounds for rescission or damages with respect to any person purchasing, leasing, or renting the facility during the term of the agreement The bill would require such actions to be filed within 1 year of the date of discovery of the failure to record

Ch 786 (SB 588) M Garcia. Public Employees' Retirement System benefits

Existing Public Employees' Retirement Law requires the Workers' Compensation Appeals Board to determine disputed industrial disability and industrial death claims

This bill would provide that the jurisdiction of the Workers' Compensation Appeals Board shall be limited to causation and would provide that the provisions of law shall not be construed to authorize the board to award costs against the Public Employees' Retirement System pursuant to the provisions of the Labor Code

Ch 787 (SB 586) M Garcia. State Teachers' Retirement System

Existing State Teachers' Retirement Law contains various provisions regarding receipt of service credit for teaching service performed for various public agencies.

This bill would delete some of these provisions and consolidate others and would prescribe a uniform method of calculating contributions for additional service credit based upon such public service The provisions would not be applicable to present members until July 1, 1980, and would be applicable to new members on the effective date of their membership

Ch 788 (SB 461) Greene Optometry

Existing law provides that an applicant for a certificate of registration as an optometrist who fails to pass any examination, may be reexamined only in any sections or tests in which he failed to obtain a grade of 85%

This bill would authorize such an applicant to be reexamined in those sections or tests in which he failed to obtain a grade of 75%

Existing law specifies the requirements to take the examination for a certificate of registration as an optometrist and includes, among other things, that the applicant be over the age of 21 years

This bill would lower such age requirement to 18 years

Existing law requires each registered optometrist to notify the Board of Optometry of the address or addresses where he is to engage, or intends to engage, in the practice of optometry

This bill would specify that the practice of optometry is the performing or the controlling of any of the acts contained in the definition of the practice of optometry

Existing law provides that a certificate of registration as an optometrist may be revoked or suspended when the holder is suffering from a contagious or infectious disease.

This bill would provide that such certificate may be suspended only during the period of continuance of such a disease and would delete the power to revoke such certificate for such disease

Existing law provides that unprofessional conduct for purposes of the revocation or suspension of a certificate of registration as an optometrist includes, among other things, the employing of any suspended or unlicensed optician or optometrist to perform any work covered by provision regulating the practice of optometry

This bill would revise such provision to provide that the employing of any suspended or unlicensed optometrist to perform any work for which a certificate of registration is required constitutes unprofessional conduct for such purposes and deletes the reference to employment of any suspended or unlicensed optician

Existing law prohibits an optometrist from accepting any person not having a certificate of registration as an optometrist, except that an optometrist may be employed by a physician and surgeon who specializes in ophthalmology

This bill would allow an optometrist to be employed also by a health care service plan, as defined

Existing law prohibits a person from practicing optometry under a false or assumed name except that the Board of Optometry may authorize an optometric group or optometric corporation comprised of 3 or more duly licensed optometrists to use an assumed name under specified circumstances.

This bill would authorize an individual optometrist to be issued such a permit to practice under an assumed name if such circumstances are met and would delete the requirement that any such group or corporation must consist of 3 or more duly licensed optometrists as a condition of being authorized to use an assumed name

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

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

Ch. 789 (SB 452) Nimmo Domestic water supply systems.

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

This bill would authorize grants from the California Safe Drinking Water Fund not to exceed the amount of $174,000 to the San Lucas County Water District and not to exceed the amount of $400,000 to the Richgrove Community Services District for the purpose of improving their domestic water systems to meet, at a minimum, safe drinking water standards The bill would make legislative findings in such connection The bill would require the Department of Water Resources to determine eligibility for such grants in accordance with the provisions of Chapter 322 of the Statutes of 1978

(2) Chapter 145 of the Statutes of 1978 authorized 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

This bill would increase the amount of such grant to not to exceed $235,000

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

Ch. 790 (SB 436) Foran Insurance surplus line brokers

Existing law requires a surplus line broker, on or before May 1, of each year, to pay a specified gross premiums tax on business done in the preceding calendar year

This bill would, for the calendar year 1980 and each calendar year thereafter, specify an estimated quarterly installment payment schedule for such taxes for each surplus line broker whose annual tax for the previous year was $5,000 or more, with specified exception

The bill would require the Insurance Commissioner to annually notify each surplus line broker of the quarterly installment payment schedule and amount

The bill would also provide penalties for failure to make timely payment and deficiency assessments, as specified

Ch. 791 (SB 380) Presley Vehicle impoundment. private property

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.

This bill would authorize removal of such a motor vehicle from private property open to the general public onto which the public is explicitly or implicitly invited as well, but would specify that the provision shall not be construed to authorize removal of the vehicle from an enclosed structure on private property not open to the general public The bill would specify that, when a commercial vehicle is inspected, the cargo may be removed

The bill would incorporate changes in Section 22655 of the Vehicle Code, proposed by SB 173 and AB 1276 to be effective only if SB 173 or AB 1276, or both, and this bill are chaptered and become effective on January 1, 1980, and this bill is chaptered last

Ch 792 (SB 318) Alquist Department of General Services motor vehicle fuel plan

Currently, no provision of law requires the Department of General Services to provide the Legislature with a plan for a motor fuel containing at least a 5% blend of alcohol in the motor vehicles maintained by the department in their storage facilities.

This bill would require such plan to be made available no later than June 30, 1980, for at least 25% of the motor vehicles maintained by the department and would provide that the plan shall consider all measures to keep evaporative emissions at a minimum

This bill would also require the State Energy Resources Conservation and Development Commission to assist the department in developing the plan

Ch 793 (SB 269) Nimmo Fish domestic fish breeders.

Under existing law, the Fish and Game Commission may grant a permit, as specified, to release and capture domestically reared anadromous fish in state waters to the holder of a domestic fish breeder's license The provisions relating to such permit and its issuance are effective until January 1, 1981, and on such date are repealed.

This bill would extend such provisions until January 1, 1986

Existing law provides that permits issued under such provisions are experimental and apply to the waters of the Elk Creek and the Davenport Landing Creek only It also requires that on July 1, 1979, the Department of Fish and Game report to the commission on any permit granted and on recommendations relating to such permits

The bill would exclude the waters of Elk Creek from the program, and would require that the department from time to time require reports from a permittee regarding such permittee's operations and make its findings regarding such operations available to the commission

Ch. 794 (SB 205) Zenovich Energy standards manual

The State Energy Resources Conservation and Development Commission, in addition to numerous other responsibilities dealing with energy conservation and development, is required to prescribe lighting, insulation climate control system, and other building design and construction standards to increase the efficiency in the use of energy for new residential and nonresidential buildings and to prescribe performance energy conservation design standards for new residential and nonresidential buildings Under the existing law, the commission is required to develop a computer program for estimating the energy consumed by various classes of buildings with various types of occupancies and to include a prescriptive method of complying with such standards. It requires the commission, within a prescribed period, to produce an energy conservation manual for use by designers, builders, and contractors of nonresidential buildings which shall in-

clude, among numerous other requirements, instructions for use of the computer program for calculating energy consumption in residential and nonresidential buildings.

This bill would require the commission, before January 1, 1981, to develop such a computer program for residential and nonresidential buildings, instead of for various types of buildings with various types of occupancies and to comply with the provisions requiring the manual for the public computer program to contain instructions for the use of the computer program for calculating energy consumption in residential and nonresidential buildings

The bill would incorporate additional changes in Section 25402 of the Public Resources Code proposed by SB 207, to be operative only if this bill and SB 207 are chaptered and this bill is chaptered last

Ch 795 (SB 9) Smith Domestic relationships

Existing law authorizes a court to grant a temporary restraining order with or without notice to restrain any person upon a showing of reasonable proof of a past act or acts of actual violence resulting in physical injury, for the purpose of preventing a recurrence of actual violence arising out of a marital or other domestic relationship and to assure a period of separation of the parties involved A temporary restraining order may be granted, not to exceed 30 days, in the case of a marital relationship, notwithstanding that a petition for legal separation, annulment, or dissolution has not been filed If such temporary restraining order is granted without notice, the party against whom the order is granted is permitted to obtain an order to show cause why the order should not be dissolved on the earliest date the court business will permit, not later than 15 days, or, if good cause appears to the court, 20 days from the date the order is granted.

It also requires the county clerk to transmit a copy of the temporary restraining order, or extension, modification or termination thereof, to the appropriate local law enforcement agency Local law enforcement agencies are authorized to make available information as to the existence and current status of such temporary restraining orders to officers responding to the scene of reported domestic violence

This bill would, instead, enact a Domestic Violence Prevention Act which would generally (a) permit family or household members to petition for a temporary restraining order to prevent domestic violence, (b) permit the court to restrain any party from molesting, abusing, threatening, sexually assaulting or doing similar acts to specifically named family or household members, (c) permit the court to order a party to vacate a dwelling if that party assaults or threatens to assault other members of the household, (d) expand the authority of the court to issue further orders relating to custody and visitation of children, monetary compensation of victims for losses suffered due to domestic violence, medical or psychiatric treatment of either party, or to an award of attorney's fees and costs to the prevailing party, (e) extend the duration of such orders from 30 days to 90 days, with the court retaining authority to renew such orders, (f) provide for the delivery of the order by the petitioner or the petitioner's attorney, and mailing by the county clerk and (g) require local law enforcement agencies to maintain a file on all such orders filed with them

The bill would not grant the court the same scope of authority to issue such orders in the case of a nonmarital relationship, as specified This bill would also restrict the compromising of certain acts of domestic violence which are designated as misdemeanors

An existing provision of the Family Law Act provides authority for the court to issue restraining orders pending trial in a suit for dissolution, legal separation, or nullity of marriage Specifically authorized by this statute are orders to prevent disposition of property by either party pending trial, to prevent any party from molesting or disturbing the peace of the other party and the minor children, to order either party to vacate a family dwelling, or to award temporary custody of the minor children of the parties

This bill would amend such section to (a) expand the court's authority to issue orders to vacate a dwelling to include circumstances where one party assaults or threatens to assault the other party, (b) empower the courts to enjoin a party from specified behavior which the court determines is necessary to effectuate its orders as specified, (c) authorize the courts to issue such orders as part of an interlocutory or final judgment of dissolution or separation to cover a period not exceeding one year, (d) require the transmission of such orders to law enforcement agencies who would keep them on file

for reference when responding to domestic violence scenes; and (e) authorize the court to determine the temporary use, possession, and control of real or personal property of the parties and the payment of any liens or encumbrances coming due during the pendency of the order

It would also make related changes, including authorization of the issuance of specified restraining orders during the pendency of any action under the Uniform Parentage Act

The bill would provide that the provisions of the act shall become operative on July 1, 1980

Finally, the bill would provide that no appropriation is made to reimburse local agencies for a specified reason

Ch 796 (AB 1302) Bannai Teachers' Retirement System, State

(1) Existing State Teachers' Retirement Law provides family allowances to survivors of members

This bill would require the deceased member to have performed at least 1 year of service after a reinstatement to membership in order for a family allowance to be payable to such survivors.

(2) Existing law prescribes the date on which a retirement allowance becomes effective

This bill would require at least 1 year to have elapsed since the member was reinstated to membership for such retirement allowance to become effective

(3) Existing law generally limits service in positions requiring membership after retirement and, with certain exceptions, requires a retirement allowance to be terminated if a member is reemployed in such positions after retirement

This bill would delete those provisions and provide that any retirant who is retired for service may be reinstated to membership

(4) Existing laws permit retirants to work for 120 days or earn up to $5,000 in a fiscal year in specified school positions without reinstatement or reduction of retirement allowances

This bill would require employers to inform retirants of the earning limitation and to report earnings monthly to the system and would also include earnings as an independent contractor with schools within the earning limitation

(5) Existing law provides that any retirants who exceed the $5,000 earnings limitation shall be reinstated to membership

This bill would delete that provision and provide that a retirant who receives a payment in excess of the limitation shall have his retirement allowance reduced by such excess

(6) Existing law permits members who have attained age 65 to continue in employment beyond the age of normal retirement upon the certification by their employer of competency

This bill would delete that provision

(7) Existing law permits members to make preretirement elections of optional retirement allowances

This bill would provide that members who have reinstated from retirement could not file a preretirement election of an option until 1 year after the date of reinstatement

Ch 797 (AB 1549) Vasconcellos Community colleges

Existing law provides generally for the establishment and maintenance of community college districts under the authority of the Board of Governors and Chancellor of the California Community Colleges Existing law provides for district formation, school facilities, curriculum, administration, employee qualifications and working conditions, and financing for community college districts.

This bill would, among other things, eliminate certain reporting requirements imposed on community college districts, eliminate the required approval of the chancellor for certain acts of community college districts, eliminate certain district reorganization requirements, alter the financial relationship between the chancellor and the State Controller, take community colleges out of the scope of specified existing law relating to school facilities, eliminate provisions specifically relating to the Santa Cruz Regional Occupational Center, eliminate specific duties of the Board of Governors of the Califor-

nia Community Colleges, make specified changes relating to transportation allowances, eliminate specified authorization and funding for education of educationally and physically handicapped and mentally retarded students, eliminate specified special apportionment, eliminate specified provisions for in-service training for instructors, eliminate specified requirements relating to credentials of persons charged with unprofessional conduct, and alter qualifications of specified instructors

This bill would also declare the intent of the Legislature to update and clarify provisions of law relating to community colleges and to streamline the statewide governance of community colleges.

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

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

Ch 798 (AB 1498) Perino County hospitals purchases, contracts

Under existing law a county which does not employ a purchasing agent is required to use competitive bidding procedures in connection with the purchase of stationery, clothing, bedding, groceries, provisions, drugs, medicines and all other supplies.

In counties having a purchasing agent, furnishings, materials, supplies and employment of independent contractors used in the construction or repair of specified projects and costing not more than $6,500 may be purchased without competitive bidding

The bill would exempt from competitive bidding requirements, purchases or contracts for medical or surgical equipment or supplies, or for professional services, for a county hospital, so long as an appropriation for such purchases or contracts is included in the county budget It would also define the term "medical or surgical equipment or supplies" for purposes of its provisions

Ch 799 (AB 1067) Mello Abalone. taking

(1) Existing law provides that, operative January 1, 1981, specified abalone shall not be taken during February and August, and that abalones may not be taken for commercial purposes except under a permit, as specified It specifies waters in District 19 in which black abalone may be taken for use as bait in lobster traps, and also specifies waters in which diving apparatus may be used to take abalone, and requires that the Department of Fish and Game file an annual report with the Legislature, as specified.

This bill would repeal such provisions.

(2) Existing law, until January 1, 1981, generally regulates the taking of abalone, the issuance of abalone diving permits, and waters in which diving apparatus may be used to take abalone.

The bill would repeal such provisions, and would instead require that the Fish and Game Commission establish the number of abalone diving permits to be issued for each annual season as necessary to protect the resource, and would provide, as specified, for the issuance of such permits to prior permittees, as defined, and to new entrants, as defined

(3) Existing law makes it unlawful for specified persons to possess more than 20 dozen black abalone on any boat at any time

The bill would delete the reference to any boat and make it unlawful for such persons to possess or control such number of black abalone

(4) Existing law provides that abalone may be taken only for food purposes, except as specifically authorized to be taken for bait

The bill would delete the exception for bait

(5) The bill would authorize the Fish and Game Commission to close and open areas for the commercial taking of abalone for up to 2 years, provided the area is closed or open to sport taking of abalone This provision would be operative March 1, 1982.

(6) The bill would make an appropriation by providing that moneys be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

Ch. 800 (AB 802) Agnos Real estate commissions

Existing law does not fix the amount of real estate commissions.

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

This bill would prohibit the printing of the rate of commission in such agreements, and would specify a date on which the bill would become operative It would specifically not affect the validity of a transfer of title to real property

Ch 801 (AB 686) Stirling Registered construction inspectors

Existing law exempts from the provisions of the Registered Construction Inspectors Law any architect, civil engineer, land surveyor, mechanical engineer, engineering geologist, or electrical engineer insofar as such person is practicing within the provisions of law under which he is registered, provided such person does not use the title "registered construction inspector"

This bill would include in such exemption any employee of such registered persons who is working under the supervision of such persons

Ch 802 (AB 604) Thurman Public retirement systems benefits.

Existing State Teachers' Retirement Law provides for benefits to be annually increased by a 2 percent improvement factor

This bill would additionally provide that it is the intent of the Legislature to understand the erosion of the purchasing power of benefits and require the Teachers' Retirement Board to annually report to the Governor and Legislature on the amount of increases that are needed

Ch 803 (AB 575) McAlister Impound accounts

Under existing law financial institutions must pay interest on impound accounts required in connection with loans made upon the security of real property containing only a 1 to 4 family residence However, exempted from this requirement are moneys which are placed by a financial institution other than a bank in a demand trust fund account.

This bill would exempt such moneys only if they are required to be placed in such an account by state or federal regulatory authorities

This bill would also provide that its provisions shall only apply to loans executed on or after January 1, 1980

This bill would also provide that its provisions shall become operative only if Proposition 2 on the November 6, 1979 ballot, which would amend the Usury Law, becomes operative

Ch 804 (AB 396) Stirling Retention of welfare records.

Existing law requires counties to retain public assistance records beyond 4 years when notified by the State Department of Social Services or the State Department of Health Services to retain the records for a longer time In addition, counties may authorize the destruction of the case narrative portions of records that are over 4 years old after the record has been audited by either department Retention of records beyond 4 years is required when such retention is necessary to a pending civil or criminal action

This bill would reduce the 4-year period to 3 years and allow the destruction of documents contained in the case file which are over 3 years old and are no longer necessary to document the recipient's continued eligibility for public social services.

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

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

Ch 805 (AB 258) Young Finance charges

Existing law governs various aspects of the imposition of finance charges with respect to credit sales, including retail installment sales and automobile sales.

This bill would revise such provisions. It would also prohibit precomputed interest, as defined, with respect to certain loans made on or after January 1, 1983, and prohibit precomputed finance charges, as defined, with respect to certain contracts made on or after January 1, 1983.

Ch 806 (AB 503) Young. Public employee liability

Under existing law, a public employee is not, generally, liable for an injury resulting from his act or omission when the act or omission results from an exercise of discretion.

This bill would specify that a decision of certain peace officers, or of state or local law enforcement officials to render assistance to a motorist not involved in an accident or to leave the scene after rendering assistance, upon learning of an emergency elsewhere or upon instructions from a superior, as specified, shall be deemed an exercise of discretion. This provision would not apply if the act or omission occurred pursuant to the performance of a "ministerial duty" as defined.

The bill would take effect immediately as an urgency statute.

Ch 807 (AB 799) Calvo Air pollution: fees.

Existing law authorizes the boards of air pollution control districts and air quality management districts to adopt a fee schedule to pay for the costs of issuing permits.

This bill would authorize such boards, except the South Coast Air Quality Management District Board, to adopt a fee schedule for each fiscal year which would not exceed specified costs relating to the issuance and renewal of permits, including annual adjustments no greater than the California Consumer Price Index.

Ch 808 (AB 1208) Tanner Juveniles state subventions.

Existing law provides for a system of state subventions to counties for various programs relating to the juvenile justice system. Counties participating in such programs are required to establish a county justice system advisory group, as specified.

This bill would require such group to conduct one or more public hearings for the purpose of receiving testimony to assist it in its duties.

It would also require the Department of the Youth Authority to include a report on designated actions of county supervisors in the annual legislative report on subvention programs required by existing law.

Ch 809 (AB 1418) Greene Adoption Indian ancestry

Existing law provides that persons of Indian ancestry may be eligible for benefits. Existing provisions of federal law require a state court which enters a decree or order of adoption of an Indian child to provide certain information to the Secretary of the Interior.

This bill would require the State Department of Social Services to adopt rules and regulations to assure that the parents of Indian ancestry seeking to relinquish a child for adoption provide sufficient information so that a certificate of degree of Indian blood can be obtained from the Bureau of Indian Affairs. The State Department of Social Services would be required to immediately request such certificate from the Bureau of Indian Affairs after receiving such information. Such certificate and other documents would become a permanent record in the adoption files and would be housed in a central location and made available to authorized personnel from the Bureau of Indian Affairs when required to determine the adoptee's eligibility for services or benefits, as specified. Such information would be made available to the adopted person upon reaching the age of majority.

Ch 810 (SB 815) Holmdahl. Air pollution

(1) Under existing law, the State Air Resources Board is authorized to appoint an executive officer to whom it may delegate its powers, duties, purposes, functions, and jurisdiction.

This bill would require the state board, upon receipt of a petition, to hold a public hearing to review action taken by the executive officer regarding specified air pollution control plans.

(2) Under existing law, the state board is the state agency responsible for the preparation of the state implementation plan for submittal to the Environmental Protection

Agency pursuant to the Clean Air Act

The bill would require the state implementation plan to include only those provisions necessary to meet the Clean Air Act requirements

(3) Under existing law, the nonattainment area plan prepared by the Association of Bay Area Governments may not be revised by the state board, but may be rejected by it until the plan is revised by the association to meet federal requirements

The bill would require the state board to adopt the nonattainment area plan approved by the designated air quality planning agency as part of the state implementation plan, unless the state board finds, after a public hearing, that the nonattainment area plan will not meet the requirements of the Clean Air Act In such a case, the state board would be authorized to revise the nonattainment area plan to meet such requirements, except as otherwise stated above with respect to the plan prepared by the association, and would be required to set forth in writing the reasons for such revisions and the facts supporting the reasons

The bill would authorize, at the public hearing, the presentation of oral and written testimony and the right of the air pollution control districts in the nonattainment area and the agency to question and solicit testimony of qualified representatives of the state board staff, within reasonable limits as determined by the state board, on the matter being considered The bill would vest in the public agency having the primary responsibility for the implementation of a control measure the primary responsibility to determine whether the control measure is reasonably available and the determination, under specified circumstances, would be conclusive unless the state board finds after public hearing that such determination will not meet the requirements of the Clean Air Act

(4) The bill would appropriate $50,875 from the General Fund and $41,625 from the Motor Vehicle Account in the State Transportation Fund for purposes of carrying out the provisions of the act

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

Ch 811 (AB 1775) Lancaster Credit unions

Existing law permits a credit union to purchase and hold personal property necessary to carry on its business

This bill would permit a credit union to purchase and hold such personal property as may be proper for the credit union to carry on its business

Existing law prohibits any member of the board of directors, supervisory committee or credit committee from receiving any compensation for his services as such

This bill would permit such persons to be provided with health, accident and similar insurance

Under existing law, loan officers of credit unions may approve loan applications, without the written approval of the credit committee within certain limits.

This bill would provide that loan officers of credit unions with paid-in and unimpaired capital and surplus of between $1,000,000 and $5,000,000 may approve loan applications up to $15,000, instead of $10,000, as provided for in existing law It would also permit loan officers of credit unions with paid-in and unimpaired capital and surplus in excess of $5,000,000 to approve loan applications up to $25,000

Existing law limits the amounts of unsecured loans a credit union may make based upon the amount of its paid-in or unimpaired capital and surplus.

This bill would revise the limits on such unsecured loans

Under existing law credit unions are required to apply for and obtain insurance under the Federal Credit Union Act, or alternatively, a form of comparable insurance acceptable to the Commissioner of Corporations, for the purpose of insuring its members' share accounts, by January 1, 1980

The bill would move the date by which the insurance must be obtained to January 1, 1981

Ch 812 (AB 320) Calvo *Forest resources improvement*

(1) The California Forest Improvement Act of 1978 provides that its provisions shall become operative, and forest resources improvement 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

This bill would delete such provision

(2) Under the California Forest Improvement Act of 1978, grants and donations accepted for the purpose of supporting or facilitating forest resources improvement and all revenue derived from the repayment of, or interest received on, forest resource improvement loans are deposited in the Forest Resources Improvement Fund Moneys in such fund are continuously appropriated for purposes of such act.

Under existing law, the Director of Forestry is authorized to make sales of forest products from state forests with the approval of the Director of General Services, and receipts from such sales are deposited monthly with the State Treasurer

This bill would require that, in addition to moneys presently required to be deposited in such fund, the receipts from the sale of forest products from the state forests be deposited in the fund The bill would provide that such moneys may be expended for the purpose of reimbursing the General Fund for the cost of operation of the state forests The bill would further delete provisions continuously appropriating such moneys and would instead require proposed expenditures from the fund to be included as separate items in the Budget Bill for each fiscal year

(3) Under the California Urban Forestry Act of 1978, the Department of Forestry is required to provide technical assistance to urban areas with respect to urban forestry, as defined, and the Director of Forestry is authorized to make grants to cities, counties, districts, and nonprofit organizations for specified urban forestry purposes and to enter into agreements and contracts with local agencies having established and operating urban forestry programs

This bill would make 10% of the net state forest receipts from the sale of forest products, after the General Fund is reimbursed for costs of operating the state forests, available, when appropriated by the Legislature therefor, for urban forestry programs pursuant to such act

Ch 813 (SB 163) Nejedly Property taxation liens.

Existing law requires the local assessment roll to show, among other things, the name and address, if known, of the assessee

This bill would specify that if the full and complete name of the assessee is known, it shall be shown on the assessment roll

Existing law permits a tax collector to file a certificate in the office of the county recorder of the tax due and unpaid on specified types of property and the name and last known address of the assessee liable for such tax

This bill would specify that such certificate also show the federal social security number of the assessee, if it is known

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

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

This bill would become operative July 1, 1980

Ch 814 (SB 446) Wilson Judges. Court of Appeal

Existing law provides for 4 judges of the Court of Appeal in the San Diego division of the Fourth Appellate District.

This bill would raise the number of such judges from 4 to 5 and appropriate $64,942 in augmentation of Item 17 of the Budget Act of 1979 for purposes of this act

Ch 815 (SB 950) Petris Mental health case management system

Existing law does not provide a case management system in order to prevent unnecessary readmission into state psychiatric hospitals and psychiatric hospitals based in the community

This bill would require the State Department of Mental Health, by April 1, 1980, to develop guidelines to assist counties in implementing the requirement imposed by the bill for such a system, as specified, and to define the target population with high hospital

readmissions to be served The bill would also require that the county Short-Doyle Plan include, by July 1, 1980, a statement of need for case management services as defined by the bill, a plan to provide such services, the cost of implementing such services within the availability of existing resources, and a date for implementation of the case management plan

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

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

Ch 816 (SB 995) Alquist Solar energy

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, for purposes of such deduction, include monthly payments for solar energy systems as a cost of such systems and would provide that taxpayers who partially own and partially lease a solar energy system from a municipal utility shall receive a credit equal to 55% of the purchased portion of such system, within certain limits, and the principal recovery portion of the lease payments, as defined

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

Ch 817 (SB 953) Watson Nutrition low-income pregnant women and children

Under existing law, the State Department of Health Services is authorized to establish a pilot project in certain counties for purposes of providing nutritional food supplements to eligible recipients

This bill would authorize the department to conduct a statewide program for providing nutritional food supplements to low-income pregnant women, low-income postpartum and lactating women, and low-income infants and children, under five years of age, who have been determined to be at nutritional risk by a health professional It would require the department to adopt certain guidelines and criteria for determining the eligibility of recipients under such a program if the department establishes such a program, as specified It would require the department to report to the Legislature, as specified, if the department establishes such a program It would require the department to enter into a written agreement with retail food vendors who would be authorized to redeem coupons for food items for recipients under the program It would require the coupons to be printed in a specified manner It would make retail food vendors and other persons participating in the program subject to a civil penalty for engaging in specified acts It would require the Attorney General or any district attorney or city attorney to initiate such a proceeding, as specified It would also authorize any officer, employee, or agent of the department to enter the premises of any contract retail food vendor for specified purposes

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

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

Ch 818 (AB 668) Johnson. Recall petitions

(1) Under existing law there is no restriction as to the person or persons who may file sections of a recall petition involving a state or local officer, nor is there any requirement

that such petition sections be filed at the same time.

This bill would provide that such petition must be filed by the proponents, or by a person who has the written authorization of a proponent It would also require, with respect to a local recall, that all sections of the petition be filed at the same time

(2) Existing law provides a procedure, peculiar to recall petitions, governing the examination of recall petitions and the determination of the number of signatures affixed to a recall petition involving state and local officers Furthermore, existing law does not authorize the county clerk or registrar of voters who is required to verify signatures to utilize a random sampling technique for purposes of determining whether all of the signatures affixed to a recall petition must subsequently be verified

This bill would provide that recall petitions involving local officers may be examined, under specified conditions, by using random sampling techniques

Ch 819 (AB 510) Fenton. Property

Existing law declares unlawful various methods of competition and unfair or deceptive acts or practices in the sale or lease of goods or services to consumers, and regulates home solicitation contracts

This bill would add to the list of such unlawful acts or practices the insertion of an unconscionable provision in the contract and would authorize a court to refuse to enforce such a contract, or the unconscionable clause, or to limit the application of an unconscionable clause so as to avoid any unconscionable result if the court finds as a matter of law that the contract or clause was unconscionable when made

This bill would declare the intent of the Legislature relating to specified rights of consumers and homeowners.

The bill would prohibit a financial institution from entering into a contract which provides for a reassignment, as defined

Existing law requires that, as a condition to the exercise of a power of sale contained in any mortgage, after the lapse of 3 months following a notice of default, a notice of sale shall be given by posting in a public place and on the property and by publication, as specified

This bill would impose additional publication and notification requirements before the sale of real property containing a single-family, owner-occupied residence wherein the obligation secured thereby arose as a result of a contract for goods or services subject to the Unruh Act

Existing law provides procedures requisite to the conduct of sales under the power of sale contained in a deed of trust or mortgage, including place, time, and bidding.

This bill would provide that any conveyance of title to real property subject to the bill which occurs within 45 days after the recordation of notice of default is voidable It would also require sales of such property pursuant to a power of sale to be held in the county where the property is located The trustee would be authorized to receive offers prior to the sale, which could be accepted jointly by the trustor or mortgagor and the beneficiary or mortgagee.

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason

The bill would take effect immediately as an urgency statute

This bill would also incorporate additional changes in Section 2924f of the Civil Code proposed by SB 1126, to be effective only if this bill and SB 1126 are both chaptered and this bill is chaptered last

Ch 820 (AB 219) Greene Schools community colleges medical examinations

Under existing law, a person is required to submit a specified medical certificate in order to be initially employed in a position requiring certification qualifications. The examination upon which the certificate is based is at the expense of such applicant. Public school employers are authorized to require certificated employees to undergo periodic medical examinations, however, the employer bears the expense of the exami-

nation

Present law also requires a retirant under the State Teachers' Retirement System to pass a specified medical examination within the immediately preceding 12-month period each time employment with a school district or other employing agency is sought The retirant bears the expense of each medical examination A specified certificate is conclusive evidence of the retirant's passing such examination

This bill would require a person seeking initial employment as a retirant with a school district, community college district, or county superintendent of schools to have a physician submit the specified medical certificate and to have undergone a medical examination within 6 months of the submission of such certificate In addition, this bill would authorize the school district, community college district, or county superintendent of schools which initially employed, or subsequently employs, the retirant to require subsequent medical examinations at the expense of such district or county superintendent. Furthermore, this bill would require the State Board of Education and the Board of Governors of the California Community Colleges to promulgate rules and regulations to implement the provisions relating to medical examinations for retirants seeking employment in a school district or with a county superintendent of schools or in a community college district, respectively

Ch 821 (SB 721) Holmdahl Heavy-specialized equipment

Existing law provides for the regulation of highway permit carriers by the Public Utilities Commission but does not make provision for the separate regulation of persons or corporations engaged in the transportation for compensation over any public highway of commodities, the transportation or handling of which because of width, length, height, weight, shape, or size requires special authority from a governmental entity regulating the use of highways, roads, or streets, in any motor vehicle or combination of vehicles

This bill would create and define such a class of permit carriers designated heavy-specialized carriers and require a permit from the commission to operate as such It would establish qualifications and method of application, with special provision for those in operation as such carriers on January 1, 1980, who apply before July 1, 1980 It would specify fees for such permits which, under other provisions of law, would be deposited in the Transportation Rate Fund and be continuously appropriated to the commission.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code provide that the state shall reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, but not for the creation of a new crime or infraction, for making claims to the State Board of Control for reimbursement

This bill, which would create a new crime, provides that there shall be no appropriation pursuant to Section 2231 or 2234, but that the Department of Finance shall make its review

Ch 822 (SB 407) Marks Municipal Courts San Francisco

Existing law sets forth the number, classification and compensation of officers and employees of the municipal and superior courts in San Francisco

This bill would revise the number, classification and compensation of officers and employees of the municipal and superior courts in San Francisco

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 823 (AB 284) Thurman Municipal courts Stanislaus, Merced, and San Joaquin Counties

Existing law sets forth the salaries, number, and classification of the officers and employees of the municipal court in Stanislaus, Merced, and San Joaquin Counties.

This bill would revise the salaries, number, and classification of specified officers and employees of the municipal court in Stanislaus, Merced, and San Joaquin Counties

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

This bill would provide that there shall be no appropriation pursuant to Section 2231 or 2234, because the bill is in accordance with the request of a local governmental entity or entities It would not prohibit local agencies and school districts from following their other available remedies to seek reimbursement for these costs

Ch. 824 (SB 2) Greene Land surveyors.

Existing law exempts registered civil engineers and civil engineers exempt from registration from licensing requirements of the Land Surveyors' Act, and permits them to engage in the practice of land surveying with the same rights and privileges, and duties and responsibilities, as a licensed land surveyor

This bill would require any civil engineer registered as such after January 1, 1982, pass the examination for a land surveyor before practicing land surveying, as defined

Existing law specifies the qualifications and experience necessary for qualifying to take the second division examination in land surveying, including, among other things, graduation from an approved 4-year curriculum in land surveying or 6 years' actual experience in land surveying, as specified

This bill would also authorize a registered civil engineer to be qualified for such second division examination

Existing law provides that all money collected pursuant to the Land Surveyors' Act is to be deposited in the Professional Engineers' Fund and is available for carrying out purposes of this act

The fees provided by this act will create an increase of money in the fund available for expenditure

Ch 825 (SB 415) Campbell Special education· nonpublic schools.

(1) Under existing law, a school district may contract with a private school to provide special education and related services specified in a pupil's individualized education program.

This bill would require school districts to (1) pay claims for such services within 45 calendar days, or (2) notify the private school of the reason why payment will not be made This bill would also provide that if a school district fails to do either (1) or (2), the private school may require the school district to pay an additional amount as specified

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

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

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

Ch 826 (AB 1434) Hughes 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 members from 15 to 17

This bill would delete the provision that one of the 5 members who is a certificated employee in a public school hold a services credential with a specialization in administrative services and would provide, instead, that such member be employed under the

specified services credential This bill would also delete the provision that one of the members hold any permit or credential, other than the teaching credential or administrative services credential, and would provide, instead, that one of the 5 members who is a certificated employee hold, in addition, a credential other than a teaching credential or administrative credential

This bill would increase the number of public members from 6 to 7 This bill would specify that no more than 4 of the 7 members shall have ever in the past been employed in a certificated, administrative, faculty, or professional position, in a postsecondary educational institution and would provide that no person who, among other things, has been or is presently employed in a certificated, administrative, faculty or professional position, as prescribed, within the 5 years next preceding the date of appointment shall be appointed as a public member. This bill would also increase the number of faculty members from 1 to 3 and would require that one such member be engaged in teacher education.

(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 specify that no person who, among other things, has been a member of any governing board or county board of education within the immediately preceding 5 years, as specified, shall be appointed as a public member

(3) Existing law provides for certain nonvoting ex officio members for the commission

This bill would specify that such ex officio members shall not vote in proceedings of the commission nor in any committees or subcommittees thereof, except it would allow the commission, by a majority vote, to permit ex officio members to vote in committees or subcommittees in order to establish a quorum otherwise determined by a majority vote of the commission

Ch. 827 (AB 1611) Frazee. 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 municipal and justice courts to either authorize specified issuing agencies to process the posting of bail for specified parking violations, in which case such agency could retain the forfeited bail collected, or process the posting of bail for such violations themselves.

The bill would also revise the schedule of percentages of fines applicable to Sonoma County and cities therein

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

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

The bill would take effect immediately as an urgency statute.

Ch 828 (AB 624) Chacon Workers' compensation

Existing law permits employees, employers, and other interested parties to consult with, or seek the advice of, an information and assistance officer within the Division of Industrial Accidents. The information and assistance officer is required to consider the contentions of the parties and may refer the matter for review and recommendations, if no application for workers' compensation benefits is filed

This bill would instead provide that the information and assistance officer consider such contentions and make such referrals if no application is filed, if the employee is not represented, or upon agreement of the parties

Existing law requires the Workers' Compensation Appeals Board, upon the filing of an application for workers' compensation benefits, to serve a copy thereof upon all adverse parties

This bill would instead require the appeals board to serve such copies if the applicant is unrepresented. If the applicant is represented by an attorney or other representative, the appeals board would be required to serve a conformed copy of the application upon the applicant's attorney or representative, and the applicant's attorney or representative would be required to serve a copy of the conformed application upon all other parties to the claim

Ch 829 (AB 1352) Nolan Long-term health care facilities inspections

The Long-Term Care, Health, Safety, and Security Act of 1973 presently requires the State Department of Health Services to make at least 2 general inspections annually of each facility subject to that act, and also requires such additional inspections as may be necessary

This bill would, instead, require the department to conduct at least one licensure inspection annually of each facility subject to that act, and such additional inspections as may be necessary to rectify problems identified in prior inspections

Ch 830 (SB 120) Greene Schools· certificated employees emergency credentials

(1) Existing law authorizes the use of emergency credentials in accordance with the regulations of the Commission for Teacher Preparation and Licensing

This bill would prohibit any school in any school district with average daily attendance in excess of 400,000 from having a certificated teaching staff, excluding specified substitutes, of whom more than 5% have only an emergency credential This limitation would not include emergency credentials established for the purposes of special education or bilingual education

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

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

Ch 831 (AB 1276) Thurman Vehicles.

(1) Existing law authorizes designated peace officers to remove unattended vehicles from the public roadway under certain conditions. Specified peace officers having reasonable cause to believe that a vehicle has been involved in an accident and the driver has failed to render assistance, are authorized to remove the vehicle from the highway for inspection

This bill would extend the authority to remove vehicles under these conditions to a qualified person deputized or appointed as a reserve deputy sheriff or a city policeman and to a member of the California State Police

(2) Certain officers are authorized to remove a vehicle from public or private property if the officer has reason to believe the vehicle has been abandoned

The bill would extend this authority to deputized or appointed reserve deputy sheriffs or city policemen

(3) Any person contracting with the Department of the California Highway Patrol to remove abandoned vehicles is permitted to remove a vehicle from a highway or storage facility after a determination by a member of the California Highway Patrol, an employee of the sheriff's office, as specified, or a police office that the vehicle is abandoned

This bill would authorize a qualified person deputized as a deputy sheriff or city policeman to make a determination that a vehicle is abandoned

(4) The bill would incorporate changes in Section 22655 of the Vehicle Code proposed by SB 173 and SB 380 to be effective only if SB 173 or SB 380, or both, and this bill are chaptered and become effective on January 1, 1980, and this bill is chaptered last

(5) The bill would incorporate changes in Sections 22651, 22656, and 22702 of the Vehicle Code proposed by SB 173 to be effective only if SB 173 and this bill are chaptered and become effective on January 1, 1980, and this bill is chaptered last

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

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

Ch 832 (AB 657) Imbrecht Minors' consent to mental health treatment

(1) Existing law permits a minor who has become emancipated (by marriage, service in the armed forces, or by virtue of being 15 years of age or older, living separate and apart from his or her parents or legal guardian, and managing his or her own financial affairs) to consent to mental health treatment Parental consent or consent of a minor's legal guardian is required before such treatment is administered to minors not within these classes Existing law also authorizes a minor to consent to counseling services with regard to a drug or alcohol related problem.

This bill would enable a minor who has attained the age of 12, as well as designated maturity and intellectual levels, to consent to mental health treatment or counseling on an outpatient basis, as defined, without the consent of a parent of guardian

(2) Under existing law a patient has a privilege to refuse to disclose and to prevent another from disclosing a confidential communication between the patient and his psychotherapist under designated circumstances

This bill would provide that as to situations where a minor is authorized to consent to mental health treatment or counseling under the provision to be added to the law described above, the professional person rendering such mental health treatment or counseling has the psychotherapist-patient privilege

Ch 833 (AB 77) Lockyer Tax preparers

Existing law defines a tax preparer for purposes of the Tax Preparer's Act as any person, or an employee, representative, partner, or officer of a tax preparer, who prepares tax returns for others The law provides that a franchisee is a separate tax preparer for such purposes. The law does not define a representative or franchisee for such purposes However, regulations of the Division of Consumer Affairs do define a representative and franchisee

This bill would revise the definitions of a representative and a franchisee for purposes of such act

Existing law specifies grounds for the denial, suspension, or revocation of the registration of a tax preparer, including, among other things, (1) the failure to maintain tax returns for the applicable statutes of limitation periods, (2) the failure to promptly report specified changes relating to the tax preparer's name, address, and business location, and (3) the failure to post proof of valid registration in each place of business

This bill would revise such grounds by requiring (1) the maintenance of tax returns for 4 years; (2) the notification of changes in name, address, and location within 60 days, and (3) the posting of the certificate of registration in the tax preparer's place of business. This bill would, in addition, add the following grounds for denial, suspension or revocation of a tax preparer's registration (1) gross negligence, (2) willful misrepresentation of any material fact in an application for registration or renewal, and (3) the failure to return any records or data supplied by the client upon the demand of the client and after payment for services rendered

Under the existing law a tax preparer is required to provide security for the payment of damages caused by the tax preparer, its agents, or employees

This bill would require the tax preparer to also provide security for the payment of damages caused by its representatives.

Ch 834 (AB 818) W Brown San Francisco bar pilots

(1) Existing law prescribes pilotage rates for the Bays of San Francisco, San Pablo, and Suisun Such rates include a charge of 14 75 mills per high gross registered ton Pilots are required to pay to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, for its services and expenses, 5% of pilotage fees The amount of such

fees, however, is computed exclusive of certain increases in pilotage rates made by Chapter 814 of the Statutes of 1975, Chapter 1409 of the Statutes of 1976, and Chapter 393 of the Statutes of 1978

This bill would increase such charge to 15.75 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

(2) Existing law establishes a San Francisco bar pilot pension plan and requires an additional charge to be levied for pilotage services in the Bays of San Francisco, San Pablo, and Suisun to finance the plan, but limits the total amount which may be collected and paid out yearly under such plan to $200,000.

This bill would increase the maximum amount which may be collected and paid out yearly to $300,000

Ch. 835 (AB 1350) Frazee. Courts: personnel.

Existing law authorizes cities and counties to establish deferred compensation plans for their officers and employees.

This bill would authorize a county or city and county which pays the salaries of superior and municipal court judges and the officers and attachés of such courts, in whole or in part, to contract with such judges, officers, and attachés for their participation in such a plan.

Existing law specifies the number, compensation, and classification of municipal court personnel in San Diego County

This bill would revise the number, compensation, and classification of municipal court personnel in San Diego County

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

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

Ch 836 (AB 1367) Bosco. Municipal courts. Humboldt County.

Existing law specifies the compensation of various municipal court personnel in the Eureka Judicial District in Humboldt County.

This bill would revise the compensation of various municipal court personnel in the Eureka Judicial District in Humboldt County

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

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

Ch 837 (AB 726) Rosenthal Vocational nurses.

Existing law specifies the various acts which constitute unprofessional conduct for purposes of suspension or revocation of the license of a licensed vocational nurse, which acts include, among others, the use of any narcotic or dangerous drug, as defined, and the conviction of any criminal offense relating to the prescription, consumption, or self-administration of any narcotic or dangerous drug, as defined

This bill would include [as unprofessional conduct]* the possession of any narcotic or dangerous drug and the falsifying or making of grossly incorrect, inconsistent or unintelligible entries in any record, as specified, pertaining to any such narcotics or dangerous drugs.

Existing law permits the Board of Vocational Nurse and Psychiatric Technician Examiners to grant or deny licensees petitions for reinstatement to practice.

This bill would additionally specify that the board may impose various specified terms and conditions with respect to a reinstatement or reduction of penalty petition by a

person whose license has been suspended or revoked

Ch 838 (AB 1547) Vasconcellos Community Colleges Community College Construction Act

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, and authorizes capital outlay for defined projects.

This bill would include as a "project" within the Community College Construction Act of 1967, capital outlay projects for the reconstruction or remodeling of a facility leased by a community college district from another public agency necessary for use as a classroom, library, or laboratory, provided the community college district receives sufficient interest or title in the leased facilities, as specified, or provided the term of the lease equals or exceeds the period necessary to completely amortize the remodeling or reconstruction costs.

This bill would take effect immediately as an urgency statute

Ch 839 (AB 980) Knox. Pollution control financing

Existing law (the California Pollution Control Financing Act) creates the California Pollution Control Financing Authority, specifies its organization and functions, and authorizes the authority to issue bonds, subject to specified limitations and requirements, for the purpose of providing industry with an alternative method of financing pollution control facilities

This bill would remove all statutory limitations on the amount of bonds which may be issued under the act, would revise the powers and duties of the authority, and would also revise the membership of the authority

This bill would also incorporate additional changes in Section 44546 of the Health and Safety Code proposed by AB 167, to become operative only if AB 167 and this bill are both chaptered and this bill is chaptered last

The bill would go into immediate effect as an urgency statute

Ch 840 (AB 989) Kapiloff Public resources· coastal accessways

(1) Existing law states that it is the intent of the Legislature to vest authority in the Department of Parks and Recreation to implement a system of public accessways to and along the state's coastline The department is required to develop and adopt standards to guide public agencies in acquiring and developing public access to coastal resources The State Coastal Conservancy is authorized to award grants to the department and local agencies for acquisition and initial development for public accessways to the coast

This bill would remove this authority from the Department of Parks and Recreation and would provide that the State Coastal Conservancy shall have a principal role in implementing a system of public accessways to and along the coast, and would allow the conservancy to make grants to any public agency authorized to acquire, develop, and operate public coastal accessways It would direct the California Coastal Commission to prepare a public coastal access program including an inventory of existing and proposed accessways and offers of dedication of property for such purpose and maps thereof It would direct the commission to make recommendations to guide other public agencies in the identification, development, and management of public coastal accessways and to identify those agencies deemed suitable to control specific accessways for which no agency has accepted such responsibility and, together with the conservancy, assist such agencies in accepting such management responsibilities It would direct the commission and the conservancy to report annually to the Governor and Legislature on progress in the implementation of these provisions

(2) The bill would appropriate $63,000 to the commission for expenditure for purposes of this bill during the 1979–80 fiscal year

Ch 841 (SB 956) Campbell Schools bonds Walnut Valley Unified School District

(1) Under existing law, a unified school district may not issue bonds exceeding 10% of, and an elementary school district may not issue bonds exceeding 5% of, the taxable property of the district as shown by the equalized assessment of the county or counties

in which the district is located.

This bill would authorize, notwithstanding such limitation, the Walnut Valley Unified School District to issue bonds authorized by the voters of that district in an election held on March 7, 1978 This bill would also authorize, notwithstanding such limitation, the Central Elementary School District to issue bonds authorized by the voters of that district in an election held on March 8, 1977, and the Alta Loma Elementary School District to issue bonds authorized by the voters of that district in an election held on March 7, 1978

(2) 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.

Ch. 842 (SB 935) Russell. Public employees entry standards

Existing law prescribes a maximum age of 35 for eligibility for an open examination for certain entry positions in the Department of Corrections

This bill would declare that it is the Legislature's intent to revise entry limitations applicable to custodial positions in the department by establishing appropriate physical examinations and entry standards and would appropriate $50,000 to the State Personnel Board to develop and validate such examinations and standards during the 1979–80 fiscal year

The bill would take effect immediately as an urgency statute.

Ch 843 (AB 678) M Waters Forms of pleadings.

Existing law specifies the substantive contents which must be included within a complaint, cross-complaint, or answer in civil actions, but does not specify the precise form to be used in the preparation of such pleadings, although various rules of practice and procedures adopted by the Judicial Council prescribe numerous requirements as to the form of documents, including pleadings, offered for filing in a court

This bill would require the Judicial Council to develop and approve official forms for complaints, cross-complaints, and answers in actions involving personal injury, wrongful death, breach of contract, or fraud after consultation, as specified The use of the forms would be optional from July 1, 1981, to and including December 31, 1982, and mandatory thereafter The clerk would be required to accept a pleading on an unapproved form but a pleading on an approved form subsequently would be required by the court

The bill would appropriate $49,668 to the Judicial Council

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

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

Ch 844 (SB 752) Keene Recreational trails heritage corridors

Under the California Recreational Trails Act, the Director of Parks and Recreation is required to prepare and continuously maintain the California Recreational Trails System Plan Such plan is required to contain, among other things, an element providing for trails and areas suitable for use by physically handicapped persons

This bill would require such element to include trails and areas for the elderly and others in need of graduated trails, and would provide for heritage corridors, as specified

The bill would appropriate $20,000 from the California Environmental Protection Program Fund to the Department of Parks and Recreation for expenditure without regard to fiscal years for the development and printing of the map and interpretive guide for the Great Overland Road Heritage Corridor and other costs of administering such act

The bill would also make related conforming changes.

Ch 845 (SB 887) Russell 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 Verdugo Mountains and San Rafael Hills for the state park system and evaluation of the acquisition and development of access corridors to and between other parklands in the vicinity

This bill would appropriate $35,000 to the department for such a study

Ch 846 (SB 426) Schmitz Tide and submerged lands grant City of Oceanside

(1) Existing law grants specified tide and submerged lands to the City of Oceanside in trust for the development of commerce, navigation, and fisheries.

This bill would repeal the earlier grant and would grant specified tide and submerged lands, subject to specified conditions, to the City of Oceanside in trust for the development of navigation, commerce, fisheries, and for other public purposes including preservation of the lands in their natural state for scientific study, open space, or wildlife habitat, and recreational uses. The bill would require, among other things, that the trustee submit a report of its utilization of granted tidelands every 5 years to the State Lands Commission, and that the trustee shall each year file with the commission a detailed statement of revenue from the administration of the lands and the expenditure thereof The bill would also require the commission to institute, from time to time, a formal inquiry to determine if the terms and conditions of the grant are being complied with

The bill would authorize the trustee to establish the ordinary high-water mark or the ordinary low-water mark of any of the granted lands by agreement, arbitration, or action to quiet title The bill would provide that establishment by agreement or arbitration shall not be effective until approved by the commission

The bill would authorize the trustee to exchange granted lands, under specified conditions, if the commission finds that the lands to be acquired are of equal or greater value than the lands for which they are to be exchanged and the commission approves the exchange. The bill would allow the recipient of the lands exchanged by the trustee to improve, fill, and reclaim such lands and would provide, upon adoption of a resolution of the commission making specified findings, that such lands shall thereupon be free from the public trust

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

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

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

Ch 847 (SB 192) Wilson Trout conservation and management planning catch and release fisheries

(1) Existing law does not specifically declare state policy regarding trout conservation and management

This bill would declare that it is the policy of the state to establish and maintain wild trout stocks in specified waters and to establish angling regulations to maintain wild trout fisheries by natural reproduction It would require that the Department of Fish and Game make an inventory of trout waters to determine suitable angling regulations, giving priority, as specified, and to develop fishery management plans, as specified

The bill would also declare that the specified activities and programs shall be funded from existing Department of Fish and Game budgetary resources

(2) Existing law does not specifically establish a program to develop catch and release fisheries in the streams and lakes containing trout

This bill would express the intent of the Legislature that the Fish and Game Commission establish such a program and would require that the Department of Fish and Game, beginning in 1980, establish a program to determine the viability of catch and release regulations for trout streams and lakes and annually prepare a list of streams suitable as catch and release fisheries, as specified It would allow the commission to remove and replace waters designated as catch and release fisheries, would require the commission to annually submit a report to the Legislature on such program, as specified, and would

require the Legislature to review the program in 1986

Ch 848 (SB 74) Foran Public social services appropriations

Under existing law, the state assumes the county obligation to pay specified shares of the costs of various public social service programs for the 1978–79 fiscal year Existing law appropriated various sums to pay for the respective county shares of cost

The bill would expressly provide that no obligation for payment may be imposed on a county for the 1978–79 fiscal year for the county shares of costs of the State Supplementary Program for the Aged, Blind and Disabled and the Medi-Cal program

Existing law authorizes the Governor to make financial grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster which cannot otherwise adequately be met from other means of assistance Such grants may be funded up to 75% by federal funds

This bill would appropriate $1,926,000 to the State Department of Social Services for such grants for victims of the storm of 1978, the fire of 1978, and the Laguna landslide of 1978 which were declared major disasters by the President of the United States

This bill would take effect immediately as an urgency statute

Ch. 849 (AB 1324) Nolan. Crimes.

Existing law provides that each city, county, or state agency coming into possession of a controlled substance pursuant to laws permitting seizure of such substances by peace officers is required to make specified reports to the Attorney General This provision will be repealed January 1, 1980

This bill would extend that date to January 1, 1981

Existing law requires that of funds collected by municipal and justice courts from fines, forfeitures, and other sources and deposited with a county treasurer, $25 for each conviction relating to reckless driving or driving a vehicle under the influence of alcohol or drugs shall be deposited in a special account for the costs of performing analysis of blood, breath, or urine for alcohol content or the presence of controlled substances This provision of law will be repealed July 1, 1980

This bill would extend that date to July 1, 1981

Existing law provides that specified public agencies and research bodies shall be provided with such aggregated criminal offender record information as is required for the performance of their duties or research projects providing all material identifying individuals has been removed

This bill would permit rather than require the furnishing of criminal offender record information to such agencies and bodies and, instead of requiring such removal of identifying information, would permit such use of such information provided that all material identifying individuals is not transferred, revealed or used for other than research or statistical activities and that reports or publications derived from such information do not identify specific individuals

Existing law generally does not provide for access to local summary criminal history information to the person who is the subject of the record

This bill would establish a procedure for obtaining access to and correcting inaccuracies in such records

This bill would make it a misdemeanor to require an employee or prospective employee to obtain a copy of such a record or of a notification that such a record exists

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

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

Ch 850 (AB 425) Thurman Courts

Under the California Constitution, the Judicial Council adopts rules for court administration, practice and procedure, not inconsistent with statute

This bill would require the Judicial Council to adopt specified forms and rules of court

for litigants proceeding in forma pauperis.

Ch 851 (AB 1433) Rosenthal Access to health facilities

(1) Under existing law, any person may request an inspection of a community care facility by giving notice to the State Department of Social Services of an alleged violation of state law Under existing law, the department is required to provide the licensee of such facility with the substance of the complaint and is required to review such complaint, as specified

This bill would add to the violations of state law for which a complaint may be alleged the denial of certain persons access to such facility, as specified

(2) Under existing law, the Department of Aging is required to perform certain duties

This bill would add to such duties that the department, upon receiving certain complaints made by or on the behalf of a patient or resident of a long-term care facility or residential facility, as defined, notify the appropriate licensing agency of such complaint, as specified

(3) Under existing law, there is no express provision which requires a long-term care facility or residential facility to allow access of the Ombudsman of the Department of Aging, the ombudsman coordinators of the department, or persons acting in the capacity of regional ombudsmen on behalf of approved organizations, as specified, to such a facility for purpose of hearing, investigating, and resolving complaints of, and rendering advice to, elderly individuals who are patients or residents of such facilities

This bill would make such a requirement

Ch 852 (AB 419) Chappie Validations.

This bill would enact the Second Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities.

It would also specifically provide the method by which the amount of property tax to be allocated to certain of such public bodies is to be determined

This bill would take effect immediately as an urgency statute

Ch 853 (SB 1002) Keene Medi-Cal provider suspension

Existing law provides that the State Director of Health Services may suspend any Medi-Cal provider of service from further participation in the Medi-Cal program in order to protect the health of Medi-Cal recipients and Medi-Cal funds and when the provider violates any state statute or regulation governing the program.

This bill provides that the director may also, upon considering surrounding circumstances, suspend a provider for the conviction of any crime involving fraud, abuse of the program or any patient, or otherwise substantially related to the qualifications, functions, or duties of a provider The record of conviction would be conclusive evidence only of the fact that the conviction occurred For such purposes, a guilty plea or guilty verdict or a conviction following a plea of nolo contendere would be deemed a conviction The suspension could be ordered when the time for appeal has elapsed, or when the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of the sentence

Ch 854 (SB 773) Holmdahl Land use planning housing costs

Under existing law, the Office of Planning and Research is established in the Governor's office to perform various functions regarding statewide land use planning and environmental goals

This bill would require the Office of Planning and Research, by January 1, 1981, to complete a housing cost manual which may be used by local agencies in assessing the impact on housing costs of alternative land use proposals and land use regulatory programs of local agencies and as an aid in evaluating private land use proposals. The bill would require various matters to be included in the manual

Ch 855 (SB 595) Foran Workers' compensation

Existing law requires the Workers' Compensation Appeals Board to determine, prior to issuing an award or approving a compromise, whether any benefits have been paid or services provided by a group disability policy, among others, and to provide in its

award or approval for the reimbursement, in a specified manner, for benefits paid or services provided by the insurer

This bill would include a group loss of income policy as a disability policy for such purposes and would allow a lien as living expense for benefits paid by a group disability policy providing loss of time benefits for the same day or days for which temporary disability indemnity is awarded, not to exceed the award for temporary disability indemnity, where a group disability policy provides for reduction, exclusion, or coordination of loss of time benefits on account of workers' compensation benefits

Ch 856 (SB 943) Vuich Bees

Under existing law, bees imported into California must be accompanied by a valid certificate, except as specified, and are subject to inspection in this state by an apiary inspector The law provides that funds collected from annual apiary assessments may be used for specified purposes

This bill would allow such funds to be used for research related to the bee industry that is recommended by the California Apiary Board and approved by the Director of Food and Agriculture It would also provide that any load, lot, or shipment of bees, comb, used hives, or used appliances entering California and having more than 2% American foulbrood disease shall be removed from the state and returned to the shipper

Existing law provides that it is unlawful for any person to import into the state any bees on comb or specified related items unless each shipment is accompanied by a valid certificate, as specified

The bill would provide that in lieu of existing certificate requirements the necessary certificate may be a California certificate of inspection, as specified

Ch 857 (SB 990) Vuich Vocational education

(1) Under existing law, the California Advisory Council on Vocational Education provides specified services to the State Board of Education, the Board of Governors of the California Community Colleges, the California Postsecondary Education Commission, and the Comprehensive Employment and Training Advisory Council

This bill would require the California Advisory Council on Vocational Education to provide similar services to the Legislature

(2) Current law authorizes the State Board of Education to execute provisions of federal law applicable to the state which relate to vocational education

This bill would require the State Board of Education to submit any state plan for vocational education, required by specified federal legislation, to the Legislative Analyst and would require the Legislative Analyst to review and report thereon to the Legislature prior to the submission of such plan to certain federal agencies or officials thereof

Ch 858 (SB 66) Cusanovich Computer crime

Existing law relative to crimes involving fraud, or unauthorized access to, or damage or destruction of, property does not contain any specific provision relative to computers

This bill would make it a crime, as specified, to intentionally access or cause to be accessed any computer system, or computer network for the purpose of (1) devising or executing any scheme or artifice to defraud or extort or (2) obtaining money, property or services with false or fraudulent intent, representations, or promises, or to maliciously access, alter, delete, damage, or destroy any computer system, computer network, computer program, or data

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

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

Ch 859 (AB 1415) Rosenthal Medi-Cal claims exceeding $500—required receipts to beneficiaries

An existing statute required the adoption by July 1, 1977, by the then Department of

Health (now the State Department of Health Services) of regulations establishing for Medi-Cal a proof of eligibility procedure which provides beneficiaries, providers, and the department with various documentation, as specified

This bill would repeal that statute and would, instead, require providers, except skilled nursing facilities and intermediate care facilities, whenever the Medi-Cal claim exceeds $500 and the beneficiary has given the provider proof of eligibility, to issue to the beneficiary a specified receipt whose form and content must be determined by the provider, as specified

Ch 860 (AB 1421) Alatorre Youth Authority

Under existing law the person appointed by the Governor as Director of the Department of the Youth Authority also serves as chairman of the 8-member Youth Authority Board Such person is the appointing power for civil service positions in the board and in the department

This bill would abolish the Youth Authority Board and instead establish a Youthful Offender Parole Board composed of 7 members appointed by the Governor, which would succeed to the powers and duties of the Youth Authority Board, as specified The chairman of the board would be the appointing power for all civil service positions in the board The Director of the Department of the Youth Authority would not be a member of the board

It would also make additional changes in Section 1776, Welfare and Institutions Code contingent upon the enactment and prior chaptering of AB 1088

Ch. 861 (AB 1633) Knox. Corporations.

The Corporate Securities Law of 1968 exempts from the necessity of qualifying thereunder various types of interests and securities

This bill would additionally exempt securities issued by certain cooperative corporations

This bill would also incorporate additional changes in Section 25100 of the Corporations Code proposed by SB 181 and AB 372 to be effective only if either or both bills are chaptered and this bill is chaptered last

Ch 862 (AB 1653) Chappie Fire protection· water charges

Existing law does not restrict the manner in which a private water corporation may fix or collect charges to pay the costs of installing and maintaining fire hydrants. Existing law authorizes any public water agency providing water for fire protection purposes to fix and collect a charge on land to pay the costs of installing and maintaining fire hydrants but not to impose such charge on a public agency providing fire protection services except pursuant to written agreement Existing law does not prohibit water suppliers from charging fire protection entities for water services

This bill would authorize any public agency providing water for fire protection purposes to fix and collect a charge on land to pay the costs of fire protection services for operation, installation, maintenance, repair, alteration, or replacement of facilities and equipment

This bill would also prohibit public water agencies, and water corporations subject to the jurisdiction of the Public Utilities Commission from charging entities providing fire protection services, as defined, to others for supplying water services or facilities for such fire protection purposes except pursuant to written agreement The bill provides that such prohibition does not limit or restrict the imposition of such charges on other persons or entities

Ch 863 (SB 886) Carpenter Mobilehomes sales tax

(1) Existing California Sales and Use Tax Law imposes a state tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from tax. The law defines "sales price" and "gross receipts" for purposes of measuring the taxes

This bill would exclude the value of certain items from "sales price" and "gross receipts" for purposes of the state and local sales and use taxes on the sale or use of used mobilehomes

(2) Pursuant to administrative interpretations of the State Board of Equalization, the portion of sales tax paid on a mobilehome which is not attributable to the value of the

mobilehome as personal property is refundable

Existing law does not require the purchaser to be notified of the potential refund and does not require that the refund be made directly to the purchaser

This bill would require the Department of Motor Vehicles to notify persons who have purchased used mobilehomes through a dealer, as prescribed, that they may be entitled to a refund of the use tax paid on that portion of the purchase price attributable to items which are not part of the mobilehome as a vehicle The bill would also specify that the State Board of Equalization, upon proof that use tax has been paid on items which are not part of the mobilehome as a vehicle, would be required to refund the overpayment to the purchaser

(3) Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions

This bill would provide that notwithstanding Section 2230, there shall be no appropriation made by this act, for specified reasons

Ch 864 (AB 823) Harris Contractor's licenses

Existing law requires any person engaged in the business or acting in the capacity of a contractor to be licensed pursuant to specified provisions

This bill would, in addition, provide that any person not holding a valid state contractor's license who employs any worker to perform services for which such a license is required, would be subject to a civil penalty of $100 per employee for each day of such employment

This bill would also permit the Labor Commissioner to issue citations and assess the civil penalties on such persons, and would specify procedures for a hearing regarding such citations before the Labor Commissioner

Ch 865 (AB 913) Bergeson Controlled substances· destruction

(1) Existing law authorizes the person in charge of a publicly operated criminalistic laboratory, at any time after receipt of a suspected controlled substance for analysis, to destroy without a court order any amount of the suspected controlled substance which exceeds 10 pounds in gross weight, after prescribed requirements are satisfied

This bill would impose specified requirements regarding the destruction of a suspected controlled substance seized by a law enforcement agency where the suspected controlled substance exceeds 10 pounds gross weight

(2) Former law, which was repealed July 1, 1979, established the Advisory Council on Drug Abuse, which performed specified functions regarding state drug abuse enforcement, prevention, and treatment policies.

This bill would create an Advisory Council on Drug Abuse to perform the same functions as the former advisory council. The advisory council would be abolished on July 1, 1981

This bill would also encourage the California Council on Criminal Justice to make federal funds available for the advisory council and, contingent upon such funding, would authorize the advisory council to appoint an executive officer exempt from civil service and to employ additional staff as approved by the Director of Finance.

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

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

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

Ch 866 (SB 793) Russell State civil service· enforcement of State Personnel Board actions

Currently, orders and decisions of the State Personnel Board under its constitutional authority or authority provided under the State Civil Service Act are binding upon appointing powers and employees

This bill would specify that such orders and decisions are binding on personnel officers of appointing powers and shall have binding effect regardless of whether an appointing power agrees or disagrees with a decision or order of the board

This bill would require orders and decisions of the State Personnel Board, other than orders or decisions of the board itself, to be reviewed by the executive officer of the board or an employee designated by the executive officer

Ch 867 (SB 777) Keene Hospitals regulations

Existing law has no provision authorizing the State Director of Health Services to waive the provisions of regulations pertaining to the provision of hospital services in a hospital operated by a county or under contract to a county for certain counties

This bill would authorize the director to make such a waiver upon a request by a board of supervisors of an affected county and after a public hearing, as specified It would require such a waiver to be consistent with applicable federal laws or regulations It would require the director to make a finding that the waiver would not affect adversely the health and safety of persons in such county

This bill would specify that its provisions shall be in addition to, and shall not supersede or limit, any other provision of law authorizing the waiver by the State Department of Health Services of requirements contained in regulations adopted by such department relating to health facilities

Ch 868 (SB 751) Keene Coastal zone local coastal programs coastal access guides.

The California Coastal Act of 1976 provides for the preparation of local coastal programs for the areas within the coastal zone, as defined, in conformity with various coastal resources planning and management policies set forth in the act

This bill would appropriate $12,000 from the California Environmental Protection Program Fund to the California Coastal Commission for the purposes of preparing a coastal access guide or guides concurrently with completion of the local coastal programs pursuant to the act The bill would designate various factors and information that such access guide or guides are to contain

Ch 869 (SB 683) Presley Certificated school employees administrators.

Existing law requires the Superintendent of Public Instruction to determine for each current fiscal year for each school district in the state the total number of administrative employees and teachers for purposes of specified staffing ratios, except those serving in positions completely supported by categorical grants and in programs requiring specific teacher administrator ratios, or those serving in positions completely supported by federal funds Existing law provides for the reduction of school apportionments if the maximum ratio of administrative employees to each 100 teachers exceeds a specific number

This bill would exempt from such determination those administrative employees and teachers who serve in positions supported, in part, by specified categorical grants or in positions supported, in part, by federal funds, pursuant to a specified computation

This bill would take effect immediately as an urgency statute

Ch 870 (AB 915) W Brown Salaries, wages, etc payroll deductions; charities

(1) The existing law authorizes the State Board of Control to approve plans for payroll deductions for charitable contributions by state officers and employees to agencies handling the principal combined fund drive in any area

This bill would authorize the State Board of Control, in addition, to allow charitable organizations not affiliated with the principal combined fund drive to receive designated deductions from the principal fund drive

This bill would require the principal combined fund drive to provide to each employee, at the time of the principal fund drive, the State Board of Control list of approved nonaffiliated beneficiaries eligible for designated deductions.

This bill would also require the principal combined fund to provide a designation form for the employees to indicate amounts to be contributed

(2) The California Fair Employment Practice Act generally prohibits discrimination

in employment by any employer regularly employing five or more persons, with specified exceptions

This bill would require the principal combined fund drive agency, any charitable organization which is a member of the principal combined fund drive, and any charitable organization authorized to receive designated deductions on the payroll authorization form of the principal fund drive, to certify under penalty of perjury to the State Board of Control that it is in compliance with the provisions of the Fair Employment Practice Act, as a condition of receiving such designated deductions

Ch 871 (SB 687) Vuich Produce dealers processors of farm products

(1) Under existing law, in any case where an arrest is made, as specified, for a misdemeanor offense, the arresting officer is authorized, instead of taking the person arrested before a magistrate, to follow a specified procedure

This bill would make such provisions also applicable to an offense declared to be an infraction

(2) Existing law defines "consumer-buyer" to mean any person who purchases commercial feed from a manufacturer or distributor for use in feeding animals.

The bill would redefine such term to mean any person not licensed, as specified, who so purchases commercial feed for use in feeding animals

(3) Existing law contains provisions generally governing the conduct of processors of farm products

This bill would revise and recast such provisions to, among other things, substitute "cash buying processor" for "processor without bond", revise limitations on employees of processors to apply only to persons employed as an agent, and revise licensing requirements and the period for filing of complaints against processors with the Director of Food and Agriculture

(4) Existing law also contains provisions generally governing the conduct of produce dealers

This bill would revise and recast such provisions and, in this connection, would make penal provisions applicable to actions of persons against producers applicable to actions against other licensees, revise limitations on employment of agents, and revise licensing requirements and the period for filing of complaints

(5) Under existing law, the Director of Food and Agriculture may make payments from the Farm Products Trust Fund to producers when a processor defaults on payments

This bill would limit such payments to California producers

(6) Under the Marketing Act of 1937, notice of the issuance of an order affecting a marketing order must be posted as specified, and the director is required to mail a copy of the notice to every person directly affected by the terms of the order Similarly, specified provisions relative to posting, publication, and time of taking effect are applicable to a general rule and regulation established as specified, and to specified administrative rules and regulations.

This bill would make such provisions applicable to marketing agreements as well as marketing orders and remove the requirement for publication

(7) The bill would make additional conforming and technical changes in existing law

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

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

Ch 872 (SB 1215) Rains Elections campaigns political solicitations.

Existing law makes it unlawful for any person to use in any part of its own name the name of any political party in connection with the solicitation of funds, unless the use of the political party name is authorized

This bill would impose a similar restriction with respect to the use of a candidate's name or committee's name, and it would require certain disclaimer statements to be

made in connection with unauthorized solicitations and contributions It would constitute a misdemeanor to violate such provisions if a complaint is filed by the affected candidate or committee

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 because of a specified reason

Ch 873 (AB 2) Berman Bail

Existing law authorizes release of criminal defendants on bail, specified full deposits, or their own recognizance

This bill would additionally provide in misdemeanor cases for a deposit of 10% of bail and for the imposition of conditions in connection with bail release, and would provide various criteria and additional or revised procedures for the release of defendants on bail or own recognizance

Existing law provides criminal penalties for failure to appear after own recognizance release but not after bail release (where the bail is subject to forfeiture).

This bill would apply the criminal penalties to any such release of a person charged with a misdemeanor

Existing law provides for an Office of Criminal Justice Planning, the duties of which include rendering assistance to the Legislature in matters relating to criminal justice and delinquency prevention

This bill would require the Office of Criminal Justice Planning, in consultation with the State Bar and the Judicial Council, to prepare and submit on or after January 1, 1984, and prior to December 31, 1985, a report to the Legislature concerning the impact of this bill and other forms of release of criminal defendants.

The bill would require the Judicial Council to prescribe specified forms

The bill would provide that there shall be no appropriation made by this act nor is any obligation for the reimbursement of local agencies created thereby

The bill would become operative January 1, 1981, and remain in effect until December 31, 1985

Ch 874 (AB 1507) Leonard Vehicles violations· notice to correct

Under existing law, in cases involving violation of a registration, license, or mechanical requirement of the Vehicle Code, the arresting officer is authorized to execute a notice containing a promise to correct When a promise to correct is appropriate, but the officer chooses to issue a notice to appear, the notice to appear is required to specify the offense and the charging section The notice to appear is dismissed if the violator presents proof of correction

This bill would specify that, when a notice to appear is issued in circumstances where a promise to correct would be equally appropriate, the notice shall indicate that the charge may be dismissed upon proof of correction or refer to the provisions relating to promises to correct The bill would clarify existing provisions by providing that the court is to dismiss the violation, rather than the notice to appear, when the violator provides proof of correction

The bill would take effect immediately as an urgency statute

Ch. 875 (AB 1656) M Waters Small business development corporations

Currently, in the Business and Transportation Agency there is the Department of Economic and Business Development which includes the Small Business Development Board which is responsible for the California Office of Small Business Development

This bill would change the name of the California Office of Small Business Development to the Office of Small Business Development

This bill would rename the California Job Creation Program Board as the Small Business Development Board and would change the composition of the board's membership

Existing law provides that the purpose of a regional job creation corporation loan

guarantee fund is to guarantee member loans based upon a call of the corporation or member loans directly to borrowers which meet loan criteria and policies of the corporation.

This bill would delete the limitation that the fund's purpose is to guarantee member loans

Existing law provides for the organization of small business development corporations Such corporations are authorized to make or guarantee small business loans.

This bill would require such corporations to designate themselves as either an urban development corporation or a rural development corporation within 30 days after the effective date of this bill It would permit the small business development corporations to decline designation as either an urban development corporation or a rural development corporation, and would make such corporations which decline to become urban development corporations or rural development corporations ineligible to receive state funds

This bill would set forth the powers and duties of the urban development corporations and rural development corporations.

This bill also would declare that the Legislature's intention is to declare existing law by the bill

Under existing law the Executive Director of the Office of Small Business Development is appointed by the California Job Creation Program Board

This bill would provide for the appointment of the executive director by the Governor

Ch 876 (AB 1752) Nolan Business and professions.

Under existing law numerous provisions of law regulating specific businesses and professions contain a definition of a conviction for purposes of such specific provision

This bill would include a definition of conviction in the general provisions of the Business and Professions Code thereby applying such definition to all businesses and professions regulated in such code, except the profession of law which is specifically exempted It would also include such definition in certain specific provisions where it is not currently found

Existing law prohibits denial of a license under such code solely on the basis of conviction of a crime as to persons who have received a certificate of rehabilitation and pardon and have had the accusation dismissed Existing law also requires each licensing board to develop criteria to evaluate rehabilitation

This bill would delete dismissal of the accusation as a requirement for bringing into play the prohibition against denial of a license on the sole basis of conviction of a crime in felony cases, and in misdemeanor cases would substitute the board's criteria instead of the certificate and dismissal

Ch 877 (AB 1722) Bannai Commercial fishing privilege taxes, fish use of nets misdemeanor violation

(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.

This bill would, in addition, require every fisherman who sells fish, mollusks, or crustaceans in any load or lot of 100 pounds or more, taken from the waters of this state or brought into this state in fresh condition to persons not so licensed, to pay such privilege taxes

(2) Existing law prohibits the use of nets to take salmon or shad for commercial purposes in specified waters

This bill would also prohibit the use of such nets to take steelhead, striped bass, and sturgeon

(3) Existing law provides a specified punishment for a violation of the Fish and Game Code which constitutes a misdemeanor and designates an increased penalty for the violation of specified code sections

This bill would add an additional code section regarding the use of nets in the taking of salmon, steelhead, striped bass, sturgeon, or shad for commercial purposes in a specified area to a category of violations punishable by a fine of $1,000 or imprisonment in the county jail for one year, or both, and would make a second or subsequent violation

of such provision punishable by a fine of not less than $1,000 nor more than $2,000 or imprisonment in the county jail for one year, or by both such fine and imprisonment

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

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

(5) The bill would make an appropriation by requiring that moneys be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

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

Ch 878 (AB 1760) McVittie Attorneys fee arbitration

Existing law provides for the arbitration of attorney fee disputes It generally provides that any action in a court is stayed pending the award of the arbitrator However a small claims court action is not stayed pending such arbitration

This bill would provide that the court action would be stayed pending the award of the arbitrator or other termination of arbitration This bill would also provide that the dispute would not be subject to arbitration while the matter is pending in small claims court or after judgment is given in such court

Existing law provides that if a party is dissatisfied with the arbitration award he may seek review in a court by a trial de novo In such trial the prevailing party may be awarded attorney's fees Existing law defines the prevailing party to be the party who recovers a judgment more favorable than the arbitration award

This bill would provide that the prevailing party is the party seeking review if such party obtains a judgment more favorable than the arbitration award, and in all other cases the other party would be the prevailing party It would, however, provide that if a party does not appear at the arbitration hearing, as specified, that party would not be entitled to an award of attorney's fees upon judicial review without consideration as to who is the prevailing party

Ch 879 (SB 899) Russell Controlled substances· prescription offenses.

Under present law certain offenses relating to the prescription of controlled substances are subject to increased penalties if the offense involves a controlled substance which was classified as a narcotic under the law in effect prior to the effective date of the California Uniform Controlled Substances Act

This bill would revise the list of controlled substances to which such increased penalties are applicable, would make related clarifying changes in the definition of "controlled substance" set forth in that act, would revise the offenses for which such penalties are prescribed, and would expressly require knowledge of the offender as an element necessary for the imposition of such penalties

Ch 880 (SB 732) Greene Department of Industrial Relations profitable employment

Existing law provides that one of the functions of the Department of Industrial Relations is to advance the opportunities for profitable employment of wage earners in California.

This bill would permit the Director of Industrial Relations or the Director of Employment Development to comment on the impact of actions or projects proposed by public agencies on opportunities for profitable employment and would require such agencies to consider such comments in their decisions

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason, but recognizes that local agencies and school districts may

pursue their other available remedies to seek reimbursement for these costs

Ch 881 (AB 1688) Elder Ballot randomized alphabet

Existing law requires the Secretary of State to conduct 6 drawings of the letters of the alphabet in order to determine the order in which candidates' names must appear on the ballot The third of such drawings is required to take place on the 63rd day before the November general election

This bill would require the above drawing to occur on the 82nd day before the November general election, instead of the 63rd day before that election

This bill would also provide that its provision shall become operative only if AB 1047 and AB 1689 are both chaptered, as specified.

Ch 882 (SB 681) Dills Solid waste

(1) Under existing law, county sanitation districts are not expressly authorized to fix and collect a fee or charge in connection with a refuse transfer or disposal system

This bill would authorize such a district to fix and collect fees and charges as specified in the bill and would prohibit the use of the revenues from such charges for refuse transfer or disposal systems unless such systems are open to all persons, as defined, in the district The bill would authorize any entity which collects such a fee or charge for a county sanitation district to deduct the administrative costs of such collections from the revenue produced from such fee or charge

(2) Under existing law, certain persons and entities are excepted from the definition of public weighmasters and public weighmasters at large Public weighmasters are required to be licensed in order to perform designated acts.

This bill would specify that employees of operators of solid waste disposal facilities, as defined in existing law, are excepted from such definitions.

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

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

Ch. 883 (AB 858) W Brown Permits issuance by local authorities fees

Under existing state law, the Department of Transportation or local authorities with respect to highways under their respective jurisdictions may, under prescribed conditions, issue a special permit authorizing the operation or movement, upon the highway, of various vehicles the operation or movement of which would otherwise be unlawful under the Vehicle Code Existing law also authorizes the department to charge a fee for the issuance of such permits by the department

This bill would authorize a local authority to charge a fee for the issuance of such permits The bill would (1) impose notice and hearing requirements with respect to the adoption of a fee schedule by a local authority, (2) limit total revenue which could be obtained from the permits, and (3) provide that costs of special services, as specified, are to be billed separately

Ch 884 (SB 836) Beverly Driver's licenses medical information

Under existing law, driver's licenses are issued by the Department of Motor Vehicles. The fee for an original license, renewal of a license, or for a license to operate a higher class of vehicle is $3 25 The department is required to provide an anatomical gift sticker which may be affixed to the back of the license and on which the licensee may indicate his intent to make an anatomical gift, as prescribed

This bill would require the department, beginning January 1, 1981, to issue, upon an applicant's request, an adhesive backed medical information card, as prescribed, designed to display certain medical information

The bill would specify that the department's cost for issuing the medical information card is to be included in the department's budget beginning in the 1980–81 fiscal year and the money is to be appropriated from the General Fund

Ch 885 (AB 189) W Brown Family physician training program.

Under existing law, the Office of Statewide Health Planning and Development 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

This bill would appropriate $3,108,450 to the Office of Statewide Health Planning and Development for expenditure during the 1980–81, 1981–82, 1982–83, and 1983–84 fiscal years for carrying out such existing law, with $3,002,450 for contract purposes and $106,000 for administrative expenses.

Ch 886 (SB 389) Keene Dentistry

Existing law defines the practice of dentistry as including, among other things, the use of anesthetic agents The law does not otherwise specifically restrict the use of anesthetic agents by dentists.

This bill would prohibit a dentist from administering or supervising the administration of general anesthesia, defined as the use of a drug which results in unconsciousness, to patients on an outpatient basis unless such dentist has a permit authorizing such use issued by the State Board of Dental Examiners. The bill specifies the requirements necessary for the issuance of such permit including educational requirements and the payment of a fee, as specified.

Existing law provides that all moneys collected by the State Board of Dental Examiners pursuant to the Dental Practice Act are to be deposited in the State Dentistry Fund which moneys are continuously appropriated to the board to carry out purposes of the act

The fees provided for in this bill would result in an increase in the money in such fund which would be available for expenditure

Ch 887 (AB 1039) Bates Mental health psychiatric health facility

Existing law, effective January 1, 1979, provides for a category of health facilities designated as psychiatric health facilities, which provide 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 Under existing law the Office of Statewide Health Planning and Development is required to issue certificates of exemption to applicant facilities on condition that they are approved by the State Department of Mental Health and granted a license or license waiver on or before December 31, 1979

This bill would require the office to issue certificates of exemption to applicants whose proposals for facilities are approved by the department on or before June 30, 1980, and eliminate the other condition The bill would also provide for the expiration of certificates of exemption after a specified period of time

Under existing law psychiatric health facilities can only be licensed by the State Department of Health Services subsequent to application by counties or other organizations and approval by the State Department of Mental Health

This bill would specifically include county contract providers as authorized to apply for such licensure

The bill would take effect immediately as an urgency statute

Ch 888 (AB 447) Perino. Delta water agencies. revenues

(1) Under existing law, reclamation districts are authorized to levy benefit assessment in accordance with prescribed procedures

This bill would permit the Boards of Directors of the South Delta Water Agency and the Central Delta Water Agency to raise revenue in the same manner and in accordance with the same provisions as applicable to reclamation districts under certain provisions of the Water Code

(2) Existing law prohibits local agencies, except counties, from imposing an ad valorem property tax except for certain payments on indebtedness and requires each county to allocate and distribute to local agencies within the county the revenues from the property tax levied by the county

This bill would prohibit the allocation of the revenues from the property tax imposed by each county to the Central Delta Water Agency or the South Delta Water Agency,

in the 1979–80 fiscal year and thereafter

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

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

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

Ch 889 (AB 886) Gage Medical records.

The Uniform Parentage Act currently provides that a husband's consent to the artificial insemination of his wife with the sperm of another man shall be filed with the State Department of Social Services, subject to inspection only upon an order of the court

This bill would instead require such consent to be retained by the physician as part of the medical record, subject to inspection only upon an order of the court

Existing law requires every employer, insurer, and physician and surgeon who attends any injured employee to file a report of every such injury or illness with the Division of Labor Statistics and Research within the Department of Industrial Relations.

This bill would, instead, require every physician to file a report with the employer, or, if the employer is insured, with the employer's insurer, who would then be required to file a copy of the physician's report with the Division of Labor Statistics and Research only in those cases where treatment has been for an occupational illness, as defined, and pesticide poisoning The bill would require an attending physician to file such report with the division only in cases of pesticide poisoning

The bill would also require every employer to file a report of every occupational injury or occupational illness that results in time lost from work beyond the date of such injury or illness, or which requires medical treatment beyond first aid, with the division, or, if the employer is insured, with the employee's insurer who would then be required to file a copy of the employer's report with the division

The bill would also transfer, reorganize, and conform various other provisions without substantive change

The bill would take effect immediately as an urgency statute

Ch 890 (AB 1394) Alatorre Unemployment insurance eligibility

Existing law provides that an individual is ineligible for unemployment compensation benefits and unemployment compensation disability benefits if he has willfully made a false statement or representation or willfully failed to report a material fact in order to obtain such benefits

This bill would, in addition, require that such statement or representation be made with actual knowledge of the falsity thereof

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

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

Ch 891 (AB 1114) Moorhead Medicine

Existing law provides for the grounds and procedure for the filing of a petition for the reinstatement of a certificate issued by the Division of Medical Quality of the Board of Medical Quality Assurance which has been revoked or suspended

This bill would revise such procedure by, among other things, (1) deleting a requirement of recommendations of two citizens having knowledge of the applicant's activities since such disciplinary action was taken, (2) allowing a person who has been placed on probation to file for modification or termination of such probation, and (3) allowing the division to assign such petition to a medical quality review committee for hearing by a

panel convened by such committee

Existing law requires the Division of Medical Quality of the Board of Medical Quality Assurance to select, by July 1, 1979, no less than 3 medical quality review committees to participate in a pilot project 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

Such pilot project is authorized until July 1, 1981 An interim report to the Legislature and Governor evaluating the pilot project and alternative means of financing the remainder of the project is required to be submitted by September 1, 1980, and a final report is to be submitted by March 1, 1981

This bill would extend the time for the division to select the participating medical quality review committees to January 1, 1980, and would extend the authorization for such project to January 1, 1982.

This bill would also extend the time deadlines for the interim report to January 1, 1981, and the final report to January 1, 1982, and would delete the alternative method of financing the project requirement from such reports

Ch 892 (AB 1191) Frazee Local planning· sphere of influence

Existing law requires each local agency formation commission to determine and to periodically review and update a "sphere of influence," as defined, for each local governmental agency within the county, and in doing so, to consider various specified factors.

Existing law also requires each city and county to adopt a general plan for land use within its boundaries.

This bill would require LAFCO to prepare a written statement of its findings with respect to each of the factors required to be considered by the commission in determining the sphere of influence

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

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

Ch 893 (AB 1203) Levine Skilled nursing and intermediate care facilities patient's bill of rights

(1) Existing statutory provisions prescribe a list of legal and civil rightsDfor persons involuntarily detained under the Lanterman-Petris-Short Act, persons admitted to a health facility, as defined, as e voluntary patient for psychiatric evaluation or treatment, andDmentally retarded persons committed to a state hospital In addition, adopted regulations of the State Department of Health Services prescribe various standards for skilled nursing facilities and intermediate care facilities regarding equipment, supplies, and services

This bill would prescribe additional rights for patients in a skilled nursing facility or intermediate care facility and would require patient notification of such rights, as specified

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

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

Ch 894 (AB 1304) Duffy Health manpower pilot projects

Under existing law the Office of Statewide Health Planning and Development is required to evaluate ~~an approved~~ [each experimental health manpower]* project [it has

approved pursuant to enumerated criteria,]* and report to the Legislature annually with respect to such evaluation.

This bill would revise the date when the report is required to be submitted to the Legislature, as specified.

Ch. 895 (AB 1315) Kapiloff Life care contracts

(1) 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 under specified conditions to obtain a certificate of authority to enter into or perform life care contracts, as defined, from the State Department of Social Services.

This bill would change the conditions defining the life care contracts, for purposes of such law, to those contracts conditioned upon a transfer of property, including the payment of an entrance fee, as defined in existing law, or the payment of regular periodic charges, or both such payments

This bill would limit such certificate to be only an authorization to enter into, but would delete from such certification the performance of, such contracts

This bill would also exempt from such requirements those facilities and arrangements which are exempt from the provisions regulating community care facilities, including health facilities, clinics, certain day care homes, specified juvenile facilities, specified church or religious facilities, school dormitories, places where only board or room or both are provided, alcohol or drug addiction recovery houses, certain cooperative parent care of their children, certain care by relatives or close friends, and any similar facility determined by the Director of Social Services The bill expressly deletes facilities which provide only board, lodging, or both, and which do not provide necessary care, from the requirements of such certificates and related provisions of law

(2) Under existing law, a life care contract, as defined, entered into in violation of the provisions of law regulating such contracts is void and of no force and effect and no action may be brought for reasonable value of services rendered pursuant to the void contract

This bill would make such contracts voidable at the option of the transferor for up to 90 days after execution of the transfer, and prohibit actions for reasonable value of services rendered between the date of transfer and the date the transferor disaffirms the contract, however, existing law would obligate the resident to a reasonable processing fee to cover costs and the reasonable value of the services rendered after the first 7 days pursuant to the canceled contract

(3) Existing law requires 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.

Such escrow account balance is required by existing law to be maintained in an amount no less than the real property debt payments due during the next 12 months Existing law authorizes the department to require a performance bond as a condition to the issuance of a certificate.

This bill would authorize an individual or corporation to apply to the department for a permit to sell deposit subscriptions in lieu of the performance bond The issuance of such a permit would require the deposit subscriptions be maintained by an escrow agent until the project is 50% complete and 50% subscribed to

(4) Existing law requires the resident under a life care contract to surrender possession of a living unit delivered under the contract when such contract is rescinded within the 90-day rescission period Existing law also provides that if such surrender of possession is not acknowledged within 20 days of the notice of cancellation by the provider, there is no further obligation on the transferor Failure to surrender possession would negate the notice of cancellation.

This bill would delete such provisions and, instead, require possession to be surrendered within 20 days of the notice of cancellation, and failure to make possession available to the provider would negate the notice of cancellation

The bill would also provide that the validity of title to any real property transferred to a provider pursuant to the provisions of law regulating life care contracts, as defined, would not be affected by violation of such provisions

(5) Existing law requires a provider to furnish specified copies of the contract and,

at the time of execution, to orally inform the transferor of the right to cancel The 90-day cancellation period runs from the date of compliance with such provisions.

This bill would delete the requirement for such oral notification

(6) Existing law requires, upon cancellation of a life care contract, for all property transferred to the provider under such contract to be returned to the transferor, and existing law makes any attempted or actual transfer of such property to a third party during the 90-day cancellation period void as contrary to public policy

This bill would authorize the deduction of a reasonable processing fee to cover costs

The bill would make an actual transfer of property to a third party voidable, but not void, at the option of the transferor unless that transfer to a third party is to a bona fide purchaser without notice of the cancellation period The bill would delete attempted transfer of such property from such provisions The bill would require, with respect to real property, that the provider undertake to perform such other acts as are necessary to effect a restoration of such real property, or to effect title to such real property, to the transferor The bill would also provide, for real property, that failure to record the notice of cancellation with the county recorder of the county in which such real property is located within the 90-day cancellation period would terminate the right of rescission

(7) Existing law requires each provider, as defined, which is holding a certificate of authority to file an annual audit and make specified annual reports within 90 days after the end of the fiscal year of such provider

This bill would require all providers, as defined, to file such audit and make such reports within 4 months after the end of their fiscal year

(8) Existing law prohibits the design of, or use of, specified printed matter to be used to solicit agreements providing for a transfer of property conditioned upon a life care contract except as expressly provided

This bill would delete from such prohibition the design of such printed matter, and change such provisions to prohibit use of such printed matter to solicit life care contracts, as defined

Ch 896 (AB 1320) Bates Mental health community residential treatment system programs

Existing statutes provide for a community mental health residential treatment system, implemented with available county allocations or, as new moneys become available, by grants from the State Department of Mental Health Approved system programs are incorporated into the county Short-Doyle plan

This bill would provide that no local financial participation is required for the first year funding for such grants and subsequent years funding would be identical to the local financial participation for Short-Doyle programs

Under existing law, community residential treatment programs are encouraged to use paraprofessionals where appropriate

The bill would require the use of paraprofessionals and persons who have been consumers of mental health services, where appropriate, and would require each county to utilize available resources and facilities within the county prior to contracting with other providers

The bill would also require the Director of Mental Health to appoint 3 persons with expertise in the provision of services to children and adolescents to assist the advisory committee that screens system proposals and would establish further guidelines for residential treatment programs serving children and adolescents

The bill in addition would require an interdepartmental coordinating group to be established

Ch 897 (AB 1416) M Waters. Consumer affairs

Existing law provides that if a civil action for unlawful advertising is brought at the request of a board within the Department of Consumer Affairs, then the reasonable expenses incurred by the board in the investigation and prosecution of the action shall be paid, as specified, out of the civil penalty collected.

This bill would provide that where a civil action is brought for (1) unlawful advertising, (2) violation of an injunction prohibiting unlawful advertising, (3) unfair competition, or (4) violation of an injunction prohibiting unfair competition, at the request of a board within the Department of Consumer Affairs or at the request of a local consumer

affairs agency, then the reasonable expenses incurred by the board or local agency in the investigation and prosecution of the action shall be paid, as specified, out of the civil penalty collected

Ch 898 (SB 807) Montoya Transportation transit facilities

Under existing law, the Department of Transportation is authorized to construct, maintain, and operate fringe and transportation corridor parking facilities that would reduce motor vehicle congestion or improve highway safety

This bill would authorize the department to construct transit related highway facilities such as passenger benches and shelters along the state highway system

The bill would require that such a parking or transit related facility be included by transportation planning agencies in a regional transportation improvement program if the facility would cost $30,000 or more and is located in an urbanized area. The bill would limit the amount of state funds appropriated for state highway construction that could be expended each year for transit related highway facilities to $1,000,000 For any such transit related highway facility costing more than $30,000, the state funds could only be used to match federal or local funds, or both

The bill would make other related changes.

Ch 899 (SB 715) Craven Coastal zone local coastal programs

The California Coastal Act of 1976, generally, provides for the planning, and regulation of development, within the coastal zone, as defined, and requires each local government lying within the coastal zone to prepare a local coastal program for that portion of the coastal zone within its jurisdiction, in conformity with the act

It prohibits the California Coastal Commission from certifying any such program which provides for a lesser degree of environmental protection than that provided by the plans and policies of any state regulatory agency

This bill would, instead, prohibit the commission from certifying any such program which provides for a lesser degree of environmental protection than that provided by the plans and policies of any state regulatory agency that are formally adopted by such agency, are used in the regulatory program of such agency, and are legally enforceable It would declare legislative intent as to sufficiency of local coastal programs certified by the commission

Ch 900 (AB 73) Lockyer Municipal utility districts

(1) Under existing law, the secretary of a municipal utility district is required to issue and to receive nomination papers and candidates' declaration of candidacy papers from persons seeking office to the board of directors of a municipal utility district

This bill would require the appropriate county clerk to undertake such functions

(2) Existing law provides election requirements and nomination procedures for candidates for the office of director of municipal utility districts containing a certain population and districts owning and operating electric distribution systems and containing a certain population

This bill would provide that, in any such district, circulators of nomination papers must be residents of the ward in which they seek signatures and may obtain signatures from any registered voter residing within the ward

(3) Under existing law, the board of directors of a municipal utility district may provide $50 compensation for attendance at meetings by members of the board, not to exceed 2 such paid meetings per month

This bill would authorize a board having 7 members to authorize a maximum of 4 paid meetings per month

(4) Existing law contains provisions applicable generally to all districts regarding the qualifications and submission of initiative and referendum measures.

This bill would specify that provisions governing initiative and referendum measures apply to municipal utility districts

(5) The bill would provide that no appropriation or reimbursement is made to local agencies because of a specified reason

Ch 901 (AB 971) Alatorre Public social services.

(1) Existing law requires certain recipients under the Aid to Families with Depend-

ent Children Program (AFDC) to register with the Employment Development Department for manpower services, training and employment The department is required to establish federally funded work incentive programs for such recipients

This bill would require the State Department of Health Services, in cooperation with the State Department of Social Services and the Employment Development Department, to develop a homemaker and home health aid training and employment program for AFDC recipients for purposes of applying for federal funds.

(2) Existing law provides funding until November 15, 1979, for demonstration projects providing comprehensive social services to the deaf

This bill would require the State Department of Social Services to extend the contracts for the projects until June 30, 1980, and to evaluate and report on the projects to the Legislature by March 15, 1980 It would appropriate $1,373,426 to the department to fund the project extension

The bill would take effect immediately as an urgency statute

Ch 902 (SB 868) Marks Property taxation escape assessments

Existing Section 225 of the Revenue and Taxation Code provides that certain property brought into this state for transshipment elsewhere is exempt from property taxation, but the courts held such section to be unconstitutional

This bill would prohibit escape assessments on such property for years prior to the 1979–80 tax year

The bill would take effect immediately as an urgency statute

Ch 903 (SB 785) Foran Cities and counties. funding

Under existing law, a chartered city may impose municipal taxes without statutory authority A general law city is required to have such authority Under existing law, counties are not generally authorized to impose special taxes, but may license for purposes of regulation and fix license fees in connection therewith

This bill would authorize counties and general law cities to impose special taxes

The bill would provide a procedure, as specified, by which counties and general law cities could secure voter approval to impose and collect such special taxes. If such tax is collected by a county on behalf of a city, the bill would authorize the county to deduct its reasonable costs in making such collection

This bill would take effect immediately as an urgency statute

Ch 904 (SB 871) Foran San Francisco Bay Area Rapid Transit District fare evasion

(1) Existing law authorizes the San Francisco Bay Area Rapid Transit District to maintain a police department and provides that amounts collected from fines and forfeiture for violation of parking or other traffic regulations and of infractions relating to smoking in transit facilities, 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 evasion of the payment of a fare 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 such other fines and forfeitures.

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

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

Ch 905 (SB 1165) Rains Ventura County flood control

Existing law requires, with certain exceptions, all contracts estimated in excess of $5,000 materials and $5,000 labor for any improvement or unit of work of the Ventura County Flood Control District to be awarded to the lowest responsible bidder in accordance with prescribed procedures

This bill would increase such amount to $10,000, but would require work which consists of the maintenance or alteration of existing facilities to be awarded to the lowest responsible bidder in accordance with such procedures if the cost of labor and materials for such work according to the engineer's estimate will exceed $5,000 and if the work is not of the type otherwise exempt

Ch 906 (SB 1180) Johnson Emergency Telephone Users Surcharge Act

The existing Emergency Telephone Users Surcharge Act imposes a surcharge on amounts paid by every person in the state for intrastate telephone communications. Until November 1, 1979, the surcharge rate shall be at one-half of one percent and thereafter the rate shall be fixed by the State Board of Equalization

This bill would continue the rate at one-half of one percent until November 1, 1982.

This bill would take effect immediately as an urgency statute

Ch 907 (SB 1033) Alquist Healing arts.

Existing law provides for the issuance of a physical therapist license without written examination to a person who is licensed in another state, district or territory of the United States and requires an applicant whose license was issued 5 or more years prior to the date of application to pass an oral examination

This bill would delete the requirement for such an oral examination and the reference to the 5 or more years and thus would authorize the Physical Therapy Examining Committee to require any person whose application for such a license is based on a license issued by another state, district, or territory to pass an oral examination.

Existing law prescribes the grounds for the revocation or suspension of a license issued pursuant to provisions of law regulating physical therapy

This bill would add the commission of any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions or duties of a physical therapist to such grounds

Existing law does not specifically authorize physical therapists to apply topical medications

This bill would, under certain conditions, authorize such activity It would additionally permit pharmacists to furnish dangerous drugs other than specified controlled substances to physical therapists and to furnish topical pharmaceutical agents to optometrists.

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

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

The bill would make other technical changes in the law regulating physical therapy

Ch 908 (SB 498) Robbins. Courts· exhibits and depositions

Existing law provides that a court, on its own motion, may order destroyed or otherwise disposed of any exhibit or deposition introduced in the trial of a civil action or proceeding or filed in such action or proceeding which, if appeal has not been taken from the decision of the court in such action or proceeding, remains in the custody of the court or clerk 5 years after time for appeal has expired, or, if appeal has been taken, remains in the custody of the court or clerk 5 years after final determination thereof, or which remains in the custody of the court or clerk for a period of 5 years after a motion for a new trial has been granted and a memorandum to set the case for trial has not been filed or a motion to set for trial has not been made within such 5 years, after the filing of the remittitur where the action or proceeding after appeal has been remanded to the trial court for a new trial and the same has not been brought to trial within 5 years from the date of filing the remittitur, after the dismissal of such action or proceeding or, after the introduction or filing thereof where there is no provision for the destruction or other disposition of such exhibit or deposition and where in the discretion of the court the same should be destroyed or otherwise disposed of

This bill would delete the latter authorization and instead authorize such an order after 10 years following introduction or filing where, in the discretion of the court, the exhibit or deposition should be so destroyed or disposed of The bill would also provide that no exhibit or deposition shall be ordered destroyed or otherwise disposed of where a party to the action or proceeding files a written notice with the court requesting the preservation of any exhibit or deposition for a stated time, not to exceed 3 years, but that such exhibit or deposition may be destroyed after such time unless another such notice is filed

Sealed files would be required to be retained for an additional 2 years past the date when destruction would otherwise be authorized

Ch 909 (SB 173) Holmdahl State park system violation of rules or regulations removal of vehicles.

(1) Under existing law, any violation of a rule or regulation of the Department of Parks and Recreation is a misdemeanor

This bill would create an exception in that a judge would be allowed, at the time an action was commenced, to reduce a misdemeanor offense to an infraction, and any person convicted of such offense after such a reduction would be punished by a fine of not less than $5 nor more than $500

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

This bill would extend such authority to any peace officer of the Department of Parks and Recreation on or about lands, grounds, or properties owned, operated, controlled, or administered by the department on or in which a vehicle is located

(3) Under existing law, various state and local officers, having reasonable cause to believe that a motor vehicle on a highway has been involved in a hit-and-run accident, and that the operator has failed to comply with specified requirements of the Vehicle Code, are authorized to remove the vehicle from the highway for the purpose of inspection

This bill would extend such authority to any peace officer of the Department of Parks and Recreation on or about lands, grounds, or properties owned, operated, controlled, or administered by the department

(4) Under existing law, various state and local officers are authorized to remove a vehicle from a railroad right-of-way if the vehicle is parked upon any railroad track or within 7½ feet of the nearest rail.

This bill would extend such authority to any peace officer of the Department of Parks and Recreation on or about lands, grounds, or properties owned, operated, controlled, or administered by the department on or in which a vehicle is located

(5) Under existing law, various state and local officers who have reasonable grounds to believe that a vehicle has been abandoned on property within their jurisdiction may remove such vehicle from such property

This bill would extend such authority to any peace officer of the Department of Parks and Recreation

(6) Under existing law, various state and local officers and employees have the authority to make appraisals of the value of vehicles for specified purposes

This bill would extend such authority to any regularly employed and salaried peace officer or other employee of the Department of Parks and Recreation designated by the director of such department

(7) The bill would incorporate changes in Section 22655 of the Vehicle Code proposed by SB 380 and AB 1276, to be effective only if SB 380 or AB 1276, or both, and this bill are chaptered and become effective on January 1, 1980, and this bill is chaptered last.

(8) The bill would incorporate changes in Sections 22651, 22656, and 22702 of the Vehicle Code proposed by AB 1276, to be effective only if AB 1276 and this bill are chaptered and become effective on January 1, 1980, and this bill is chaptered last

Ch 910 (SB 153) Nejedly Tear gas

Existing law prohibits bringing unauthorized firearms, deadly weapons, or explosives into a prison or jail and prohibits the possession or carrying of specified weapons by a person confined in a prison or otherwise in the custody of prison officials

Existing law also authorizes various possession of tear gas and tear gas weapons

This bill would specify that unauthorized tear gas and tear gas weapons may not be brought into a prison or jail nor possessed or carried by persons confined in prison or in the custody of prison officials and would specify the punishment for violation of such provisions

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234 for a specified reason, but requires the report of the Department of Finance

Ch 911 (AB 1883) Berman Industrial loan companies

Existing law specifies the powers of industrial loan companies

This bill would add to those powers the power to purchase, sell, or originate leases of property of types approved by the Commissioner of Corporations, under the conditions specified in the bill

This bill would take effect immediately as an urgency statute

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

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

Ch 912 (AB 437) McAlister Domestic relations

Existing law authorizes a court in any judgment decreeing the dissolution of a marriage or a legal separation to order a party to pay for the support of the other party any amount, and for such period of time, as the court may deem just and reasonable In making such an award the court is required to consider certain specified circumstances of the parties including the earning capacity and needs of each spouse

This bill would revise the criteria to be considered with regard to earning capacity to require the taking into account of the extent to which the supported spouse's present and future earning capacity is impaired by periods of unemployment that were incurred during the marriage to permit the supported spouse to devote time to domestic duties.

Ch 913 (SB 355) Presley Domestic violence

Under existing law it is a felony for any person to willfully inflict upon a spouse or any person of the opposite sex with whom he or she is cohabiting, corporal injury resulting in a traumatic condition Existing law also establishes a procedure whereby defendants meeting specified criteria may be diverted from the criminal justice system to an educational, treatment, or rehabilitation program

This bill would establish a similar diversion program with regard to persons arrested for acts constituting domestic violence

Ch 914 (AB 443) Gage Organic food

(1) Existing law does not provide standards relating to the advertising or labeling of food products as being organic, organically grown, naturally grown, wild, ecologically grown, or biologically grown

This bill would specify standards within the Sherman Food, Drug, and Cosmetic Law for the use of such descriptive terms in the advertising or labeling of food products, as specified

This bill would, within the Sherman Food, Drug, and Cosmetic Law, prohibit the use of such descriptive terms on labels of raw and processed food products, excluding seeds for planting, unless the product complies with the standards of the bill. Additionally, this bill would, within the Sherman Food, Drug, and Cosmetic Law, require that the label conform to the language specified or contain substantially similar language The bill

would provide that in the advertising or promotion of any food product, no claims or inferences, as specified in the bill, shall be made unless the food product conforms to the requirements in the bill

A violation of the sections of this bill would be a misdemeanor pursuant to existing law.

(2) The State Department of Health Services is required pursuant to existing law to embargo any food, drug, device, or cosmetic suspected of being, among others, in violation of the provisions of the Sherman Food, Drug, and Cosmetic Law relating to food identity quality and fill, enrichment, adulteration, and misbranding, and, when there is such violation, to take action pursuant to such provisions to condemn such products or enjoin such violations Such violations are misdemeanors pursuant to existing law

This bill would also authorize any person, organization, or public or private entity to bring an action to enjoin violations of the provisions added by the bill, and authorize the court to award attorney's fees in such actions The bill would expressly provide that such authorization does not limit or alter the powers of the department and its authorized agents to bring an action pursuant to other provisions of law

The bill would exempt from such prohibitions relating to food, with certain prescribed exceptions, any persons engaged in business as wholesale or retail food distributors.

It would also require certain growers, manufacturers, and sellers of food products to provide specified information to the department upon demand of the department It would require the department to collect information kept by such a grower, manufacturer, or seller upon request of any person or entity It would require the department to make such information available to any person or entity, as specified

(3) This bill would also provide that, notwithstanding any provision of law, including the above-mentioned laws, no state agency has any affirmative obligation to adopt regulations or otherwise enforce the provisions provided in the bill.

(4) This bill would prescribe that its provisions remain in effect only until January 31, 1983, as specified

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

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

Ch 915 (AB 1480) Imbrecht Child custody

Existing law specifies certain preferences in making an award of child custody In making such an award the overriding concern, however, is the best interests of the child There is no specific authorization for an award of joint custody and there is no presumption that joint custody is in the best interests of the child

This bill would specify the circumstances in which a presumption favoring an award of joint custody shall operate, as well as specifically authorizing such an award in other cases, as designated It would also specify that access to records and information pertaining to a minor child shall not be denied to a parent because such person is not a child's custodial parent

It would also incorporate further changes that would be made in Sec 4600, Civ C by AB 167, contingent upon the enactment and prior chaptering of AB 167

Ch. 916 (AB 1557) Knox Subdivisions zoning variance

Under existing law, a city or county having a zoning ordinance may allow variances from the terms of the ordinance under specified conditions

Existing law permits the local zoning administrator to hear and decide applications for zoning variances and to exercise such other powers as may be granted by applicable ordinances

The law does not specifically require a public hearing on an application for a zoning variance

This bill would permit the legislative body of a city or county, by ordinance, to authorize the zoning administrator to decide applications for zoning variances without

a public hearing on the application, provided that the ordinance specifies the kinds of variances which may be granted by the zoning administrator

The bill would require the legislative body of the city or county to give notice of the proposed variance to all owners of property within 300 feet of the property which is the subject of the proposed variance

Ch 917 (SB 471) Ayala. Established milk inspection areas testing of milk.

Under existing law, a milk inspection service area may be approved by the Director of Food and Agriculture If a producer or distributor delivers or sells market milk within the jurisdiction of an approved milk inspection service, the director is required to designate and assign the county or city approved milk inspection service which shall conduct milk products plant inspections or dairy farm inspections, or both, and is required to define the district or area in which each county or city shall conduct such inspections An established milk inspection area is one in which the inspection or grading service is established and conducted by the director rather than by an approved milk inspection service

This bill would provide that a petition signed by at least 51 percent of producers or distributors of milk within the jurisdiction of an approved milk inspection service may request the termination of such service and that instead an inspection service be established by the director Within 30 days after receipt of the petition and after 5 days' notice to the appropriate milk inspection service, the director would be required to announce a date upon which a hearing on the petition will be held, and the bill would allow the director, after hearing, to establish and conduct an inspection service, as specified

Existing law authorizes the Director of Food and Agriculture to condemn milk, cream, products of milk or cream, or products resembling a milk product, as specified

The bill would require that the director test milk and milk products for inhibitory substances, using specified testing methods for milk produced on dairy farms and for pasteurized milk and milk products, and that the director condemn such milk or products for human consumption, if testing results show any residues of inhibitory substances

The bill would make an appropriation by providing for additional services fees to be paid into the Department of Agriculture Fund, which is continuously appropriated

Ch 918 (SB 181) Beverly Corporations securities

Existing law exempts various categories of securities from specified provisions regulating the sale of securities

This bill would so exempt any security consisting of or representing an interest in a pool of mortgage loans originated or acquired in the ordinary course of business by a national bank or federal savings and loan association having its principal office in this state, by a bank incorporated under the laws of this state, by a savings and loan association which is subject to the supervision and regulation of the Savings and Loan Commissioner of this state or by specified mortgage banking companies, provided that such security is not offered to the public in amounts of less than $25,000 in the aggregate to any one purchaser.

This bill would also incorporate additional changes in Section 25100 of the Corporations Code, proposed by AB 372 and AB 1633 to be effective only if this bill and either AB 372 or AB 1633, or both, are chaptered and this bill is chaptered last

Ch. 919 (AB 643) Calvo Coastal resources coastal development permits.

(1) The California Coastal Act of 1976 specifies coastal resources planning and management policies, including generally requiring public access from the nearest public roadway to the shoreline in new developments

This bill would define "new development" for such purposes. The bill would also require public access policies to be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending upon the facts and circumstances of each case.

The bill would provide that nothing in such public access policies limits the public right of access to navigable waters under the California Constitution

(2) The act requires that approval of a majority of the total appointed membership of the commission or of a regional commission is necessary to take any action

This bill would instead require that approval by a majority vote of members present, with a majority of the commission members being present, is necessary to take any action except that action to certify a local coastal program or any amendment thereto, or to adopt or amend rules or regulations of the commission or regional commission, would require a majority vote of the total appointed membership

(3) The act authorizes the commission to adopt rules and regulations to carry out the purposes of the act

This bill would require the commission to review its regulations and procedures, as specified

(4) The act requires the commission to appoint an executive director and any officer, house staff counsel, or employee it deems necessary to carry out the act.

This bill would require the commission to provide for appropriate employees on its staff and on the staff of each regional commission to assist applicants and other parties in connection with matters which are before the commission or the respective regional commission for action The bill would state legislative intent with regard to such requirement and require the commission to report to the Legislature on the status of its actions to implement such requirement within 30 days of its effective date

(5) The act provides for the review and approval of zoning ordinances by the commission in connection with the certification of a local coastal program.

This bill would define the term "zoning ordinance" for such purposes, and revise the definition of a local coastal program by limiting implementing actions required in the program to those implementing actions within sensitive coastal resource areas. Also, the bill would provide for a program for payment, by the State Controller, as prescribed, of costs directly attributed to the operation and implementation of a certified local program

(6) The act requires, with various prescribed exceptions, any person who is to perform or undertake any development within the coastal zone to obtain a coastal development permit from an appropriate regional coastal commission or local government, after its local coastal program has been certified, or the California Coastal Commission on appeal

This bill would prohibit the denial of a coastal development permit on the grounds that a public agency is planning or contemplating to acquire the property on, or property adjacent to the property on, which the proposed development is to be located, unless the public agency has been specifically authorized to acquire such property and there are funds available, or funds which could reasonably be expected to be made available within 1 year, for such acquisition

(7) The act exempts certain types of development from coastal development permit requirements, including improvements to existing single-family residences, except under designated conditions

This bill would expand the exemption from such permits to improvements to any structure, with specified exceptions and conditions, and the replacement of any structure, other than a public works facility, destroyed by natural disaster, as defined.

The bill would, prior to certification of a local coastal program, exempt from the coastal development permit requirements construction of a single-family residence on a vacant lot meeting specified criteria and located in a specified area designated by the commission applying prescribed criteria, and provide for the issuance of certificates of exemption from local government

The bill would require, whenever the commission finds that public access opportunities through an existing subdivided area which has less than 75% of the subdivided lots built upon, or an area proposed to be subdivided, are not adequate to meet the requirements and that individual owners of vacant lots do not have the legal authority to comply therewith as a condition of securing a coastal development permit, the commission, after public hearings, to adopt a specified public access program for the applicable area and request the State Coastal Conservancy to implement it The bill would provide for payment of in-lieu public access fees by persons receiving a coastal development permit or a certificate of exemption for development on any vacant lot within the area, which would be deposited in the Coastal Access Account, established under the bill, and when appropriated such funds could be used by the State Coastal Conservancy for carrying out the public access program

The bill would provide that an application for a coastal development permit to demol-

ish a structure shall not be denied unless the commission or the regional commission finds that retention of the structure is feasible

(8) The act requires the regional commission or commission to provide for a de novo public hearing on any coastal development permit application or an appeal brought pursuant to the California Coastal Act of 1976, which is to be set not later than 42 days after the date on which the application or appeal is filed.

The bill would require such hearing to be set no later than 49 days after such date

(9) Under the existing law, any action by a regional commission or the commission upon a coastal development permit is to become final after the 10th working day, unless an appeal is filed with the commission within such time

This bill would permit, under specified conditions, an applicant, at his own risk, to commence construction prior to the expiration of such 10-day period immediately upon issuance of the permit by the executive director

(10) The act requires the commission to provide, by regulation, for the issuance of such permits by the executive director of the commission or any regional commission in cases of emergency, except as specified, or for improvements to any existing structure not in excess of $50,000, any single-family dwelling, and any other developments not in excess of $50,000

This bill would include within such provision any development of 4 dwelling units or less within any incorporated area that does not require demolition and would limit the inclusion of any other development not in excess of $50,000 within such provision, to developments not in excess of $50,000, other than any division of land It would, also, modify the provisions authorizing members of the regional commission or the commission to negate a permit issued by the executive director for such a development

(11) The bill would require the commission to provide, by regulation, procedures which it and each regional commission shall use in deciding whether to grant reconsideration of any decision to deny an application for a coastal development permit or of any term or condition of a coastal development permit which has been granted. A decision to deny a request for reconsideration would not be subject to appeal.

(12) The act permits any person aggrieved by an action of a local government acting pursuant to a local coastal program to seek judicial review

This bill would provide for legal assistance, by the Department of Justice, to local government in the enforcement or implementation of its certified local coastal program

Ch 920 (SB 894) Ayala. Cities and counties· general plan.

Existing law requires cities and counties to adopt general plans for conservation and development of the territory within such city or county The law also prescribes various specified elements to be included within each general plan.

Existing law permits the Director of Planning and Research, in cases of extreme hardship, to extend the date for adopting the mandatory elements of a general plan for a reasonable period of time Existing law also provides that the director, upon making specified findings, may grant a reasonable extension not to exceed 1 year for the adoption of 1 or more general plan elements.

This bill would require the director to grant a reasonable extension of time, not to exceed 1 year, from the date of the application, for the adoption of 1 or more general plan elements, if the legislative body of a city, county, or city and county applying for such extension makes one or more of the findings specified under existing law in a specified manner

It would also require the application for such an extension to include such findings made by the local agency

This bill would take effect immediately as an urgency statute.

Ch 921 (AB 1429) Ingalls. Transportation. mass transit guideway· Los Angeles County.

(1) Under existing law, not more than 25% of the total allocations of gas tax revenues may be expended for exclusive public mass transit guideway purposes, except that the percentage may be increased by order of the Director of Transportation to the percentage necessary to maximize federal financial participation

This bill would require the California Transportation Commission to allocate the maximum percentage amount for mass transit guideways in Los Angeles County The

bill would authorize retention of 3 years of such funding in the State Highway Account in the State Transportation Fund The bill would require that the local agencies contribute at least 5% of the cost of the project, except for a project to which the California Transportation Commission has allocated funds prior to March 1, 1980, and that federal assistance be sought on all projects The bill would require that the California Transportation Commission grant authorization to proceed with a project for which federal participation provides less than 50% of construction costs, as prescribed

The bill would require the California Transportation Commission to hold at least two public hearings during the 1979–80 Regular Session of the Legislature, to make specified findings and report them to the Legislature, as specified, prior to approving the use of such funds for the construction of a guideway transit system in Los Angeles County

This bill would declare the Legislature's intent that the commission review the Environmental Impact Statement and the Environmental Impact Report on the project at the same time that it is being reviewed by the Urban Mass Transportation Administration and that the county transportation commission is to be actively involved in the development of public mass transit guideway systems in Los Angeles County

The bill would require the Los Angeles County Transportation Commission to take all necessary steps to pursue funding for construction of exclusive public mass transit guideways in Los Angeles County and to report, as prescribed, on such subject to the Legislature at least 180 days prior to expenditure of state funds under the bill

(2) Under existing law, the Los Angeles County Transportation Commission is required to review the present structure of transit operations in the county, the method of allocating transportation funds, and the present levels of transit service and prepare a report, to be submitted to the Legislature, containing recommendations and proposed solutions for achieving specified objectives

The bill would add additional objectives to be addressed by the report

The bill would take effect immediately as an urgency measure

Ch 922 (AB 524) Calvo Air pollution basinwide air pollution control plans, cogeneration technology and resource recovery projects

(1) Existing law requires a basinwide air pollution control plan to include emission limitations, rules and regulations, and enforcement procedures in order to meet state and federal ambient air quality standards to be adopted in each air basin Each air pollution control district is required to adopt a program to implement the plan within the district

This bill would require the State Air Resources Board to develop, in cooperation with the districts and the Public Utilities Commission, an inventory of potential cogeneration technology projects in each air basin which could be constructed before 1987

The bill would require the state board, in cooperation with the State Solid Waste Management Board, the districts, and the regional planning agencies, to develop an inventory of potential resource recovery projects planned or proposed to be constructed before 1987

The bill would require the state board to prepare revisions to the State Implementation Plan which would provide for the necessary mitigation of the air quality impact of projects identified pursuant to the bill, in accordance with prescribed requirements

The bill would require the districts to issue permits for construction of cogeneration technology and resource recovery projects if specified conditions are met The bill would also direct the Public Utilities Commission to provide cogeneration technology projects with the highest possible priority for the purchase of natural gas.

(2) The bill would appropriate $30,000 to the state board for purposes of developing inventories of potential cogeneration technology projects and resource recovery projects

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

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

Ch 923 (AB 352) Knox Health

Under existing law, any settlement, award, or judgment over $3,000 in a malpractice action against a health care provider is required to be reported to that provider's licensing agency

This bill would require such reports with respect to malpractice actions against physicians and surgeons for settlements, awards, and judgments over $30,000

Ch 924 (AB 161) Lehman San Joaquin Valley agricultural museum

(1) Existing law appropriates $3,000,000 from the Park and Recreation Revolving Account in the General Fund to the Department of Parks and Recreation for the restoration and conversion of the old administration building complex at Fresno City College as a San Joaquin Valley agricultural museum within the state park system, but prohibits the encumbrance of such funds unless and until an agreement of specified content is entered into by the department, the City of Fresno, and the County of Fresno for the joint operation of the museum by the city and county Among other things, the agreement is required to provide that, in the event the agreement is terminated, the city and county shall reimburse the department, for deposit in the account, all state moneys expended for restoration and conversion of the building

This bill would delete such requirement, thereby making an appropriation

(2) Existing law authorizes such moneys to be expended for the restoration and conversion of the old gymnasium at the college if an agreement of specified content is entered into, and requires that the old administration building complex and the old gymnasium be restored and converted in accordance with specified provisions relating to building standards for school buildings

This bill would instead require the old administration building complex and the old gymnasium to be restored and converted in accordance with the State Historical Building Code

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

Ch 925 (SB 669) Sieroty. Personal income taxes: charitable contributions. artistic property.

Existing Personal Income Tax Law reduces the amount of the deduction permissible for a charitable contribution of appreciated property by the amount of gain which would have been included in taxable income if such contributed property had been sold

This bill would provide that, for taxable years beginning after December 31, 1979, and before January 1, 1985, such reduction would not apply to a charitable contribution of artistic property created by the personal efforts of the taxpayer under specified circumstances

The bill would take effect immediately as a tax levy, but its operative date would depend on when it becomes effective

Ch 926 (AB 855) Felando Tidelands and submerged lands City of Los Angeles.

(1) Under existing law, the City of Los Angeles has been granted certain tidelands and submerged lands in trust for commerce, navigation, and fishing, the city may grant franchises and permits for such lands, for specified purposes, under prescribed conditions, and manage and control such lands and revenue from such lands

This bill would authorize the city to establish the ordinary high-water mark or the ordinary low-water mark of any of the granted lands by agreement, arbitration, or action to quiet title The bill would provide that establishment by agreement or arbitration shall not be effective until approved by the State Lands Commission

The bill would authorize the city to exchange granted lands, under specified conditions, if the commission finds that the lands to be acquired are of equal or greater value than the lands for which they are to be exchanged and the commission approves the exchange The bill would allow the recipient of the lands exchanged by the city to improve, fill, and reclaim such lands and would provide, upon adoption of a resolution of the commission making specified findings, that such lands shall thereupon be free from the public trust

(2) Existing law requires the commission, under specified circumstances, to survey, monument, and record a plat and a metes and bounds description of granted lands in the office of the county recorder in the county or counties in which such lands are located

The bill would state that such provisions shall not apply to the city's grant of tidelands

and submerged lands

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

Ch 927 (AB 632) Moore Consumer affairs collection agencies

Existing law prescribes the fees to be fixed, charged, and collected pursuant to the Collection Agency Act Existing law sets forth the fees to be charged in a fee schedule, and provides for increased fees in an alternate fee schedule which is applicable until June 30, 1980 After June 30, 1980, the fees would revert to the previous amounts

This bill would provide that the alternate fee schedule which provides for increased fees would be applicable until June 30, 1982. In addition, it would increase certain fees contained in the alternate fee schedule.

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

The bill would go into effect immediately as an urgency statute

Ch 928 (AB 692) Nestande Property taxation assessment of business records.

Existing law defines certain records of a person employed in a business or profession and provides for their assessment for property taxation based on the value of only the tangible material upon which or in which they are recorded, maintained or stored Such provision is operative only until the 1979–80 fiscal year and as of such date is repealed, unless a later enacted statute, which is chaptered before March 1, 1980, deletes or extends such date

This bill would delete the 1980 repeal date and thus provide that such assessment methods for those records be applicable to assessments beyond the 1979–80 fiscal year

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state and Section 2229 of the Revenue and Taxation Code requires the state to reimburse local agencies for property tax revenues lost as a result of the classification or exemption of property Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 929 (AB 768) Knox. Municipal organization

(1) Existing law, under the Municipal Organization Act, general provisions regarding a city's powers, and the District Reorganization Act, provides procedures for revising the structure of local government, including procedures for incorporation, changes of organization, municipal reorganization, and boundary changes of cities, and for district reorganization

This bill would make various technical and clarifying changes in these procedures It would change the requirement of mailed notice, where applicable in the procedures, from registered mail to certified mail, or from an option of either form to certified only

(2) Under existing law, certain noncontiguous territory which is annexed to a city ceases to be a part thereof if such territory is subsequently sold by the city

This bill would require, in such cases, that the city legislative body adopt a resolution confirming the detachment of the territory from the city, and would make certain other existing procedures applicable to such a detachment

(3) Under existing law, at an election on a proposed city incorporation, provision is required to be made for the election of persons to fill elective city offices.

This bill would allow the petitioners for city incorporation to provide in the petition for appointment of a city manager and other city officials, other than city council members, and would make corresponding changes in proceedings for conducting an election on city incorporation

(4) Under existing law, any affected county, city, district, landowner, voter, taxpayer, inhabitant, or other interested person, may apply to a local agency formation commis-

sion for reconsideration of determinations made by the commission concerning the incorporation or change of organization of a city The commission may, at its discretion, conduct a hearing on the application for reconsideration or deny the application without a hearing.

This bill would prohibit any final action being taken on a proposed incorporation or change of organization until the local agency formation commission had made a determination on any application for reconsideration

(5) Existing law prescribes that a local agency formation commission has, among its powers and duties, to review and approve or disapprove with or without amendment, proposals for the incorporation of cities provided that it determines the maximum property tax rate for a proposed new city in a specified manner which appears on the ballot in the election on incorporation

This bill would delete the requirement that the commission determine such maximum tax rate and the requirement that such rate appear on the ballot for such election

(6) Existing law, with respect to inhabited territory proposed to be annexed or detached, prescribes, in part, that the territory be annexed or detached, subject to the confirmation by the voters on the question, if written protests have been filed and not withdrawn by either 25 percent or more of the registered voters within the territory, or owners of land, who also own not less than 25 percent of the total assessed value of land within the territory

This bill would require that 25 percent or more of the number of owners of land, who own such percentage of total assessed value of land, file such written protests that are not withdrawn in order to make the annexation or detachment subject to confirmation by the voters.

(7) Existing law generally prohibits annexation to a city of territory which is not contiguous to the city

A limited exception to this prohibition presently exists, permitting the annexation to a city of noncontiguous territory consisting of 100 acres or less, situated in the same county as the city, and which is owned by the city and used by it for municipal purposes The law also presently allows annexation to a city of certain noncontiguous territory owned by the United States government or by the State of California.

This bill would allow noncontiguous territory of up to 160 acres to be annexed to a city, under the conditions presently specified in the law for the annexation of up to 100 acres of noncontiguous territory

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

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

Ch 930 (AB 687) Bates. State Coastal Conservancy coastal zone lands projects

(1) The existing law provides for the State Coastal Conservancy, with prescribed membership and powers and responsibilities, for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined The conservancy is authorized to acquire fee title, development rights, easements, and other interests in designated land located in the coastal zone, subject to specified conditions

This bill would, generally, do the following

(a) Require 6 members of the Legislature, appointed as prescribed, to meet with the conservancy and participate in its activities to the extent not incompatible with their legislative positions

(b) Authorize the Director of General Services, when so requested by the conservancy, to otherwise transfer any land, interest therein, or option acquired pursuant to the law providing for the conservancy, in addition to the present authorization of the director to lease, rent, sell, or exchange any land acquired pursuant to such law, and require that proceeds from such transactions be deposited with the conservancy and be available for expenditure when appropriated by the Legislature

(c) Modify the procedure for review and evaluation of proposed coastal restoration and coastal resource enhancement projects and condition the authority of the conservancy to provide funds for the preparation of plans following approval of such projects by the conservancy

(d) Revise the provisions specifying the conditions under which the conservancy may undertake coastal restoration and coastal resource enhancement projects

(e) Authorize nonprofit organizations, as defined, to acquire lands held by the conservancy at the acquisition price to the conservancy, if the city or county within which the lands are located approves the acquisition and the conveyance includes a restriction limiting such lands to the public purposes in a certified or approved plan or program

(f) Permit the conservancy, in addition to the Department of Parks and Recreation, to acquire fee title or lesser interests in areas required for public access to significant coastal resources and revise the provision requiring legislative approval in the acquisition of public access

(g) Make various conforming changes in the law

(2) Existing law provides for the establishment of buffer areas, known as resource protection zones, surrounding public beaches, parks, natural areas, and fish and wildlife preserves in the coastal zone to protect sensitive resource values located within such public areas and preserves Such law authorizes the conservancy to award grants to state agencies for the purposes of the acquisition of interests in lands, less than fee title, within resource protection zones, and requires state agencies to identify units under their jurisdiction which are particularly susceptible to adverse impacts from surrounding development and to define the general boundaries of impact areas

This bill would repeal such provisions, and authorize the conservancy, as specified, to award grants to state agencies for the purpose of acquisition of less than fee title in land or water areas within the coastal zone necessary to ensure protection of sensitive resource values

(3) The bill would also add provisions to the California Coastal Act of 1976 which would implement the protection of such sensitive resource values through the local coastal program planning process and require state agencies to identify sensitive resource values, as defined, within areas under their ownership or management that are particularly susceptible to adverse impacts from nearby development that is not carefully planned and to identify the location and type of development that would have a significant adverse impact

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

Ch 931 (AB 664) Lockyer Developmentally disabled regional center contracts

Under existing law, the State Department of Developmental Services contracts with regional center governing boards to provide services for the developmentally disabled

This bill would prohibit such contract from preventing the right of employees of a regional center to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection

Ch 932 (AB 656) Imbrecht Accident reports fees.

Under existing law, accident reports in the possession of the Department of the California Highway Patrol or local law enforcement agencies are not public records and are not included among records which may be generally disclosed, except in specified instances to interested parties

This bill would specify that a copy of an accident report is to be provided for a fee not to exceed the cost of providing the copy

This bill would also incorporate additional changes in Section 20012 of the Vehicle Code proposed by AB 167, to become operative only if AB 167 and this bill are both chaptered and this bill is chaptered last

Ch 933 (AB 648) Moorhead Nurses.

Existing law authorizes an applicant for a license as a registered nurse who fails to pass the examination for such a license to be reexamined in the subjects in which the applicant failed without payment of an additional fee if not more than 12 months have elapsed

since taking the first examination

This bill would require a fee for such reexamination, would delete the 12-month limitation and would authorize the Board of Registered Nursing to determine the time period limitation for such reexamination in such subjects

Existing law does not authorize the Board of Registered Nursing to take disciplinary action against a licensed nurse or an applicant for such a license who has had such a license revoked or suspended by another state or territory

This bill would give the board such authority

Existing law authorizes the issuance of an interim permit and a temporary permit to practice nursing by the Board of Registered Nursing to individuals meeting specified requirements and prescribes that all applications shall be accompanied by the fee prescribed for the filing of an application for a regular renewable license which is $35. The law prescribes that the fee for the approval of a continuing education program shall not be more than $25 and that the penalty for submitting insufficient funds, or a fictitious check, draft, or order is $3 The law does not authorize the board to charge a fee for the rescoring of an examination, the processing of endorsement papers to other states, or the processing or certified copies of school transcripts nor does it prescribe a fee for the evaluation of qualifications of a registered nurse to use the title "nurse practitioner"

This bill would (1) provide for a specific fee of $10 for an interim permit and a temporary license, (2) increase the fee for approval of a continuing education course to $50, (3) increase the penalty for an insufficient or fictitious check to $5, (3) provide a fee for the rescoring of an examination, for the processing of endorsement papers to other states, and for the processing of school transcripts, and (4) provide a fee of not more than $50 for evaluation of qualifications of a registered nurse to use the title "nurse practitioner"

Existing law provides that all moneys in the Board of Registered Nursing Fund are appropriated to the board to carry out purposes of the Nursing Practice Act

The fees provided for in this act would increase the moneys available for such use by the board

Ch 934 (AB 853) Calvo Development agreements

Existing law authorizes cities and counties to adopt, amend, and repeal zoning laws, ordinances, rules, and regulations subject to general planning requirements, and to adopt building and other regulations relating to property within their boundaries.

This bill would authorize any city, county, or city and county to enter into binding development agreements with persons having a legal or equitable interest in real property for the development of such property and would authorize every city, county, and city and county to establish procedures for consideration of applications for such agreements, including a public hearing and recording of such agreement and review of performance with its terms.

Such an agreement would supersede any change in rules or regulations or plans, zoning, subdivision, or building regulations of the city, county, or city and county adopted after execution of such agreement and would be enforceable by the parties to the agreement or their successors in interest Such an agreement would be required to be modified or suspended, as necessary, to conform to subsequent changes in state or federal laws or regulations. A development agreement would not be applicable to any development project located in a local coastal program area unless the local coastal program is certified, as specified, or unless the California Coastal Commission approves such development agreement by formal commission action

Ch 935 (SB 28) Nejedly Pesticides

Existing law, under civil penalties, requires any physician or surgeon who knows, or has reasonable cause to believe, a patient is suffering from pesticide poisoning or a disease or condition caused by pesticide poisoning to make specified reports to the local health officer Such local health officer is required to notify the county agricultural commissioner and report to the Director of Food and Agriculture and the State Director of Health Services

This bill would require the local health officer also to report to the Director of Industrial Relations and, at his or her discretion, to immediately notify the State Department of Health Services The bill would require the department to designate phone numbers

for such immediate notification and to establish criteria to determine the circumstances warranting such notice to the department

This bill would require any public employee, as specified, who knows, or has reasonable cause to believe, that a pesticide has been spilled or otherwise accidentally released to promptly notify the local health officer or the notification point specified in the local hazardous materials response plan, as specified The operator of such notification point would be required to immediately notify the local health officer of the report The local health officer would be required to immediately notify the county agricultural commissioner and, at his or her discretion, to immediately notify the State Department of Health Services The bill would require the state department to designate phone numbers for such immediate notification and to establish criteria to determine the circumstances warranting such notice to the state department The bill would also require the local health officer, within 7 days, to notify the Director of Food and Agriculture, the Director of Industrial Relations, and the State Director of Health Services on a form, as specified, of each case reported to him or her.

The bill would require the State Director of Health Services to maintain a file of such reports in the repository of current data on toxic materials, as specified

The bill would also require each public employer of a public employee subject to the provisions of the bill to post a specified notice in one or more prominent places frequented by such employee

The bill would make other technical conforming changes.

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

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

Ch 936 (SB 187) Campbell Fire Service Training and Education Program sunset provision

Existing law requires the State Fire Marshal to carry out the management of the California Fire Service Training and Education Program of specified contents Such provisions of existing law are effective only until January 1, 1980, and as of such date are repealed

This bill would extend such provisions of law until January 1, 1985, on which date they would be repealed

Ch 937 (SB 26) Nejedly Agricultural products donations· tax deductions

Existing law has various provisions relating to the donation of food including personal and corporate income tax deductions for taxpayers who make such donations, such provisions to be repealed on January 1, 1980

This bill extends such provisions until January 1, 1982.

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

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

Ch 938 (SB 370) Mills. Employment· reduced worktime program

The existing law states the policy of the state that the workweek of state employees shall be 40 hours.

This bill would enact a reduced worktime program to provide that whenever a reduction equivalent to 1% or more of full-time equivalent jobs is contemplated in the personnel of state agencies or departments, employees in such agencies or departments shall be permitted, under certain circumstances, to voluntarily reduce their worktime Em-

ployees would be required to be informed of the terms and conditions of such reduced worktime program, including, among other things, their rights with respect to returning to full-time work at a later date

This bill would require the State Personnel Board to adopt rules and guidelines relating to reduced worktime programs, and to submit reports, in cooperation with the Public Employees' Retirement System, to the Legislature on June 30, 1981, and June 30, 1982, relating to such programs.

This bill would specifically permit any employee who is being coerced, or who has been required, to involuntarily reduce his or her worktime, to file a grievance

The bill would specify that its provisions shall not be construed to supersede or impair any contrary provisions contained in an existing collective bargaining agreement

This bill would require that the Trustees of the California State University and Colleges, in cooperation with the State Personnel Board, be responsible for the provisions of the bill with respect to their employees

The bill would appropriate $20,000 from the General Fund to the State Personnel Board for administrative costs necessitated by the enactment of the bill

The bill would take effect immediately as an urgency statute

This bill would remain in effect only until June 30, 1982, and would be repealed as of that date unless a later enacted statute which is chaptered before June 30, 1982, deletes or extends such date

Ch 939 (SB 391) Beverly. State government surplus money investment

Existing law authorizes surplus state moneys to be invested in various specified securities

This bill would authorize surplus state moneys to be invested in corporate bonds, debentures, and notes which are within the top three ratings of a nationally recognized rating service

This bill would also make additional changes in Section 16430 of the Government Code, proposed by AB 735, to be operative only if this bill and AB 735 are both chaptered and effective January 1, 1980, and this bill is chaptered after AB 735

Ch 940 (SB 772) Holmdahl Administrative regulations housing costs

Existing law requires state agencies prior to the adoption, amendment, or repeal of any regulation to give a specified notice of the proposed change

This bill would require such notice to indicate the change, if any, on housing costs. It would also require that the agency evaluation, if any, be made available to the public upon request and require an agency to consider revisions to the proposed regulatory action if housing costs are significantly increased

This bill would also provide that if its provisions are incorporated into the new statutory scheme proposed by A B 1111, and both this bill and A B 1111 are chaptered and become effective January 1, 1980, and this bill is chaptered last, that the provisions added by this bill shall be repealed on July 1, 1980, the operative date of AB 1111

Ch 941 (AB 1798) Mello Property tax limits

Under existing provisions of the California Constitution, the maximum ad valorem property taxes which may be imposed on real property shall not exceed 1% of the full cash value of the property, except to pay the interest and redemption charges on any indebtedness approved by the voters prior to July 1, 1978

Existing statutory law enacted to implement such constitutional provisions prohibits any local agency except counties from imposing an ad valorem property tax except to pay certain indebtedness approved by the voters prior to July 1, 1978

This bill would specify that indebtedness approved by the voters prior to July 1, 1978, shall include city charter provisions which were approved prior to such date and which require a city to levy an additional property tax to pay certain obligations, based on a specified level of benefits approved by the voters, under a retirement system for city employees

Under existing law, an amount sufficient to reimburse local agencies for property tax revenue losses due to the homeowners' tax exemption is continuously appropriated from the General Fund to the Controller for such purposes

This bill, by authorizing cities to impose a tax for certain indebtedness, would increase

the amount of property tax revenues that would have been received by such cities, except for the homeowners' property tax exemption, thereby affecting the amount continuously appropriated from the General Fund to the Controller to reimburse such cities for such revenue losses

The provisions of this bill would apply only to a chartered city which levied a property tax for the 1978–79 fiscal year to pay obligations under the retirement system for city employees and would be operative only with regard to the 1978–79 and 1979–80 fiscal years

This bill would take effect immediately as an urgency statute, and would be repealed December 31, 1980, unless a later enacted statute, which is chaptered before that date, deletes or extends such date

Ch 942 (SB 853) Marks Land use housing

Existing law requires that state and local agencies intending to dispose of surplus land notify park and recreational oriented agencies of such intent and prescribes a procedure giving such agencies first opportunity to purchase the land for park and recreational purposes or open-space purposes.

This bill would add local agencies, redevelopment agencies, and housing authorities as entities entitled to such notice and entitled to first opportunity to purchase the surplus land, for low and moderate income housing purposes

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

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

Ch 943 (SB 1167) Foran Vehicle dealers: advertisements

Existing law makes it unlawful to advertise the total price of a vehicle without including all costs to the buyer at the time of delivery, except sales tax, registration fees, the fee for issuance of the vehicle emission certificate of compliance, finance charges, mobilehome escrow fees, city or county imposed mobilehome fee or tax, and any dealer documentary preparation charge The advertisement is required to indicate that such charges will be added to the advertised total price at the time of sale. Except in prescribed circumstances, it is unlawful to refuse to sell a vehicle to any person at the advertised price while the vehicle remains unsold

This bill would provide that, under the conditions specified, it is unlawful to fail to sell an unsold vehicle at the advertised price The bill would make it unlawful to exclude information about such specified additional charges from a newspaper display advertisement, as defined

The bill would also make a technical change

Ch. 944 (SB 13) Richardson Crimes.

(1) Under existing law there are various criminal offenses which a person may commit, and sentence enhancements to which he may be subject, if he threatens or harms a victim or witness, apart from or incident to the commission of any other crime

Specifically, the use of force or threat of force to prevent or dissuade the attendance of a witness is punishable alternatively by a specified fine, county jail or state prison term, while the use of force, threat of force, or fraud to influence testimony is a felony

This bill would delete such fine and county jail alternatives and increase the length of such state prison or felony imprisonment

This bill would also require that such penalties be announced in court at the arraignment upon motion of a party and showing of cause to believe a person may violate such provisions

(2) Under existing law various sex crimes committed upon a child under 14, or upon any person by force, violence, or threat thereof, are punishable by fixed terms in a state prison or by a term in a county jail, as specified

This bill would make separate provisions relative to forcible sexual acts upon a child

under 14, and as to these and other cases would make various provisions relative to infliction of bodily and psychological harm, aiding and abetting, solicitation, assault, consecutive terms, enhancement for prior or other convictions or use of deadly weapons, probation, and plea bargaining

(3) Existing law provides for registration of sex offenders, consisting of specified information which is filed with a local law enforcement agency and forwarded to the Department of Justice, and notice of their release from confinement Such notice is sent by the Department of Justice to the local law enforcement agency where the person expects to reside, after the address is sent to the department by the person in charge of the place of confinement

This bill would provide for notice of such release to be sent by the Department of Justice to the court and prosecutor in the case as well as such local law enforcement agency, 30 days prior to such release, as to felony offenders other than those released by a court on probation

The bill would specify that certain offenders convicted of willful violation of the registration provisions shall serve at least 90 days in the county jail. The bill would require parole or probation revocation upon failure of a parolee or probationer to register

Existing law does not provide for notice to a local law enforcement agency of a temporary assignment of an inmate away from an institution

This bill would make such a requirement as to certain felony sex offenders

Existing law does not include as such a sex offense certain anal or genital penetration by a foreign object

This bill would include it

(4) Existing law establishes the order in which criminal offenses shall be tried by the courts and provides that all criminal actions wherein a minor is detained as a material witness or a minor is the victim of the alleged offense shall be given precedence over all other criminal actions

This bill would enlarge the group of criminal actions to be given precedence over all other criminal actions to include criminal actions wherein any person is a victim of an alleged sex crime committed by the use of force, violence, or the threat thereof

Existing law also provides that the trial of all such criminal actions given precedence over others shall be commenced within 30 days after arraignment, unless for good cause the court directs the action to be continued, after a hearing and determination of the necessity of such continuance

This bill would require the court to state the findings for good cause on the record

The bill would specify that it creates no right to a trial within 30 days.

(5) Existing law authorizes temporary removal of state prisoners from the institution where they are detained for college classes, authorizes their placement in community correctional centers for educational and other furloughs, and provides for other classes in Department of Corrections institutions Existing law also requires certain sex offenders to register with a city or county

This bill would prohibit release or removal of imprisoned persons who are imprisoned for a felony subject to the registration requirement, and any person under the jurisdiction of the adult court confined by the Youth Authority, into a city or county for educational purposes, as specified

(6) Under existing law a minor can be found not a proper subject to be dealt with under the juvenile court under specified circumstances involving commission of various offenses, including forcible rape

This bill would include additional forcible sex offenses in such provisions.

(7) Existing law authorizes commitment of adult offenders over 18 and under 21 years of age to the Youth Authority, as specified

This bill would prohibit commitment to the Youth Authority of persons convicted of a felony involving prescribed sexual conduct committed when 18 years of age or older who have a previous felony conviction involving prescribed sexual conduct

(8) 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 945 (SB 1170) Carpenter Mobilehome parks

Existing law provides that the management of a mobilehome park shall not terminate a tenancy in such park except for specified reasons, including a change of use of the park, but does not provide a definition for a change of use

This bill would provide a definition for "change of use "

Existing law requires the management of a mobilehome park, as a condition to terminating a tenancy due to a change of use of the park, to give a tenant 12 months' written notice before the date of the proposed change, and to give a proposed tenant whose tenancy will commence within 12 months of the proposed change written notice thereof prior to the inception of the tenancy

This bill would provide instead that, as a condition to terminating a tenancy due to a change of use, the management shall give a tenant 15 days' written notice of the management's appearance before a local governmental body to request change of use permits, and 12 months' written notice of the change of use, as specified This bill would also require that a proposed tenant be given written notice prior to the inception of the tenancy of the management's request for, or obtaining of, change of use permits.

This bill would incorporate changes in Section 798 56 of the Civil Code proposed by AB 1744 to become operative if both bills are enacted and this bill is chaptered last

Ch 946 (SB 428) Montoya Redevelopment employment of project area residents.

Present law requires that contracts for work performed in connection with a redevelopment project shall give preference, as prescribed, to employment of residents of the project area. However, existing law neither authorizes nor requires that businesses locating in a redevelopment project area give preference to the hiring or training of project area residents

This bill would authorize a redevelopment agency subject to the bill to, by contract, obligate lessees and purchasers within a redevelopment project area to give preference to project area residents in opportunities for training and employment, with respect to businesses to be conducted on the premises. This bill would require affected labor organizations to cooperate in the implementation of such a contract, as specified.

This bill would apply only to redevelopment agencies with a resident population of under 1,000 in the territorial jurisdiction thereof, and with a secured assessed valuation of not more than $30,000,000 as shown on the 1978–79 assessment roll

Ch 947 (SB 606) Foran State housing policy.

(1) Existing law provides for the adoption of zoning laws and ordinances and for subdivision approvals by counties and cities.

This bill would, with respect to such activities, require the county or city to consider the effect of its action on the housing needs of the region in which it is situated, and balance such needs against the public service needs of its residents and available fiscal and environmental resources Where a county or city ordinance limits construction of housing units, it would be required to contain specified findings as to the public health, safety, or welfare justifying its adoption

(2) Existing law does not presently require that standards and regulations of the State Air Resources Board, the state policy for water quality control, or the water quality objectives of regional water quality control boards give recognition to state housing policy

This bill would enact such a requirement, and would require consideration of a prescribed state housing goal by the State Water Resources Control Board, when acting upon applications to appropriate water

(3) The California Environmental Quality Act contains specified policy declarations.

This bill would revise such declarations to include a reference to specified housing objectives.

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

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

Ch 948 (AB 1631) Knox Arbitration.

Existing law contains procedures for the arbitration of disputes pursuant to arbitration agreements Existing law does not provide a procedure for supplying lists of witnesses and documents to be used in the hearing except as provided under discovery provisions

This bill would provide that in cases where the amount in controversy exceeds $50,000, except with respect to collective-bargaining agreements, matters subject to discovery, actions involving personal injury or death, and cases where the parties have otherwise provided by contract, parties may demand in writing that the other party produce a list of witnesses and documents Both parties would have a right to such lists

The bill would provide for the enforcement of such requests, would revise procedures relating to the time of hearing such cases, and would make related changes.

Existing law, which became operative July 1, 1979, excludes from the uniform system of judicial arbitration actions filed in a superior or municipal court which has been selected to participate in a specified pilot project relating to relatively small civil actions

This bill would authorize any such excluded court to provide by local rule that actions pending on or filed after July 1, 1979, shall be subject to the judicial arbitration provisions

The bill would take effect immediately as an urgency statute

Ch 949 (AB 1801) Ingalls Community college district transfers

Under current law, a student who meets entrance requirements must be admitted to a community college in another district unless such admission would be contrary to the terms of an interdistrict attendance agreement or notice of restriction

This bill would provide that notwithstanding limitations to the contrary, because of unique circumstances, residents living in the Corona-Norco Unified School District located in the Chaffey Community College District, shall have the right to attend classes at either Chaffey Community College or at community colleges within the Riverside Community College District

It would authorize the Riverside Community College District to offer classes in the Corona-Norco Unified School District which are not duplicative of current or future classes offered by any other community college district located within the Corona-Norco Unified School District Provision would also be made for duplicative classes currently offered or to be offered in the future in the Corona-Norco Unified School District, as provided

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

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

This bill would take effect immediately as an urgency statute

Ch 950 (AB 1809) Hannigan Grand juries two-year service

The California Constitution and existing statutory law require each county to draw and impanel at least 1 grand jury in each fiscal year California statutes prohibit a person to act as a grand juror if the person has been discharged as a grand juror in any court of this state within 1 year

This bill would provide, if the superior court so decides, for service by members of grand juries for 1 year in a manner such that at least half of the members of a grand jury were members of the grand jury impaneled in the previous year Such grand jury selection process would not be applicable to additional grand juries authorized by law to be appointed in specific counties

The bill also would authorize the presiding judge, if the superior court so decides, to name 4 regular jurors not previously so named, who served on the previous grand jury and who so consent, to serve for a second year

The aforementioned provisions would be repealed July 1, 1984

Existing law generally requires that meetings of the legislative body of a local agency shall be open and public

This bill would specify that such provision shall not be construed to prohibit members of such legislative bodies from giving testimony in private before a grand jury, either as individuals or as a body

Ch 951 (AB 1821) Nolan. Period of detention bail

(1) Existing law permits the defendant to deposit bail prior to the date on which he or she has promised to appear Deposit of bail may be made by personal check, as specified, for any offense other than a felony

This bill would specify that, when an action has been filed, bail may be deposited prior to the scheduled court date The bill would require specified local agencies to adopt written criteria for the acceptance of personal checks

The bill would make a technical change

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

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

Ch 952 (AB 993) Perino Fairs appropriations

(1) Existing law requires an annual deposit in the Fair and Exposition Fund of either $20,000,000 or specified revenues received by the California Horse Racing Board which are in excess of 4% of the gross amount handled in the parimutuel pool, whichever is lesser

This bill would repeal such existing law and instead require $265,000 plus ⁶⁸⁄₁₀₀ of 1% of the parimutuel pool to be paid annually to the Fair and Exposition Fund

(2) Under existing provisions of the Horse Racing Law, an annual appropriation of $4,680,000 is made from the Fair and Exposition Fund for apportionment by the Department of Food and Agriculture to fairs on the basis of need, including, but not limited to, specified factors

This bill would increase such annual appropriation to $6,460,000 and would specify additional factors to be used in determining need for such apportionments

(3) Under existing law, any unappropriated money in the Fair and Exposition Fund at the end of each fiscal year is required to be transferred to the General Fund

This bill would repeal such existing law The bill would appropriate to the Director of Food and Agriculture specified moneys remaining in the fund at the end of the fiscal year for allocation to fairs for capital outlay projects and for general operational support purposes

(4) This bill would require the board to deposit in the Fair and Exposition Fund $2,000,000 each year for the 1979–80 and 1980–81 fiscal years and would appropriate such moneys to the Department of Food and Agriculture for allocation to fairs for major and deferred maintenance projects

(5) Existing law divides the state into agricultural districts and provides for creation of a district agricultural association within each district

This bill would create District 5 in a specified portion of the City and County of San Francisco The territory in District 5 would be excluded from District 1a.

(6) The bill would require that the Department of Food and Agriculture report to the Legislature on or before July 1, 1980, with respect to the development of financial support for fairs, as specified, and would require that the Joint Committee on Fairs Allocation and Classification on or before January 1, 1981, report its recommendations to the Legislature for the clarification of statutes pertaining to the purpose of fairs.

Ch 953 (AB 1020) Hannigan Capitol area planning redevelopment

Under existing law, the Department of General Services is charged with overall responsibility and authority for the formulation and implementation of a master plan for beautification of the Capitol Mall, and for the disposition of state property within the Capitol area, as defined Such area is required to be developed pursuant to a Capitol Area Plan, prepared by the department in cooperation with Sacramento city and county officials and a Capitol Area Committee composed of a specific membership

This bill would authorize the Capitol Area Development Authority to, among other things, function as a redevelopment agency in the project area, as defined, of Sacramento, and would specify a formula under which a portion of the local property tax would be set aside for capitol area redevelopment With the exception of such taxes used for street lights and sidewalks, not less than 20% of the tax revenues received under the

bill would be required to be expended for the purpose of increasing and improving housing for persons of low income and persons and families of moderate income, as defined under existing law The bill would also revise an existing rental credit or refund for taxes paid where the tenant is no longer leasing the property, to conform to its provisions

The bill would also create notice requirements for redevelopment plan meetings and establish procedures for maintaining a legal action against the authority

This bill would require the authority to make certain units available at affordable rents, as defined, to low-income households, as defined, as specified

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

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

Ch 954 (AB 1035) Bates Structural pest control

Existing law provides that the Structural Pest Control Board may adopt, amend, repeal, and enforce rules and regulations, as specified.

This bill would require the Structural Pest Control Board and the Department of Food and Agriculture, in cooperation with the California Agricultural Commissioner's Association, to develop, by January 1, 1981, an interagency agreement to coordinate all pesticide enforcement actions regarding licensed structural pest control operators It would require the board to consult with the Department of Industrial Relations with regard to regulations concerning worker health and safety

Existing law provides that disregard and violation of fumigation or extermination laws is a ground for disciplinary action

This bill would provide that disregard and violation of pesticide application laws is also a ground for disciplinary action

This bill would also require that a notice of noncompliance be issued whenever an authorized investigator or inspector of the Structural Pest Control Board finds that a pesticide application, fumigation, or extermination procedure is not in compliance with the law Upon receiving such notice, a licensee must discontinue the pest control work until the procedure is brought into compliance. Failure to discontinue after receiving a notice of noncompliance is a ground for disciplinary action

Existing law provides that the failure of a pest control operator to make and keep records, as specified, of work for the control of wood-destroying pests is a ground for disciplinary action

This bill would provide that the failure of an operator to make and keep records of work for the control of structural, rather than just wood-destroying, pests is a ground for disciplinary action

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

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

Ch 955 (AB 1072) Rosenthal Business and professions.

Under existing law, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued

This bill would provide that various specified boards may suspend or revoke a license on the ground that the licensee has committed an act of sexual abuse, misconduct, or relations with a patient, client, or customer which is substantially related to the qualifica-

tions, functions, or duties of the occupation for which the license was issued.

This bill would also revise the provisions relating to the educational requirements to be fulfilled by such persons and the restrictions placed on specified entities with respect to the number of such persons which they can employ

Existing law provides that, under certain circumstances, a person may be granted a license to practice psychology, if licensed or certified, as specified, by the board of examiners in another state and that a psychologist certified or licensed in another state who has applied for a license in this state may engage in the practice of psychology without a valid license for a period not to exceed 90 days from the time of submitting his application

This bill would provide instead that a person may be granted a license to practice psychology, if licensed or certified, as specified, by a psychology licensing authority in another state and that a psychologist certified or licensed in another state who has applied for a license in this state may engage in the practice of psychology without a valid license for a period not to exceed 180 calendar days from the time of submitting his or her application or the commencement of residency in this state, whichever first occurs

Under existing law relating to the licensure of psychologists and the registration of psychological assistants, a license or registration may be denied, suspended, revoked, or issued with conditions therein for various specified causes

This bill would add to such causes the commission of any dishonest, corrupt or fraudulent act or any act of sexual abuse, or sexual relations with a patient, or sexual misconduct which is substantially related to the qualifications, functions or duties of a psychologist or psychological assistant

This bill would also revise the definitions of "accredited" and "approved" as used with reference to academic institutions under the provisions of law relating to the licensure and regulation of psychologists

Ch 956 (SB 1183) Garamendi Emergencies nuclear powerplants

(1) Existing provisions of law require the certification of sites and thermal powerplants, including nuclear powerplants, with a generating capacity of 50 megawatts or more

This bill would require the Office of Emergency Services, in consultation with the State Department of Health Services, to investigate the consequences of a serious nuclear powerplant accident for nuclear powerplants in California with a generating capacity of 50 megawatts or more

(2) Existing provisions of the California Emergency Services Act specify procedures for responding to emergencies The Governor is required to approve a State Emergency Plan and counties and cities are authorized to create disaster councils which are required to develop plans for meeting emergencies

This bill would direct the Public Utilities Commission to develop and transmit to the Office of Emergency Services a method of assessment of the operators of the 4 specified powerplants sufficient to meet all state costs not reimbursed from federal funds pursuant to this bill and would specify that local agencies would be reimbursed for their costs not reimbursed from federal funds in preparing or updating their plans for the affected area surrounding such powerplants by the operator of each such powerplant The bill would specify an initial $25,000 assessment on each such powerplant, and would direct each operator to pay this amount and such additional amounts, not to exceed $2,000,000 from all such operators for reimbursement of state costs, as are specified by the office to the State Controller for deposit in the Nuclear Planning Assessment Special Account, which the bill would create in the General Fund and would continuously appropriate to the State Controller for payment to state and local agencies for their costs pursuant to this bill It would direct the State Controller to pay state and local agency claims which are certified by the Office of Emergency Services It would provide for a pro rata reimbursement of any funds remaining after the purposes of this bill have been accomplished It would direct each state and local agency concerned to submit its costs to the Office of Emergency Services

The bill would specify that these provisions shall be repealed on January 1, 1983

(3) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs man-

dated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

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

Ch 957 (SB 321) Rodda. State claims.

This bill would appropriate $2,425,464 66 † 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. 958 (SB 1155) Sieroty Civil procedure

Existing law confers original jurisdiction in municipal and justice courts in, among other things, proceedings in forcible entry or forcible or unlawful detainer where the rental value is $600 or less and the whole amount of damages is $15,000 or less.

This bill would revise such provision to confer such jurisdiction in actions to recover possession of real property where rent is charged and the amount of the last rental charged is $1,000 or less per month and the whole amount of damages claimed is $15,000 or less, or where the rental value is $1,000 per month or less and the whole amount claimed is $15,000 or less

Existing statutory law, in an action in unlawful detainer, does not expressly address the question of whether a landlord may file one or more new actions in unlawful detainer while an appeal is pending on a prior action in unlawful detainer involving the same parties and property The case of Woods-Drury, Inc v Superior Court (1936), 18 Cal App 2d 340, precluded a trial court from taking any action, short of dismissal, as to unlawful detainer actions filed by a landlord where an appeal was pending as to an unlawful detainer action previously filed and involving the same parties and property

This bill would declare the intention of the Legislature to overturn the above-referenced case, as specified, and would expressly provide that a new cause of action to obtain possession of real property on the same agreement for the rental of real property shall not be barred because of an appeal

Ch 959 (SB 1112) Presley Real estate

(1) Existing law requires every real estate licensee who attempts to negotiate a rental or who furnishes rental information to a prospective tenant for a fee to provide such person with a contract or receipt and to provide in such contract or receipt that such licensee shall undertake to repay any amount over $10 if the prospective tenant does not obtain a rental.

This bill would make such provision apply to any person negotiating such rental or furnishing such rental information, would increase the amount over which such licensee shall repay to $25 and would provide that such provision is not to apply to persons purchasing rental information for purposes other than that of locating a rental unit for personal use or use of a designated person Any use of such exclusion, except in a bona fide manner, would be unlawful and would constitute a ground for both criminal and disciplinary action against a licensee

(2) Existing law requires that the holder of an inactive real estate license may only reinstate or renew such license on an active basis on and after January 1, 1981, provided such licensee has completed specified continuing education requirements The law provides that a hardship exemption may be given for a 90-day period to applicants reinstating or renewing such license prior to January 1, 1981

This bill would provide that such 90-day exemption may be given to hardship applicants applying for such reinstatement or renewal on and after January 1, 1981

(3) The bill makes related changes.

(4) Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review

† Appropriation reduced to $2,030,839 24 by action of the Governor

statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

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

Ch 960 (SB 1026) Foran. Housing finance

(1) Present law specifies various goals and priorities regarding housing financed by the California Housing Finance Agency

This bill would establish a goal that not less than 80% of the dollar amount of financing provided with the proceeds of the agency's bonds after December 31, 1979, be for loans for new construction and for substantial rehabilitation of housing units, as prescribed The bill would require not less than 60% of the dollar amount of the agency's financing provided after December 31, 1979, to be for new construction, substantial rehabilitation, and subsidized rental units The bill would establish special priorities and requirements with respect to housing financed by the agency which is insured under a federal multifamily insurance program The bill would require the agency to annually submit to the Legislature a prescribed annual plan for using its revenue bond authority and to update the plan quarterly The bill would require the agency to annually report its performance in meeting the plan and specified goals and requirements

(2) Existing law authorizes the California Housing Finance Agency to issue nonguaranteed, tax-exempt revenue bonds not to exceed $750,000,000 outstanding at any time, exclusive of indebtedness incurred to refund or renew previously issued bonds of the agency

This bill would increase such limitation on outstanding bonded indebtedness by $750,000,000 to a total of $1,500,000,000, exclusive of indebtedness incurred to refund or renew previously issued bonds of the agency

The proceeds of the sale of bonds of the agency are required to be paid, after allocation of certain expenses, to the California Housing Finance Fund, which fund is continuously appropriated to the agency

Ch 961 (SB 672) Rains California Environmental Quality Act· coastal development plans

The California Coastal Act of 1976, generally, provides for the planning of, and regulation of development, as defined, under a coastal development permit process, within, the coastal zone, as defined It permits the University of California and the California State University and Colleges to submit long-range land use development plans, to be alternatives to obtaining a permit for each project, and provides for the approval and certification of such plans 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 they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment

This bill would exempt from the provisions of the California Environmental Quality Act, with prescribed exceptions, the activities and approvals by the University of California and the California State University and Colleges which are necessary for the preparation and adoption of such plans pursuant to the California Coastal Act of 1976

Ch 962 (SB 934) Montoya. Department of Education census.

Existing law provides for various public educational agencies, but does not prescribe any duties respecting the federal census

This bill would authorize public educational agencies to conduct special information programs regarding the 1980 federal census and would authorize all other state agencies to publicize information concerning the census.

This bill would authorize the Department of Education to develop basic curriculum materials, as specified, to be ready for use by school districts no later than 6 months prior to March 1980

Ch 963 (SB 993) Dills. Gambling devices

Existing law prohibits the manufacture, repair, ownership, storage, possession, sale,

rental, lease, and transportation of slot machines and devices as a misdemeanor

This bill would permit the sale, transportation, storage, and manufacture of gambling devices in California only for subsequent transportation in interstate or foreign commerce when not prohibited by federal law by persons registered under federal law. The bill would prohibit the display of such devices to the public, the sale for use in California regardless of where purchased, and the holding and manufacturing of such devices in violation of federal law as a misdemeanor

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

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

Ch 964 (AB 1546) Torres Innkeepers' liens.

Existing law provides that hotel, motel, inn, boardinghouse, and lodginghouse keepers have a lien upon the baggage and other property of guests, boarders, tenants, or lodgers for the proper charges due from such persons for accommodations and services. The baggage and other property may be sold unless the charges are paid within 60 days. Notice of the sale is required to be mailed at least 15 days before the sale to the person owing the charges A federal district court has declared such provision to be unconstitutional because it fails to provide for any sort of hearing prior to the imposition of the lien thus depriving the boarder of property without due process of law

This bill, as to such lien and property, would provide that such lien may be enforced only after final judgment in a specified action and would provide for the issuance of a writ of possession at the time of, or after, the filing of a complaint and after a hearing on a noticed motion, except that an ex parte lien could be issued under certain limited circumstances An undertaking would be required before the writ could be issued The bill would prescribe the rights and obligations of the parties involved as to such writ Property exempt from attachment or execution would not be subject to an innkeepers' lien

The bill would provide for sale of the baggage and property if the judgment is not paid within 30 days from the date it becomes final

The bill would authorize a small claims court to issue such a writ of possession

The judicial duties required to be performed by the bill would be deemed "subordinate judicial duties" which could be performed by appointed officers such as court commissioners

Ch 965 (AB 1610) Levine Insurance comprehensive preventive care of children

Existing law does not require health care service plans, disability insurance policies, self-insured employee welfare benefit plans, or nonprofit hospital service plans to offer coverage for comprehensive preventive care of children

This bill would require such plans and policies which are issued or entered into on a group basis to offer coverage on and after January 1, 1980, for comprehensive preventive care of children

Ch 966 (SB 213) Greene Jailers

Under existing law it is unlawful for any officer or jailer in a county jail to search the person of any prisoner of the opposite sex, or to enter into the room or cell occupied by any prisoner of the opposite sex, except in the company of a deputy sheriff of the same sex as the prisoner

This bill would make such prohibition applicable to station officers, as defined, and would provide that such law shall not be applied to discriminate against any officer, station officer, or jailer by prohibiting appointment or work assignment on the basis of the sex of the officer or jailer

Ch 967 (SB 647) Johnson Air pollution asphalt

Under existing law, air pollution control districts are required to adopt rules and

regulations to achieve and maintain the state's ambient air quality standards

This bill would specifically authorize any district to adopt a rule or regulation, based on local considerations, for the control of volatile organic compound emissions from cutback asphalt paving materials

The bill would prohibit the State Air Resources Board from overriding or otherwise amending any action taken by a district relating to the use of cutback asphalts

The bill would take effect immediately as an urgency statute

Ch. 968 (SB 763) Marks Small claims court· experimental procedures

Existing law mandates certain experimental procedures relating to court assistance in selected small claims courts, to terminate March 31, 1979

This bill would authorize the courts involved to continue or reinstitute such procedures to terminate on or before June 30, 1980

This bill would appropriate $52,670 to the State Controller for disbursement to counties exercising such option for the costs incurred therefrom

This bill would take effect immediately as an urgency statute

Ch 969 (AB 774) Mori Farm products producer's lien against processor

(1) Under existing law, the producer of a farm product who sells such product to a processor under contract has a lien upon such product and its processed form to the extent of the agreed price for such product Such lien remains in effect until 60 days after delivery date at which time it ceases, unless court proceedings are commenced to enforce the lien

This bill would delete the provision that such lien is effective for only 60 days unless court proceedings to enforce the lien are commenced

(2) Existing law provides that a producer shall not have a lien on any farm product or processed product derived from such farm product that is pledged, as specified, to any lender that advances new value to the processor and files a statement of intention to finance, as specified It allows a producer to file with such lender a statement of claim against the processor, and requires the lender to withhold such loan proceeds as will satisfy the producer's statement, as specified

The bill would delete such provisions

(3) Existing law prohibits any processor from removing, from this state or beyond his ownership or control, a farm product or its processed form to which a lien has attached

The bill would authorize the sale of any such product or its processed form so long as the total proceeds of the sale are used to satisfy obligations to producers secured by such liens

(4) The repealed provisions discussed in (2) above would continue to govern any loan, or any loan made pursuant to a commitment to lend, made prior to January 1, 1980

Ch 970 (AB 852) Rosenthal Hearing aid dispensers

Under existing law a person is required to be licensed to fit and sell hearing aids but not to merely sell a hearing aid or to merely fit a hearing aid

This bill requires licensure of persons who either sell or fit hearing aids.

This bill would also prohibit the employment of a hearing aid dispenser by a physician and surgeon, a medical corporation, or an audiologist, except as specified

Existing law exempts any physician and surgeon or any audiologist with a certificate of clinical competency in audiology issued by the American Speech and Hearing Association, who does not engage in the sale of hearing aids, from provisions of law regulating hearing aid dispensers

This bill would revise such exemption as it applies to audiologists to exempt any audiologist who is licensed, as specified, and who does not engage in the sale of hearing aids

Existing law requires one of the four public members on the Hearing Aid Dispensers Examining Committee to be an audiologist, holding a certificate of clinical competency issued by the American Speech and Hearing Association

This bill would delete such requirement for such public member, and instead require licensure as an audiologist in this state

Existing law provides for the issuance of a temporary license to an applicant pending examination, while employed or supervised by a licensee

This bill would revise such provisions Among other things it would permit an applicant for a temporary license to practice under the supervision of a licensee between the date of notice that the application is on file and the date of granting or denying an application.

Existing law provides that all money in the Hearing Aid Dispensers Fund is continuously appropriated to the Board of Medical Quality Assurance to carry out provisions relating to hearing aid dispensers.

The fees to be generated by a new class of licensees created by this bill would result in an increase in such fund available for expenditures

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

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

Ch 971 (AB 430) Hughes Housing loan assumptions

(1) Present law prohibiting conditions that restrain alienation of real property have been construed by the courts to preclude lenders upon the security of real property from requiring acceleration of the loan balance at the time of sale or other transfer of the real property by the borrower, except under delineated circumstances

This bill would exempt specified housing loans made directly or indirectly by state or local public entities from the prohibition against such "due on sale" clauses with respect to subsequent purchasers or transferees who fail to meet the entity's eligibility requirements The bill would expressly permit increasing the interest rate on such a loan, as prescribed, as an alternative to accelerating the balance upon sale or other transfer of the property by the borrower The bill would also provide for disposition of the additional interest in such cases

(2) Present law, with certain exceptions, authorizes the California Housing Finance Agengy to permit assumption of its mortgage loans by subsequent purcasers who are not of low or moderate income only if a new payment schedule at market interest is substituted for the original payment schedule The agency is authorized to waive such requirement prior to July 1, 1979, to permit participation in mortgage nsurance, guarantee, or purchase programs or when such requirement would interfere with a bond financing program On and afterDsuch date, waivers may be granted only with respect to federally assisted or insured loans where required to comply with federal law

This bill would require, with respect to such loan assumptions by a subsequent ineligible purchaser or transferee, that the agency require the acceleration of repayment of the principal balance of the loan to be all due and payable at the time of sale or other transfer This bill would specifically make such requirement applicable to transfers other than sales This bill would authorize waivers with respect to mortgage loans made prior to July 1, 1979, when necessary to permit participation in mortgage insurance, guarantee, or purchase programs or when such requirement would interfere with any bond financing program The bill would authorize waivers for mortgage loans made after such date only where necessary to obtain federal assistance or insurance for the loan The bill would require the agency to increase the interest on a mortgage loan to the current market rate at the time of assumption, or to the maximum permitted by any entity providing any such insurance or other assistance if lower than the current market interest rate, as a condition of granting a waiver that permits assumption of the loan by an ineligible purchaser or transferee

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

Ch 972 (AB 365) Bosco Franchises death of franchisee

Existing law provides that generally, and in the absence of any provision to the contrary, the death of a party to a franchise for the sale of petroleum products does not terminate a contract if it is not of a personal nature

This bill would make it unlawful on and after January 1, 1980, to include any term in any franchise agreement which provides for the termination of the franchise by the

franchisor upon the death of the franchisee if the franchisee designates a successor-in-interest, as specified

It would set forth conditions which may be required of successors-in-interest in order to assume and operate the franchise It would also permit the franchisor to operate the franchise following the death of the franchisee and prior to the assumption of operation of the franchise by the successor-in-interest

Ch 973 (AB 357) Greene Civil action

Existing law prohibits the filing of a complaint in a civil 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

This bill would enact a similar requirement relating to an action for damages against an architect, professional engineer, or land surveyor The bill would provide that if consultation with an architect, professional engineer, or land surveyor could not be obtained because of a statute of limitations problem, the attorney may file such certificate stating such problem and would be required to file such certificate involving such a consultation within 60 days after filing or the complaint shall be dismissed

The bill would provide that consultation between the attorney and architect, professional engineer, or land surveyor is privileged

A violation of the bill's provisions may constitute unprofessional conduct and be grounds for disciplinary action against the attorney, as specified, and would be grounds for the filing of an objection to the complaint by means of a demurrer or answer

[The requirements of the bill would be repealed on January 1, 1984]*

Ch 974 (AB 1496) Imbrecht Child care children and the elderly

Under existing law, no provisions exist to create a child care program which would utilize the services of the elderly as aides in the program

This bill would establish the Intergenerational Child Care Act of 1979 which would establish a 3-year project in which child care services would be provided in programs staffed by elderly aides The bill would make rules and regulations adopted under the child development act and alternative child care programs applicable, as nearly as may be practicable, to such project This bill would provide that the centers be operated by nonprofit corporations in cooperation with local school districts which would assist in providing sites and in-kind services Fees for services would be charged on a sliding scale basis This bill would further provide that the centers may seek integrated funding from other specified sources to augment state funds received Finally, this bill would require that the Department of Education report to the Legislature regarding the effectiveness of the projects no later than 6 months prior to the conclusion of the 3-year project

This bill would express the legislative intent that funding for its provisions be derived from Item 328 of the Budget Act of 1979 and Title 20 Social Service Act training appropriation, as specified

This bill would take effect immediately as an urgency statute

Ch 975 (AB 1125) Bane Healing arts

Existing law prohibits an optometrist from having any business arrangements, as specified, with any registered dispensing optician to whom patients, clients or customers are referred or who refers patients, clients or customers to an optometrist

This bill would revise such prohibition by deleting the requirement of referring patients, clients or customers to an optician or the referral of patients, clients or customers to an optometrist by an optician, thus the prohibition of such business arrangements would apply to any such arrangements between an optometrist and an optician The bill also specifies that no optician shall have any such business arrangements with any optometrist

Existing law prohibits an optometrist from having any business arrangement, as specified, with any person who is engaged in the manufacture, sale, or distribution to physicians and surgeons, optometrists, or dispensing opticians of lenses, frames, optical supplies, optometric appliances or devices or kindred products. The law exempts from

such prohibition any corporation all of the shares of which were owned for one year preceding April 8, 1969, by persons licensed as an optometrist or spouse of an optometrist if such corporation was engaged in such manufacture, sale, or distribution for more than one year preceding April 8, 1969

This bill would delete such exemption

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

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

The provisions of this bill would become operative on January 1, 1983

Ch 976 (SB 831) Robbins Building permits.

(1) 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 to be licensed. Existing law also requires notice of the identity of construction lenders for purposes of the mechanics' lien laws.

On and after July 1, 1980, existing law will require, in cities and counties, whether chartered or general law, that when building permits are required, 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

This bill would require a city or county, whether chartered or general law, to give a specified notice in the manner specified in the bill whenever an application for a building permit is submitted in the name of the owner as the builder A specified owner-builder verification would be required to be attached to such notice, and the completion or return, as specified, of the owner-builder verification would be a condition precedent to issuance of the building permit

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

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

Ch 977 (SB 15) Greene Vocational education.

(1) Under current law, school districts, community college districts, county superintendents of schools, or the governing body of any agency maintaining a regional occupational center or program may contract with approved private postsecondary schools to provide authorized vocational skill training

This bill would authorize such contracts with authorized or approved private postsecondary schools which have been in operation not less than 2 full calendar years prior to the effective date of the contract Further, this bill would specify that vocational instruction provided pursuant to such contracts shall be under the exclusive control and management of the governing body of the contracting public entity

(2) Existing law requires the school district or districts, or the county superintendent or superintendents, sponsoring a regional occupational center or program to conduct a job market survey and evaluate the results to determine whether the new program is justified

This bill would require that the governing board of a community college district, high school district, or unified school district conduct a similar job market study, as defined, in the standard metropolitan statistical area, as defined, prior to establishing a vocational or occupational training program It would delete the requirement in existing law that such regional occupational center or program surveys be conducted in cooperation with

the local office of the Employment Development Department and, instead, would require such regional occupational center or program studies and vocational or occupational training program studies to be conducted in cooperation with the Employment Development Department This bill would also require the study to use, to the extent possible, the California Occupational Information System, as defined, and other available sources of labor market information

(3) No provision of existing law requires a review of vocational courses or programs offered in regional occupational centers or programs, offered for adults by school districts, or offered by community college districts

This bill would require that such courses or programs, commenced after the effective date of this bill, be reviewed every 2 years, and terminated within 1 year of such review, if such courses or programs do not meet specified criteria.

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

Ch 978 (SB 1007) Petris Juvenile court law

The juvenile court law does not presently provide that the father, mother, spouse, or other person liable for the support of a minor person, the person himself if an adult, or the estate of any such person shall, unless indigent, be liable for the cost to the county for the sealing of the juvenile court records of the minor

This bill would so provide as to any traffic infraction and also would specify that the determination of the amount of such cost shall be made by the board of supervisors.

Ch 979 (SB 1169) Foran Loans

Existing law generally sets forth the terms and conditions under which banks may make loans secured by real property

This bill would permit banks to make loans including amounts to rehabilitate structures upon the security of real property for residential use for one family, under the conditions set forth in the bill

Under existing law a mortgage guaranty insurer may 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 may not exceed 100% of the fair market value of the real estate

This bill would permit a mortgage guaranty insurer to insure loans made by banks or savings and loan associations which include amounts to rehabilitate structures, if the loans exceed 95% of the fair market value of the real estate, as long as the loans comply with the laws under which they are authorized

Ch 980 (AB 519) Deddeh County Employees Retirement Law of 1937 optional provisions employee election

Existing County Employees Retirement Law of 1937 authorizes a county which has established a county retirement system under such law to adopt various alternative provisions for its retirement system

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

The provisions would not be applicable to safety members and would be applicable only to a county of the third class

Ch 981 (SB 314) Watson Youth authority

Existing law states that the Department of the Youth Authority shall provide for the education and training of persons committed to its care

This bill would specify criteria for educational programs to be established by the department and would require assessment of the academic, vocational, and life skills of each ward The department would be required to submit a report, as designated, to the

Legislature and the Superintendent of Public Instruction by February, 1980, on the assessment of and the department's plans to improve its educational program

Ch 982 (AB 82) Lockyer Private investigators.

Existing law requires each uniformed employee of a private patrol operator who carries a deadly weapon and each alarm agent, as defined, to be registered and to make application accompanied by 2 classified sets of fingerprints.

This bill would authorize the Director of Consumer Affairs to accept the equivalent of 2 classified sets of fingerprints as he may determine and as approved by the Department of Justice

Existing law requires the Director of Consumer Affairs to prescribe the minimum standards for a course of training in the exercise of the powers of arrest and existing law requires specified licensees of the Private Investigator and Adjusters Act who carry a deadly weapon to complete such a course

This bill would require every employee who performs guard or private patrol service to complete a course in exercising the power to arrest as specified and would provide that such course of training may be given by any licensed private patrol operator or any other person subject to approval by the director

Existing law authorizes the Director of Consumer Affairs to establish specified requirements for persons who carry deadly weapons and are uniformed employees of licensed private patrol operators or persons employed as security guards or patrolpersons by such private patrol operators or any other lawful business and alarm agents of an alarm company operator

This bill would require the Department of Consumer Affairs, upon receipt of criminal offense records or records of subsequent arrests from the Department of Justice, to make an immediate determination of fitness for licensure of applicants for security guard or alarm agent registrations or firearms qualification permits and to immediately deny or revoke applications or licenses of those determined to be unfit for licensure

The bill would require the department to keep a record of all applicants who have been denied such registrations or permits and to make such information available to interested licensees, law enforcement agencies and other interested parties, as specified The bill would also require the department to store specified information about applicants who have been issued security guard or alarm agent registration but who may be denied weapons qualifications permits.

Existing law authorizes the Attorney General to furnish summary criminal history to state agencies upon a showing of compelling need and requires the processing of criminal fingerprints to have priority over the processing of applicant fingerprints

This bill would include the fingerprints for security guard or alarm agent registrants or firearm qualifications permits as having priority along with criminal fingerprints over other applicant fingerprints

Existing law specifies the fees to be paid pursuant to the Private Investigator and Adjusters Act.

This bill would increase the fee for a license as a private patrol operator and a private investigator and private patrol operator

The bill would also increase the fee for registration to carry firearms

Ch 983 (AB 84) Agnos Public official death benefits

Existing law does not specifically provide a state death benefit for the surviving spouse, dependent minor children, or dependent parents of an elected public official who is killed as a direct result of an intentional act perpetrated by an individual or individuals acting for specified reasons.

This bill would provide the surviving spouse, dependent minor children, or dependent parents of such person with a special death benefit in addition to any other workers' compensation benefits The persons entitled to the special death benefit could choose either an annual benefit equal to one-half the annual salary of the deceased until remarriage or the end of dependency, or a lump-sum benefit of $150,000, less other death benefits provided for under existing state law or by public funds, except for workers' compensation benefits

This bill would require the persons entitled to the special death benefit to file a claim therefor with the State Board of Control, and the disbursing agent for special death

benefit payments would be the State Compensation Insurance Fund, which would receive a fee for its services

This bill would require the State Board of Control and the Administrative Director of the Division of Industrial Accidents to jointly adopt rules and regulations to carry out the provisions of the bill

This bill would provide that any person convicted of any crime in connection with the assassination of an elected public official would not be entitled to any special death benefit provided by the bill

Ch 984 (SB 1196) Beverly Loans premium finance agencies.

Under existing provisions of law applicable to premium finance agencies, provisions governing the date of computation of charges and refund credits do not apply to bona fide loans of $10,000 or more

This bill would make those provisions inapplicable to consumer insurance premium finance loans, as defined, of $10,000 or more, and inapplicable to other loans in excess of $5,000

Under existing law, a premium finance agency may collect a finance charge as follows: 1¾% per month for amounts up to $700 and ¾ of 1% per month on amounts in excess of $700

This bill would provide for a finance charge of 2% per month on the unpaid balance up to $1,000, and 1% per month on amounts in excess of $1,000

Under existing law, a premium finance agency may impose a minimum finance charge of $12 if the finance charge computed pursuant to the above percentage rates is less than $12 Existing law also provides that when the unpaid principal balance is not in excess of $100, there is a maximum finance charge determined according to the number of installments in which the amount will be repaid.

This bill would instead provide for a minimum finance charge of $25 for each premium finance agreement

Ch 985 (AB 1257) McVittie Medi-Cal eligibility discontinuation-extension

Under the Medi-Cal program, beneficiaries may be requested to provide additional facts

This bill would where Medi-Cal eligibility of a beneficiary who is incapable of acting on his own but is otherwise eligible, is discontinued because of failure or refusal of his guardian or representative to provide needed information, authorize any person knowing of such need to apply on behalf of such person for retroactive eligibility for any of 3 preceding months; require county departments, if the needed information becomes available within 3 months of the application, to act on the application

This act would become inoperative to the extent it conflicts with federal Medicaid requirements

Ch 986 (AB 590) Greene Unemployment insurance

Existing law generally defines "employment," for purposes of determining eligibility under the unemployment insurance laws, as meaning service, including service in interstate commerce, performed by an employee for wages or under any contract of hire, written or oral, express or implied Existing law defines "employee," for such purposes, as any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee The most important factor to be considered is whether the person for whom the services are performed has the right to control the manner and means of accomplishing the result desired

This bill would generally exclude from covered employment for unemployment insurance and unemployment compensation disability purposes professional services performed by a consultant working as an independent contractor This bill would establish a rebuttable presumption that a person rendering professional services requiring specialized knowledge or experience renders such services as an independent contractor This bill would further provide that the rebuttable presumption shall not apply to an individual who enters into a contract agreement with the recipient of the professional services which establishes an employer-employee relationship

Ch 987 (SB 859) Holmdahl Peace officers

Existing law does not include police officers of a regional park district in provisions relative to creation of reserve peace officers

This bill would include such officers in such provisions

Ch 988 (AB 411) Berman Health

Existing law requires that until January 1, 1984, in actions based upon the professional negligence of a physician or dentist, no complaint shall be accepted for filing unless accompanied by a certificate stating that the attorney has consulted certain specialists and believes that there is merit to the claim, except in limited instances, including where instructions are taken on the doctrines of "res ipsa loquitor" or failure to inform of the consequences of a medical procedure

This bill would require that the attorney file such certificate on or before the date of service of the complaint on a defendant A failure to file a certificate would be grounds for a demurrer The bill would specify that the requirement of a certificate is inapplicable to a plaintiff who is not represented by an attorney It would also not apply where the attorney intends to rely solely on the doctrine of "res ipsa loquitur" or failure to perform, or both

Under existing law, in any action against a health care provider based upon professional negligence, the defendant must be given at least 90 days' prior notice of the legal basis of the claim and the type of loss before the commencement of the action Existing law does not prohibit the imposition of additional charges by an insurer for professional liability insurance when such notice is given to a physician or dentist

This bill would prohibit the imposition of any additional charges or a deductible provision because such notice has been given unless a complaint has been served on the physician or dentist

Ch 989 (AB 1573) Moore Community colleges officers and agents

Under current law, except for the position of business manager or related position, no governing board of a community college district may affix the title of deputy, associate, or assistant superintendent to any position not requiring certification, as specified. Existing law prescribes that, although the business manager or related position may be given such a title, the position shall not be deemed to require certification qualifications

This bill would authorize the governing board of a community college district with more than 60,000 resident a d a. to appoint, employ, and terminate persons, without reference to certification qualifications for the position of business manager when it is affixed with the title of deputy, associate, or assistant superintendent or vice chancellor

This bill would take effect immediately as an urgency statute

Ch 990 (AB 23) Vasconcellos Violence and crime. causes

This bill would create the California Commission on Crime Control and Violence Prevention, would specify its composition and the areas of its study, would provide for the cessation of its existence on January 1, 1983, and would require it to submit a final report to the Legislature on or before that date

This bill would require the commission to apply for federal funds and would encourage the California Council on Criminal Justice to provide financial assistance to the commission

Ch 991 (AB 1332) Levine 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 contains a self-repealing provision to be effective on January 1, 1980

This bill would make such provision permanent by eliminating the self-repealing provision

This bill would also change the period by which such commitment may be extended from one year to two years, would modify the standard of dangerousness applied in such proceedings, and would make clear that certain provisions relating to termination of commitments apply to such commitments.

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year

This bill appropriates $15,000 to the Controller for allocation and disbursement to local agencies and school districts for costs incurred by them pursuant to this act.

This bill would incorporate additional changes in Section 6316.2 of the Welfare and Institutions Code made by SB 898 if this bill and SB 898 are both chaptered and this bill is chaptered last

Ch 992 (SB 898) Russell. Judicial commitments: mentally disordered sex offenders.

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 or she 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 procedures for the termination of commitment.

An existing statute which will remain in effect only until January 1, 1980, 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 or she presents a serious threat of substantial harm to the health and safety of others, in 1-year increments.

This bill would provide that amenability to treatment is not a prerequisite for such extended commitment or treatment, that treatment programs need only be made available to such person and that treatment does not mean that the treatment be successful or potentially successful

This bill would also require such persons to be confined in a state hospital, with certain exceptions, or, after a hearing on the matter, to be transferred to the Director of Corrections for confinement and treatment in a treatment unit under certain circumstances

This bill would take effect immediately as an urgency statute.

This bill would include changes in Section 6316 2, Welfare and Institutions Code made by AB 1332 if this bill and AB 1332 are both chaptered and this bill is chaptered last.

Ch 993 (AB 814) Chappie Aviation insurance

Existing law provides that for purposes of regulation by the Public Utilities Commission a "commercial air operator" is any person owning, controlling, operating, or managing aircraft for any commercial purpose for compensation

This bill would include within such definition any person renting an aircraft for any commercial purpose for compensation

Existing law requires every commercial air operator to procure adequate protection against liability for the payment of damages for personal injury and property damage, as specified

This bill would also require to be included within such coverage any person using, operating, or renting an aircraft with the permission of a commercial air operator.

The bill would also specifically prohibit any policy from excluding or denying such coverage which the insured is obligated to provide

Ch 994 (AB 546) Mori Rape

Existing law defines rape as an act of sexual intercourse accomplished under any of specified circumstances with a female not the wife of the perpetrator.

This bill would instead provide two definitions of rape First, rape would be defined as an act of sexual intercourse accomplished under any of specified circumstances with a person not the spouse of the perpetrator Second, rape would be defined to include an act of sexual intercourse with the spouse of the perpetrator accomplished under force, violence or specified threat With respect to rape of a spouse, arrest and prosecution would be prohibited unless the violation is reported within 30 days, as specified.

The bill would also make other changes conforming related provisions of such definitions

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

of Control for reimbursement

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

Ch 995 (SB 1001) Rains Courts Santa Barbara County

Existing law specifies the number, classification, and compensation of various officers and employees of the superior and municipal courts in Santa Barbara County

This bill would revise the number, classification, and compensation of various officers and employees of the superior and municipal courts in Santa Barbara County

Existing law requires that in civil cases lasting more than 5 judicial days, a fee per day equal to the per diem rate for official reporters pro tempore shall be charged to the parties for the services of an official reporter for the 6th and each succeeding day a reporter is required

This bill would instead provide that in civil cases not completed within 1 judicial day, as defined, such a fee shall be charged to the parties on a pro rata basis for each day, including the first day, that a reporter's services are required It would also specify that such fees shall be used for the payment of pro tempore reporters.

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

This bill provides that there shall be no appropriation made by this act, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 996 (SB 230) Carpenter Public health facilities and programs professional staffing requirements

(1) Present law specifically requires governmental health facilities to provide professional personnel in accordance with professional licensure standards applicable to private health facilities Present law exempts from such requirement professional personnel continuously employed in the health facility, including persons on authorized leave, as of January 1, 1979 Present law also gives the State Department of Health Services authority to grant waivers of such requirement for new graduates and personnel recruited from out of state The waiver cannot extend beyond 2 years from the date of employment

This bill would limit the statutory exemption from such provisions to psychologists and clinical social workers, while continuing in their employment in the same class as of January 1, 1979, in the same governmental health facility, including persons on authorized leave but excluding intermittent employees. This bill would limit eligibility for waivers from such requirement to persons in psychology or clinical social work who are gaining qualifying experience for licensure in this state The bill would permit waivers of not more than 3 years' duration for persons in clinical social work, but the durational limitation would not apply to active doctoral candidates in social work, social welfare, or social science, providing specified conditions are met The bill would prohibit the department from granting other waivers from the above requirement

This bill would enact similar provisions for county Short-Doyle programs.

(2) Under present law persons employed as psychologists or psychological assistants by governmental agencies need not be licensed under the Psychology Licensing Law if specified criteria are met

This bill would further restrict such exemption by excluding persons employed to provide direct health or mental health services, other than specified educational institutions as prescribed, or employed by a governmental organization which is primarily engaged in providing health or mental health services.

Ch 997 (AB 740) Chacon Unemployment data.

Existing law does not authorize the Employment Development Department to contract with the United States Bureau of the Census to expand the bureau's current population survey in California in order to enable the department to compile and

publish unemployment data
This bill would make such authorization

Ch 998 (AB 21) Levine Appropriation payment of claims.
This bill would appropriate $365,000 from the Motor Vehicle Account in the State Transportation Fund, with $165,000 allocated to settle the claims of Robert Wyant Mann against the State of California in the action of Mann v State of California and with $200,000 allocated to settle the claims of the action resulting from the death of Glenn Driscoll and Harold Driscoll in the action of Driscoll v State of California.
This bill would take effect immediately as an urgency statute

Ch 999 (SB 920) Craven Public retirement systems benefits
Existing law generally requires members of the Public Employees' Retirement System to be credited with 5 years of service before retirement
This bill would permit members who have continued employment after age 70 to retire with less than 5 years of service and also permit members who attain age 67 prior to January 1, 1982, to retire with less than 5 years of service
The bill would take effect immediately as an urgency statute

Ch 1000 (AB 233) McVittie Contracts.
(1) Existing law requires that a contract between a contractor and an owner or tenant for work upon a building or structure for purposes of performing home improvement work, where the aggregate price exceeds $500, be evidenced in writing and include, among other things, a description of the materials to be used, the approximate date when work will begin, and a schedule of payments Existing law also provides that the latter provision shall not be construed to prohibit the parties to a home improvement contract from agreeing to provisions for a deferred payment price pursuant to a retail installment sales contract or account This proviso is to remain in effect only until January 1, 1980
This bill would revise such proviso and would continue it in effect beyond January 1, 1980
This bill would further require such a contract to include a description of what constitutes substantial commencement of work pursuant to the contract and a notice that failure by the contractor without lawful excuse to commence work within 20 days from the approximate date specified in the contract when work will begin is a violation of the Contractors License Law A failure by the contractor to substantially commence work, as specified, shall be unlawful, and, in addition, shall postpone the next succeeding payment to the contractor for a specified time
(2) Under existing law relative to such contracts, payment schedules may not provide for the contractor to receive payment in excess of 100% of the value of the work performed at any one time Existing law also specifies that, in computing the payments which the contractor may receive, finance charges are to be excluded from the value of work performed This specific exclusion is to remain in effect only until January 1, 1980
This bill would repeal all provisions terminating the specific exclusion and thus the provision of law which specifically excludes finance charges from the value of work performed when computing permissible payments for contractors would continue in effect beyond January 1, 1980
This bill would also provide that the payments received by the contractor under such a home improvement contract may exceed 100 percent of the value of the work performed on the project at any time only by that amount attributable to finance charges specified by the contract
(3) Existing provisions of law prohibit a retail seller from assessing a finance charge against either the amount financed for goods purchased under a retail installment contract or the outstanding balance for goods purchased under a retail installment account until the goods are either in the buyer's possession, available for pickup and the buyer is notified of the availability, or delivered or available for pickup within 10 days of the purchase date Existing provisions of law also declare that these prohibitions are not to be construed to apply to home improvement contracts These specific exceptions for home improvement contracts are to remain in effect only until January 1, 1980

This bill would, in the case of such home improvement contracts, authorize the assessment of a finance charge, as specified, against the amount financed

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

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

Ch 1001 (AB 474) Goggin Labor employee inventions

The existing law contains no provisions relating to the right to ownership of an invention made by an employee.

This bill would provide that any provision in an employment agreement which requires an employee to assign any of his rights in an invention to his employer generally shall not apply, when certain conditions are met, to an invention which was developed on the employee's own time and for which various employer resources were not used The bill would specify that contrary provisions in employment agreements are void and unenforceable In any suit or action arising under such provisions, the burden of proof would be on the employee claiming the benefits

The bill would also require employers who enter into employment agreements after January 1, 1980, which require the employee to assign rights to an invention to the employer, to give written notification to the employee of specified matters relating to rights to ownership of an invention

Ch. 1002 (AB 86) Ingalls. Transportation

(1) Under existing law, the Department of Transportation is authorized to purchase and lease rail passenger cars

This bill would authorize the department to purchase and lease locomotives and other self-propelled rail vehicles.

(2) Under the Orange County Transit District Act of 1965, the Orange County Transit District is authorized to make bulk purchases of passenger tickets for scheduled passenger rail services provided by the National Railroad Passenger Corporation between the hours of 5 a.m and 9 a m. on Monday through Friday

The bill would revise those hours to peak hours instead

(3) Under the Mills-Alquist-Deddeh Act, a "municipal operator" is defined, in general, as a city or county which operates a public transportation system and is not included, in whole or in part, within an existing transit district

The bill would define "municipal operator" to also mean any county located in part within such a district and which is operating a public transportation system in the unincorporated area of the county not within the area of the district.

(4) Under the act, operators are required to submit annual reports of their operation to the transportation planning agencies having jurisdiction over them and to the State Controller within 120 days of the end of the fiscal year

The bill would require the submitted reports to be audited reports for the 1979–80 and subsequent fiscal years

The bill would require the State Controller to instruct the county auditor to withhold payments from the local transportation fund to any operator not submitting the annual report to the State Controller within the specified time

(5) Under the act, the State Controller is required to submit an annual report to the Legislature on revenues and expenditures under the act, based on annual reports submitted as discussed in (4) above

The bill would authorize the State Controller to take such steps as he deems necessary to insure that the reports are adequate and accurate.

(6) Under the act, a performance audit is performed every 3 years on the operation of each entity receiving funds under the act, with the first performance audit to be submitted by July 1, 1980

The bill would exempt from this audit requirement any operator in operation for less than 1 year prior to the July 1 submittal date

The bill would require the performance audit to include consideration of the employment of part-time drivers and the contracting with common carriers to provide public transportation services during peak hours.

(7) Under the act, in determining the number of employees for purposes of performance audits of operators, an employee is deemed to be paid 2,000 hours of employment in 1 year

The bill instead would specify that 2,000 person-hours of work in 1 year constitute 1 employee

(8) Under the act, a city or a county contributing the funds it is eligible to receive for public transportation purposes to a joint powers entity of which it is a member to operate a public transportation system is authorized to file a claim to provide transportation services using vehicles for the exclusive use of elderly and handicapped persons.

The bill would authorize such a city or county to file a claim to contract to provide such services

(9) Under the act, notwithstanding the limitation that an operator may not be allocated funds exceeding 50% of its budget after its 5th year of operation, an operator may budget and expend funds allocated to it for public transportation operating purposes in order to secure the maximum amount of federal funds for such purposes.

The bill would repeal this provision on July 1, 1981, unless a later enacted statute extends or deletes that date

(10) Under the act, an operator that was in compliance with the 50% requirement during the 1978–79 fiscal year, in order to be eligible for funding under the act, is required to remain in compliance with that requirement in order to be eligible for funds commencing with the 1980–81 fiscal year

The bill would specifically state that an operator granted a waiver from that requirement by the California Transportation Commission is deemed not to be in compliance with that requirement

(11) Under the act, an operator which is required to comply with the 50% requirement may be allocated additional funds it could not receive because of the 50% requirement, if the operator maintains, for the fiscal year, a ratio of fare revenues to operating cost at least equal to 1/5 or to the ratio it had during the 1978–79 fiscal year, whichever is greater

The bill would also require the operator, if it had a ratio of the sum of fare revenues and local support to operating cost greater than 1/5 during the 1978–79 fiscal year, to maintain that ratio in order to be eligible for the additional funds.

In the case of an operator serving a nonurbanized area, the required ratio would be 1/10 instead of 1/5

(12) Under the act, an operator which is serving a nonurbanized area, and which was not required to meet the 50% requirement during the 1978–79 fiscal year or which commenced operation after that fiscal year, is required to maintain a ratio of fare revenues to operating cost equal to at least 1/10 or to the ratio it had during the 1978–79 fiscal year, whichever is greater, in order to be eligible for funds for the 1980–81 fiscal year and thereafter

The bill also would require such an operator to maintain at least the ratio of the sum of fare revenues and local support to operating cost it had during the 1978–79 fiscal year if it exceeded 1/10

(13) Under the act, an operator not required to comply with the 50% requirement is required to maintain a specified ratio of fare revenue to operating cost and, in some cases, a specified ratio of the sum of fare revenues and local support to operating cost in order to be eligible for funds.

The bill would exempt, from the 50% requirement and the ratio requirement, any extension of public transportation services during its first year of implementation

The bill would require an operator, if it was allocated funds during a fiscal year even though it did not maintain the required ratio, to increase its fare revenues the following fiscal year so that the ratio for the 2 fiscal years would equal the required ratio Thereafter, in order to be eligible for funding, the operator would be required to maintain the ratio it was required to maintain in the following fiscal year This added requirement would not apply to an operator which did not maintain the required ratio for the first time

The bill would authorize the Metropolitan Transportation Commission, in the area of

the San Francisco Bay Area Rapid Transit District except the City and County of San Francisco, to group all or some of the operators to determine their compliance with the 50% requirement or the ratio requirement

The bill would require the transportation planning agency having jurisdiction over an operator serving urbanized and nonurbanized areas to adopt rules and regulations, which are to be submitted to the Secretary of the Business and Transportation Agency for approval, to determine the ratio the operator is required to maintain on the basis of what portion of its public transportation services serves urbanized areas and what portion serves nonurbanized areas.

The bill would define "fare revenues" to be specified revenue objective classes set forth in the Code of Federal Regulations.

(14) Under the act, an entity which provides public transportation services, and which succeeded a dissolved joint powers entity that was funded under the act to provide such services, is required, in order to be eligible for funds under the act, to conform to the 50% requirement or the ratio requirement the joint powers entity would have been required to conform to in order to be eligible for such funds.

The bill would impose on any public agency providing public transportation services, after withdrawing from or remaining in a joint powers entity providing public transportation services, the same requirements imposed on the joint powers entity at the time the public agency commences its public transportation services, and subject to the added requirement discussed in (13) above, in order for the public agency to be eligible for funds under the act, except as discussed in (8) above

(15) Under the act, funds allocated to claimants for community transit services are subject to audits by transportation planning agencies

The bill instead would require each claimant to submit to the transportation planning agency an annual certified fiscal audit of the funds

(16) Under the act, operators serving an area are encouraged to establish maximum coordination of transfer privileges

The bill would require transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board to adopt, not later than July 1, 1980, rules and regulations to provide for transfers between the public transportation services of operators in their respective areas of jurisdiction.

(17) Under the act, claims may be filed with the transportation planning agencies by counties and cities contracting for public transportation, and transportation services for any group requiring special transportation assistance, until July 1, 1982.

The bill would extend such authorization until July 1, 1983.

(18) Under existing law, funds are allocated by the secretary from the Transportation Planning and Development Account in the State Transportation Fund to transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board for allocations to operators and to counties and cities. Neither an operator nor a county or city is eligible for such funds unless it is receiving the maximum allowable under the Mills-Alquist-Deddeh Act

The bill would authorize an operator in a county in which the funds under the act may be used for street and road purposes, and a county or city contracting for public transportation or transportation services for any group requiring special transportation assistance, to be eligible for such funds if it is receiving not less than the amount it received during the prior fiscal year or during the 1979–80 fiscal year, whichever amount is greater

(19) Under existing law, the funds discussed in (18) above may not be allocated to an operator unless it is receiving the maximum allowable for public transportation purposes under the Mills-Alquist-Deddeh Act

The bill would not impose this requirement for the 1979–80 fiscal year.

(20) Under existing law, there is no requirement that the secretary send estimates to each transportation planning agency and each county transportation commission, and the San Diego Metropolitan Transit Development Board, of the amounts that would be allocated to it from the funds appropriated to the secretary for such allocation

The bill would require such estimates to be sent not later than each January 10th and August 1st

(21) Under existing law, funds appropriated from the account for exclusive public mass transit guideway projects are required to be allocated on the basis of priorities as

determined by the California Transportation Commission

The bill would require such funds to be so allocated by the commission

(22) Under existing law, the secretary is reimbursed through the Budget Act for his cost in administering the Mills-Alquist-Deddeh Act from the local sales and use taxes collected by the State Board of Equalization for the counties

The bill would likewise reimburse the State Controller for his cost in administering the act

(23) Chapter 161 of the Statutes of 1979 (S B 620) appropriated $5,000,000 to the commission to allocate to match federal and local funds for the construction of public transportation projects to improve the interface of various transportation modes, as listed in the 1979 report of the department on such projects

The bill would require instead that such projects be listed in the most recent report of the department on such projects.

(24) Item 161 of the Budget Act of 1979 contained provisos limiting state support of rail passenger services in specified corridors

The bill would make those provisos inapplicable to funds appropriated by Chapter 161 to the department for commuter and intercity passenger rail services.

(25) The bill would make other related changes

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

Ch 1003 (AB 654) Bane Savings and loan associations.

Under existing law, the Savings and Loan Commissioner is required to hold a hearing before issuing a branch license to a savings and loan association unless the hearing is waived

This bill would eliminate the requirement that a hearing be held and would substitute a provision that the commissioner may hold a hearing.

Existing law requires the commissioner every 2 years to visit and examine every state licensed savings and loan association and every foreign association doing business in this state

This bill would eliminate the requirement that an association be visited during each examination.

Existing law specifies various examination procedures that shall be performed during examination

This bill would eliminate the specific items required to be included in examinations and would substitute a provision that examinations shall include those procedures the commissioner deems necessary

Existing law authorizes a savings and loan association to invest in the stock or securities of certain corporations on the condition that the investment be used for certain purposes relating to low- and moderate-income housing Such investment may not exceed 1% of its assets

This bill would also permit such investments to be used for investing in securities backed by first mortgages or first deeds of trust on California residential improved real property under specified conditions, guaranteed by the Government National Mortgage Association It would provide that such investments relating to such residential property, and low- and moderate-income housing, may not exceed 2% of the association's assets.

Ch 1004 (AB 753) Torres Schools. food sales nutrition

(1) Under existing law, if the governing board of any school district sells foods through a vending machine, by direct sale, or at any cafeteria or snack bar, it is required to select at least 50% of the food items to be sold from specified food groups

This bill would extend such requirement to any entity or organization that sells food on school sites and would exempt from such requirement food reimbursed under the federal National School Lunch Act and the Child Nutrition Act

(2) Existing law enumerates the various food groups from which the governing board shall make its selection, including nutritious foods as specified by the Department of Education

This bill would delete such food group and include, instead, a food group that is comprised of food components as defined by the National School Lunch Act.

(3) Existing law defines an "item" as any individually packaged product or variety thereof

This bill would redefine "item" as each separate kind of food offered for sale as a separate unit

(4) Existing law requires the Department of Education to formulate guidelines, further define food choices, and adopt rules relating to the provisions governing the sale of specified nutritious foods in those schools where foods are sold

This bill would delete this requirement

(5) Existing law requires the Department of Education to conduct a study of the nutritional value of food served in public schools and to submit a report of such study to the Legislature by February 1, 1979

This bill would extend the reporting date to August 1, 1980

Ch 1005 (AB 1471) W Brown Inheritance and gift taxes

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. Moreover, Chapter 1388 of the Statutes of 1978 provided that only those gifts shall be considered which were made after December 31, 1976, in the computation of inheritance taxes and authorized an inheritance tax credit equal to the gift tax paid on any gift made prior to December 31, 1976, which was included in the computation of inheritance taxes, with certain limitations.

This bill would provide that the inheritance and gift tax provisions of Chapter 1388 of the Statutes of 1978 apply retroactively to taxable years beginning after December 31, 1976

The bill would take effect immediately as a tax levy

Ch 1006 (AB 1733) Greene Bingo

Existing law permits a city, county, or city and county to adopt an ordinance authorizing specified types of organizations to conduct bingo games, provided that the proceeds are used only for charitable purposes. With respect to certain of such organizations, a portion of the proceeds, not to exceed 10% after the deduction for prizes or $500 per month, whichever is less may be used for rental of property, overhead, and administrative expenses Existing law permits a city, county, or city and county to impose a license fee not exceeding $50

This bill would, instead, provide that the portion of the proceeds used for such expenses not exceed 10% before the deduction for prizes or $500 per month, whichever is less, would provide that overhead includes the purchase of bingo equipment, and would permit proceeds to be used to pay license fees The bill would specify that the license fee shall not exceed $50 annually, unless the city, county, or city and county chooses to impose a $50 license application fee and an additional fee of 1% of the monthly gross receipts over $5,000 collected monthly

Existing law defines bingo, for the purposes of such authorized bingo games, as a game of chance in which prizes are awarded on the basis of numbers or symbols on a card conforming to numbers or symbols selected at random

This bill would define bingo to also include a game of chance in which prizes are awarded on the basis of cards with concealed preprinted numbers or symbols, provided the winning cards are not known prior to the game by the participants or operators of the game.

This bill also makes additional changes proposed by SB 1123, to be operative only if SB 1123 and this bill are both chaptered and become effective on January 1, 1980, and this bill is chaptered after SB 1123

Ch. 1007 (AB 1339) Rosenthal Dentistry

Existing law specifies the grounds for which the Board of Dental Examiners may deny an application to take an examination for licensure as a dentist or for registration as a dental corporation The law provides that such an application may be denied for, among other things, the commission of any act or crime constituting grounds for denial of licensure or registration, as specified

This bill would add to such grounds (1) the committing of any act which would be grounds for the revocation or suspension of any license issued pursuant to the Business and Professions Code and (2) the suspension or revocation of a license issued by a sister state or territory on grounds which would constitute a basis for suspension or revocation

of licensure in this state The bill would require conviction rather than commission of a crime constituting grounds for denial of licensure or registration in order for the board to deny an application therefor

Existing law provides that a dentist may have his license revoked or suspended or be reprimanded or placed on probation for unprofessional conduct, as defined, and any licentiate of the Board of Dental Examiners may have his license revoked or suspended or be reprimanded or placed on probation for gross ignorance or inefficiency in his profession

This bill would revise such provisions by providing that any licentiate may have such disciplinary action taken against him for unprofessional conduct, or incompetence, or gross negligence, or repeated acts of negligence, or for the mistaken issuance of a license The bill would revise the grounds for unprofessional conduct in the definition of unprofessional conduct for such purposes by (1) deleting the employment of cappers or steerers, (2) deleting the willful betrayal of professional secrets and habitual intemperance, (3) deleting the use of advertising containing the representation of a tooth, teeth, bridgework or any portion of the human head and (4) the addition of grounds relating to the commission of acts of gross immorality, the violating of any of the provisions of the healing arts division of the Business and Professions Code, the excessive prescribing or administering of drugs, treatment, or diagnostic procedures, the use of threats or harassment of any patient or licentiate for providing evidence in any disciplinary or other legal action, the suspension or revocation of a license by a sister state, the alteration of patient's records, unsanitary or unsafe office conditions, the abandonment of the patient before completion of a process, the willful misrepresentation of facts relating to a disciplinary action, as specified, and the unauthorized obtaining, possessing or using of any controlled substance or dangerous drug, as specified The bill would specify that violation of the excessive providing or administering of drug provisions is also a misdemeanor and would delineate the punishment for such violation

The bill would also provide that the board may discipline a licentiate by placing him or her on probation under various terms or conditions, as specified

The bill would make related and technical changes in the law relating to the Dental Practice Act

This bill would incorporate additional specified changes in Section 1680 of the Business and Professions Code proposed by AB 210 to be operative only if AB 210 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

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

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

Ch 1008 (AB 1537) Gage State employer-employee relations.

(1) Existing law permits state officers and employees to authorize deductions from their salaries or wages for the payment of, among other things, dues in any bona fide association, other than specified employee organizations. The bona fide association must be comprised principally of employees and former employees of agencies of the State of California, and the California State University and Colleges

This bill would specify that such bona fide association not have as 1 of its purposes representing such employees in their employer-employee relations with the state The bill would also permit deductions for passes, tickets, or tokens issued for a period of one month, or more, by public transportation systems.

(2) Existing law provides that in any case where specified provisions of law are in conflict with the provisions of a memorandum of understanding reached pursuant to the State Employer-Employee Relations Act (SEERA), the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act

This bill would add to those provisions specified to be superseded by the memoran-

dum of understanding provisions relating to the regulation and accumulation of employee vacation credits and sick leave credits on an hourly basis for certain employees, and the crediting of prior service for purposes of layoff or sick leave where continuity of employment is broken for 6 months or longer by a permanent separation and would delete from those provisions specified to be superseded certain provisions relating to the Public Employees' Medical and Hospital Care Act

(3) Existing provisions of the SEERA require that a reasonable number of employee representatives of employee organizations be granted reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the state on matters within the scope of representation

This bill would instead require that a reasonable number of employee representatives of recognized employee organizations be granted such time off

(4) Existing provisions of the SEERA govern the employer-employee relations between the state employer and supervisory employees, and require the state, among other things, to meet and confer with employee organizations representing supervisory employees

This bill would specify that the state employer, for purposes of meeting and conferring on matters relating to supervisory employer-employee relations, is the Governor or his designated representatives

Ch 1009 (AB 1427) Ingalls Transportation planning and federal-aid secondary funds.

(1) Under existing law, the Department of Transportation, not later than each December 1st, submits a proposed 5-year state transportation improvement program to the California Transportation Commission The commission, taking the proposed program into consideration, adopts a 5-year state transportation improvement program not later than each July 1st

This bill would require the department, not later than January 10, 1980, and each January 10th thereafter, to submit to the commission a list of new facilities projects scheduled for construction during the 5-year period subsequent to the period covered by the latest proposed program The commission would be required to review and adopt the list by each July 1st The commission would be authorized to revise the list

(2) Under existing law, the commission allocates the funds to specific projects within the program category the funds are appropriated for in the Budget Act Under the Secondary Highway Act of 1951, the department allocates the federal funds for projects on the federal-aid secondary system

The bill would amend a statutory provision to clarify the law that the department would continue to allocate such federal funds

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

Ch 1010 (AB 988) Kapiloff Public liability

Under existing law, a public entity and various related persons are not liable for an injury caused by the condition of any unpaved road or by the condition of any trail which provides access to recreation, as specified

This bill would also provide that a public entity and related persons are not liable for an injury caused by the condition of any paved trail, walkway, path, or sidewalk on an easement of way which has been granted to a public entity, and which provides access to unimproved property, so long as reasonable attempts are made to provide adequate warnings of hazards, as specified

Ch 1011 (AB 576) Hart Employment services programs youth employment and development

The existing Youth Employment and Development Act of 1977 requires the Employment Development Department to conduct specified programs related to youth employment and development, to conduct specified studies to develop a youth services plan, and make specified recommendations The department is required to conduct on-the-job training programs, community service programs, and demonstration projects pursuant to such act

This bill would create a task group, chaired by the Director of Employment Development, to determine how existing youth employment and vocational education funds can

be better allocated and would require such group to submit to the Legislature by December 1, 1980, recommendations on how existing state and locally controlled federal employment and training funds, and state vocational education moneys, should be allocated to the most effective programs

The bill would state the intent of the Legislature that the task group shall utilize $75,000 in existing state or federal vocational education funds, allocated by the State Director of Vocational Education, in order to assess employment and wage gains of vocational education graduates

The provisions of the bill would be repealed effective March 1, 1981

Ch 1012 (AB 610) Torres Home improvement

(1) Under existing law, the provisions of the Contractors License Law do not apply to the sale or installation of any finished products, materials, or articles of merchandise, which do not become a fixed part of the structure

This bill would provide that the Contractors License Law would apply to the sale or installation of those finished products, materials, or articles of merchandise which are home improvement goods, as defined

(2) Under existing law, the provisions of the Contractors License Law relating to home improvement business regulate a home improvement salesman, which is defined as a person employed by a contractor licensed under the Contractors License Law to solicit, sell, negotiate, or execute home improvement contracts under which home improvements may be performed by the contractor

This bill would provide that a person who solicits, sells, negotiates, or executes contracts for the sale, installation, or furnishing of home improvement goods or services, as defined, is included in the definition of home improvement salesman and thus is regulated by the provisions of the Contractors License Law relating to home improvement business A seller of home improvement goods or services who does not utilize a contract which provides for a lien on real property is not included in such definition Additional conforming changes are made

(3) Under existing law, there is no provision requiring a contract or offer for home improvement goods or services which provides for a lien on real property to contain a notice to the buyer as to the effect of signing such a contract or missing a payment under the contract

This bill would provide that a contract for goods and services, including a home solicitation contract, entered into on or after April 1, 1980, which provides for a lien on real property shall provide a notice, as specified, regarding the effect of signing such a contract and the effect of missing a payment under the contract The lien in a contract without the specified notice would be deemed void and unenforceable This bill also provides that a home solicitation contract or offer for home improvement goods and services which provides for a lien on real property shall be subject to existing provisions governing retail installment contracts The willful or deliberate disregard and violation of such notice requirements by a licensed contractor would constitute a cause for disciplinary action under the Contractors License Law

(4) This bill would also provide that none of its provisions shall be construed to affect the liability imposed under existing law for injuries caused by defective home improvement goods

(5) This bill would incorporate additional changes in Section 7110 of the Business and Professions Code, proposed by Assembly Bill 1309, to be effective only if Assembly Bill 1309 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

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

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

Ch 1013 (AB 1363) Lockyer Business and professions.

Existing law provides for enforcement of the Contractor's License Law through disciplinary proceedings to suspend or revoke a license.

This bill would provide additional means of enforcement of such law such as arbitration, citation and civil penalty, and probationary licensure This bill would provide that the provisions relating to arbitration and citation and civil penalty shall become operative on July 1, 1980, provided that funds are appropriated to the Department of Consumer Affairs to carry out such provisions. The Department of Consumer Affairs would be required to include in its proposed budget for the 1980–81 fiscal year an estimate of the costs which will be incurred by the Department of Consumer Affairs in carrying out the provisions relating to arbitration and citation and civil penalty. Should the arbitration provisions become operative, this bill would, in addition, require the Contractors' State License Board to submit to the Legislature, on or before October 1, 1982, an evaluation of the arbitration procedures, as specified.

This bill would, in addition, revise provisions of the Contractor's License Law relating to qualification for licensure by responsible managing individuals, financial responsibility, license bonds and cash deposits, qualifying examinations, home improvement contracts, and notice of lien rights to property owners

This bill would also make other related changes.

This bill would further provide that the civil penalties collected pursuant to its provisions shall be deposited in the continuously appropriated Contractors' License Fund.

This bill would declare that it is the intent of the Legislature and the purpose of this act to promote and protect the interests of consumers as well as law-abiding competitive licensed contractors, as specified.

This bill would, in addition, (1) incorporate additional changes in Section 7159 of the Business and Professions Code, proposed by Assembly Bill 233, to be effective only if Assembly Bill 233 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last, (2) incorporate additional changes in Sections 7071.5, 7071.10, and 7071 11 of the Business and Professions Code, proposed by Assembly Bill 673, to be effective only if Assembly Bill 673 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last; and (3) incorporate additional changes in Section 7071 6 of the Business and Professions Code, proposed by Assembly Bill 1309, to be effective only if Assembly Bill 1309 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 for a specified reason

Ch 1014 (AB 202) Hart. Schools· independent study programs.

Existing law authorizes the governing board of a district maintaining an elementary or secondary school to authorize any pupil enrolled in such school to enroll in an independent study program of the district and requires that the attendance of such pupils in such independent study programs be included in the computation of average daily attendance

This bill would create a separate article in the Education Code authorizing independent study programs in opportunity schools and programs and in continuation high schools, in addition to elementary and secondary schools, under the jurisdiction of the governing board of a school district or a county board of education and would require that the attendance of pupils in any such independent study program be included in the computation of average daily attendance

This bill would limit participation for pupils enrolled in an opportunity school or program or a continuation high school to 10% of the total enrollment in such school or program, respectively

This bill would also make related clarifying technical changes.

Ch 1015 (SB 1126) Smith Mortgages

Existing law requires that notices of default and of sale under any deed of trust or mortgage with power of sale upon real property must be mailed to specified persons.

This bill would include among such persons the trustor or mortgagor

Under existing law, the notice of default must be in a specified form

This bill would revise the notice of default form

Existing law requires a notice of sale to contain specified information

This bill would require the notice to contain a statement of the total amount of the unpaid balance of the obligation secured by the property to be sold and costs and expenses at the time of the initial publication of the notice

Existing law does not specifically require that sales of property under the power of sale contained in a deed of trust or mortgage be conducted by a person having no interest whatever in the property or in the outcome of the sale

This bill would require such sales to be conducted by a person having no interest whatever in the property or in the outcome of the sale and would provide that such sales conducted by specified persons or agencies shall not be construed as sales by interested persons or agencies.

Under existing law, there may be a postponement of the sale proceedings at any time prior to the completion of the sale at the discretion of the trustee, or if the beneficiary instructs the trustee to postpone the sale proceedings

This bill would permit postponements in specified circumstances, and would also permit any party to a deed of trust to seek an ex parte order to postpone the sale from the superior court of the county in which the property is located

No provision of existing law makes it a crime to offer to or accept from another any consideration of any type not to bid or to fix or restrain bidding in any manner at a sale of property conducted pursuant to a power of sale in a deed of trust or mortgage

This bill would make it a crime to do so

Existing law provides that the trustee under a trust deed upon real property given to secure an obligation to pay money and conferring no other duties upon the trustee than those which are incidental to the exercise of the power of sale may be substituted by recording of a substitution in the county in which the property is located

This bill would provide that unless a new notice of sale is given with information about the substituted trustee any sale conducted by the substituted trustee shall be void

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

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234, for a specified reason

This bill would also provide that its provisions shall only apply to contracts executed on or after January 1, 1980, and to any notice of sale recorded on or after that date

This bill would also incorporate additional changes in Section 2924f of the Civil Code proposed by AB 510, to be effective only if this bill and AB 510 are both chaptered and this bill is chaptered last

Ch 1016 (AB 1021) Hannigan Petroleum products

Existing law provides for a motor fuel pump license and fee, proceeds of which are deposited in the Department of Agriculture Fund for administration of petroleum regulation provisions

This bill would eliminate that license and fee. Instead, it would provide for a fee of not more than $^1/_{10}$ of one cent for each gallon of motor oil sold or purchased Proceeds would be deposited in the Department of Agriculture Fund and would be continuously appropriated for administration of various petroleum product regulation provisions

Ch 1017 (SB 5) Nejedly State park system

(1) The Budget Act of 1978 appropriated $1,550,000 from the State, Urban, and Coastal Park Fund to the Department of Parks and Recreation for working drawings and construction of the American River Parkway within the Folsom State Recreation Area. Such law specifies that the moneys are available for expenditure for studies, planning, and working drawings only during the 1978–79 fiscal year

This bill would delete such limitation, thereby making an appropriation

(2) The Budget Act of 1979 does not contain an appropriation from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for specified real property as an addition to Mount Diablo State Park

This bill would amend and supplement the Budget Act of 1979 by appropriating $1,225,000 from that fund to the department for the acquisition of specified real property as an addition to Mount Diablo State Park The bill would provide 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 and until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims The bill would require such acquisitions to be subject to the Property Acquisition Law

(3) The Budget Act of 1979 reappropriated $100,000, previously reappropriated for the development of riding, hiking, and bicycle trails, for acquisition

This bill would, notwithstanding the Budget Act of 1979 reappropriation, reappropriate such funds for both acquisition and development

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

Ch 1018 (SB 53) Dills Judges

Existing law provides that there shall be 171 judges of the superior court in Los Angeles County

This bill would increase the number of judges from 171 to 196 at such time as the Los Angeles County Board of Supervisors finds there are sufficient funds for 25 additional judges and adopts a resolution to that effect.

Existing law provides for a cost-of-living increase on July 1 each year, not to exceed 5% as specified, in the salaries of the Chief Justice and Associate Justices of the Supreme Court, the presiding and associate justices of the court of appeal, and judges of the superior and municipal courts

This bill would provide instead that such salaries shall be increased by the average increase in state employee salaries, not to exceed 5%, as specified

Existing law specifies the number of judges in each district of the court of appeal

This bill would increase the number of judges of the Fourth and Fifth Districts of the court of appeal.

Existing law specifies the number of judges of the superior court in each county

This bill would increase the number of judges of the superior court in Alameda, Contra Costa, Orange, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, Santa Clara, Solano, Tulare, and Ventura Counties.

Existing law specifies the number of judges of the municipal court in each district of each county

This bill would authorize an increase in the number of judges of the municipal court in specified districts of Los Angeles, Orange, San Luis Obispo, and San Diego Counties upon a finding of the board of supervisors that sufficient funds are available therefor and the adoption of a resolution to that effect

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

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

The bill also appropriates $4,169,913 from the General Fund to the State Controller for allocation and disbursement according to a specified schedule

Ch 1019 (SB 972) Sieroty Reporting of injuries hospital patients

Existing law requires every person, firm, or corporation conducting any hospital or the managing agent thereof, or any person managing or in charge of a hospital or a ward or part thereof who receives a patient from a health facility who exhibits a physical injury or condition which in the opinion of the admitting physician reasonably appears to be

the result of neglect or abuse to report such fact to the local police authority and the county health department Every physician and surgeon who has under his charge or care any such patient exhibiting such an injury or condition shall also make such a report

This bill would also require reports to be made with respect to patients transferred from community care facilities who exhibit such injury or condition and would authorize nurses and clinical social workers at such hospital to make such a report

The bill would provide that no employee shall be discharged, suspended, disciplined, or harassed for making such a report

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

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

Ch 1020 (AB 184) Lehman Courts

Existing law provides for 4 judges for the Fifth Appellate District

This bill would raise the number of judges to 6, and would appropriate $396,086 in augmentation of Item 17 of the Budget Act of 1979 to be allocated as specified.

Such appropriation would be reduced by the amount appropriated by SB 53 for the Fifth Appellate District if both bills are chaptered and this bill is chaptered last

This bill would take effect immediately, usual current expenses

Ch 1021 (SB 878) Sieroty Financial records privacy

(1) The California Right to Financial Privacy Act makes provision for and conditions the disclosure of financial records and information of financial institutions to public agencies. The act makes an exception for a formal request by any police or sheriff's department or district attorney to a bank for specified information in connection with the filing of a crime report Such act also does not prohibit the disclosure to specified public agencies or officers of information as to whether a person has an account at a financial institution and, if so, any identifying account number

This bill would also include as an exception to the act, formal requests to a credit union by the law enforcement agencies specified above for information in connection with the filing of a crime report

This bill would add the Employment Development Department and the Controller or an inheritance tax referee when administering the Inheritance Tax Law to the list of such specified public agencies or officers

(2) Under existing law, employing units are required to furnish to the Director of Employment Development, a referee, or deputy specified work records.

This bill would provide that if such records are kept pursuant to contract with a financial institution, the employing unit shall furnish to the director or director's designee an authorization for disclosure of such account or accounts.

Ch 1022 (SB 848) Foran Unattended vehicles· impounding hearing.

(1) Under existing law, it is unlawful for a peace officer to remove a vehicle from a highway except as permitted under specific sections of the Vehicle Code When an unattended vehicle has been removed and stored, the public officer or employee who directed the removal and storage is required to give written notice of the removal to the legal or registered owner of the vehicle if the name and address of the legal or registered owner can be ascertained from registration records.

This bill would delete present notice requirements and would specify that, after a vehicle is stored, the registered and legal owners would be entitled to notice of a specified content within 48 hours (exclusive of weekends and holidays) after a vehicle is stored and, upon request, to a post-storage hearing within 48 hours (exclusive of weekends and holidays) of such request to determine the validity of the storage It would specify that the agency directing the storage is responsible for towing and storage costs if probable cause for the storage is not established The bill would authorize agencies having authority to remove vehicles to conduct the hearings, except that the employee

conducting the hearing may not be the same person who ordered the storage of the vehicle

(2) Under existing law, an unattended vehicle may be removed from private property, as prescribed, by the owner or person in lawful possession of any private property The person requesting the removal is required to give written notice of the removal in the same manner as a public agency

This bill would require that notice be given immediately to the registered and legal owner of the removal, including the reason for the removal, and indicating where the vehicle is stored The bill would require that notice be given to the Department of Justice if the notice cannot be given to the owner

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

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

Ch 1023 (SB 1190) Sieroty Consumer warranties.

Existing law imposes various warranty obligations on retail sellers of consumer goods, as defined, for the benefit and protection of the buyers of such goods.

This bill would include within the definition of consumer goods, and thus make subject to the warranty benefits and protections provided by law, new and used assistive devices, as defined, which are sold at retail

This bill would, in addition, require that every sale of such a device include an implied warranty of fitness, as specified, and a written warranty, to be delivered to the buyer at the time of the sale of the device, that the device is specifically fit for the particular needs of the buyer or ultimate user Such written warranty would also provide that the device may be returned within 30 days, or a longer period if the retail seller so specifies, of actual receipt of the device by the buyer or completion of fitting by the seller, whichever occurs later, if it is not specifically fit for the particular needs of the buyer Any sale of an assistive device which is a catalogue or similar sale, as defined, or which involves a retail sale price of less than $15 would not, however, be subject to such warranty requirements

The bill would also require the seller, if the buyer returns the device within the time period specified in the written warranty, to adjust the device or replace it with a device that is specifically fit for the particular needs of the buyer, or, if the seller does neither, to promptly refund to the buyer the total amount paid, as specified

The bill would further provide that a buyer of a used assistive device shall have the same rights and remedies under the Song-Beverly Consumer Warranty Act as a buyer of a new assistive device

Ch 1024 (SB 960) Carpenter State hospitals study pilot project· contracting

Existing law does not require the State Department of Developmental Services to conduct a study or pilot project, or both, in 1 or more state hospitals to determine the cost-effectiveness and feasibility of providing certain services or the management of services by contract with private providers

This bill would require the department to conduct such a study or pilot project, or both, as specified

It would also require the department to make a specified report to the Legislature by January 1, 1982

The bill would remain in effect only until January 1, 1982, and as of such date would be repealed, unless a later enacted statute extends or deletes such date

Ch 1025 (SB 330) Nimmo Milk and dairy products. marketing unfair practices Museum of Science and Industry director

(1) Under existing law, the Director of Food and Agriculture may by regulation exempt from specified provisions of law, transactions in fluid milk subject to subdistributor prices pursuant to specified law which is now repealed

This bill would delete such provision

(2) The existing law, generally, prohibits various acts, or unfair practices, in the marketing of milk and other dairy products, and provides for the filing of prices at which a distributor is selling or offering or agreeing to sell market milk and other specified dairy products

This bill would delete the milk price filing provisions and would revise the unfair trade practices provisions to reflect such change and delete the provision specifically prohibiting a distributor to allow or give any payment of money, credit, compensation, gift, or loan of anything of value for the privilege of placing a sign, advertisement, or other advertising material in, on, or adjoining any premises which are occupied by a wholesale customer. It would prohibit a distributor from giving payment, as specified, to a wholesale customer for advertising or display in connection with the sale of the distributor's dairy products classified as Class 1 or Class 2, except as specified It would, also, revise the provision delineating unfair practices in connection with false or misleading advertising of milk, cream, or any dairy product

(3) The existing law requires every distributor or manufacturer of milk, cream, or any dairy product to keep various designated records.

This bill would, instead, require any such distributor or manufacturer to maintain and keep, for a period of 1 year from their initial recordation, or for a period of one year from their expiration date, whichever period is longer, such records and would modify the provisions enumerating the various designated records which must be maintained and kept In addition, this bill would repeal the provision requiring every distributor to keep a full and complete record of milk, cream, or dairy products, to be classified as prescribed

(4) Under existing law, the purchase of market milk from a producer in excess of 200 gallons per month is an unlawful trade practice unless a written contract complying with specified requirements has been entered into One requirement of such contract specifies the date and method of payment, and existing law further provides that such payment requirement shall not be applicable if an equalization pool is in effect for the area in which the purchase of the market milk occurs

The bill would delete the provision excepting the payment requirement when an equalization pool is in effect

(5) Existing law defines "dairy product" to mean specified food items

The bill would delete some such items and include within the meaning of "dairy product" any product classified as Class 1 or Class 2 under specified provisions, and any frozen product or frozen product mix manufactured in a milk products plant licensed as specified.

(6) Existing law defines "frozen dairy product" for specified purposes

The bill would repeal such definition

(7) Under existing law, the directors of an agricultural association are required to be citizens and residents of the district.

This bill would provide, notwithstanding other provisions of law, that any Member of the Legislature representing a district in Los Angeles County may be appointed as a director of the California Museum of Science and Industry (the 6th Agricultural Association)

Ch 1026 (SB 616) Robbins. Public administrator administration of small estates.

Under existing law when a public administrator takes possession of an estate and it appears that the total value of such an estate does not exceed $5,000, excluding any motor vehicle owned by the decedent, the public administrator is authorized to apply to the superior court or judge thereof for an order permitting him to summarily sell personal property and to otherwise dispose of the estate, without having to administer the estate The public administrator is entitled to the statutory commissions for such services.

This bill would increase the amount of such estates for which an application may be made by the public administrator to the superior court or judge thereof from $5,000 to $20,000 It also would provide that, in any case, the public administrator or the public administrator's attorney, if any, would be entitled to a minimum of $250 if there are sufficient proceeds therefor.

This bill would require that the amendments made by this bill apply to all decedents' estates which are being administered by a public administrator on the date on which

this bill becomes operative

This bill would incorporate additional changes proposed by AB 1623, contingent upon the enactment of both bills and this bill being chaptered last The additional changes would become operative January 1, 1980

This bill would specify 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 act because there are savings as well as costs in this act which, in the aggregate, do not result in additional net costs

Ch 1027 (SB 639) Rains Marketing orders and agreements California Kiwifruit Commission

The existing law permits marketing orders, issued under the California Marketing Act of 1937, to contain provisions for the establishment of prescribed plans for research, advertising and sales promotion of various agricultural commodities, including kiwifruit

The bill would establish the California Kiwifruit Commission, with prescribed membership, and prescribe its powers, duties, and responsibilities in carrying out the provisions of the bill The commission would be authorized to carry on programs of advertising, promotion, marketing research, and production research relating to kiwifruit This bill would authorize the commission to levy an assessment on producers of kiwifruit, as prescribed, for purposes of carrying out such provisions.

The provisions of this bill, except as necessary to conduct such vote, shall not become operative until the producers of kiwifruit, by referendum, vote in favor of the provisions of the bill, as prescribed The bill would also provide for the suspension and termination of the operation of its provisions and for concluding the operations of the commission

Provisions of the bill would be repealed as of January 1, 1986, unless a later enacted statute extends or deletes that date and assessment funds thereafter remaining held by the commission would be disposed of as specified

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

This bill would provide that there shall be no appropriation pursuant to Section 2231 or 2234, but would recognize that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs.

Ch 1028 (AB 1182) Bane Lenders

Existing law governs various aspects relating to the imposition of finance charges in connection with automobile sales financing

This bill would revise such provisions, to be operative only if AB 258 is also chaptered.

Under existing law the Superintendent of Banks is authorized to issue a certificate certifying that in his opinion any particular security, from among the class of securities specified as legal investments for commercial and savings banks, constitutes a legal investment. The application for such a certificate must currently be accompanied by a fee of $50

This bill would raise the fee to $100 and would limit the superintendent to certifying only securities issued or guaranteed by the State of California, by any city, county, political subdivision, or public corporation of the State of California, or by any department, board, agency or authority of the state or of any California public corporation

Under existing law the Superintendent of Banks is required to examine every bank, every foreign banking corporation doing business in this state, every trust company and the trust department of every title company at least once in each calendar year

This bill would delete the limitation that the superintendent's examination of foreign banking corporations is limited to such corporations doing business in this state, would delete the requirement that banks be examined annually, and instead permit the superintendent to examine them when he deems it advisable, but in any event no less than once every two calendar years

The bill would make alternative changes, contingent upon the enactment of SB 1169, to the prerequisites for perfecting a secured interest in real property

Existing law permits a foreign corporation organized under the laws of the foreign

country under specified circumstances to transact in this state the business of accepting deposits if it has complied with specified requirements

This bill would additionally require such foreign corporations to secure written approval from the Superintendent of Banks prior to transacting such business

The bill also would make technical changes to provisions proposed by SB 1141, concerning loans to officers of banks and to the relevant definition of the word "loan"

Existing law requires a foreign banking corporation to maintain such reserves as are required to be maintained by the laws of this state by banks and trust companies

This bill would additionally exempt from these reserve requirements offices of foreign banking corporations if such offices are subject to the reserve requirements of the Board of Governors of the Federal Reserve System It would permit specified foreign banks or institutions, with the approval of the superintendent and upon such terms and conditions and subject to such rules and regulations as a superintendent may prescribe, to own and hold 50% or more of the shares of the capital stock of any corporation

This bill would take effect immediately as an urgency statute, except that specified provisions would become operative on January 1, 1980, but only if SB 1169 is chaptered and becomes effective on or before January 1, 1980, and except as otherwise specified if AB 258 is chaptered. Specified provisions would become operative only if SB 1141 is chaptered before this bill

Ch 1029 (SB 1128) Smith. Contracts

Existing law provides that a party to a contract may rescind such contract for specified reasons, including mistake, duress, fraud or undue influence by the other party to the contract

This bill would make specified legislative findings relating to business practices affecting the sale of residences in foreclosure, and to mortgage foreclosure consultants; would provide that a contract for the sale of a residence in foreclosure, as defined, to an equity purchaser, as defined, or for the services of a foreclosure consultant, as defined, shall contain specified provisions, and may be rescinded or cancelled for the reasons and in the manner prescribed, would impose specified fines and imprisonment for violations of provisions relating to contracts for the sale of a residence in foreclosure, and would provide for actual and treble damages, attorneys' fees and costs, and equitable relief for violations of provisions relating to foreclosure consultants.

This bill would also create a presumption that for a transaction in which an equity seller purports to grant a residence in foreclosure to an equity puchaser by an instrument which appears to be an absolute conveyance, but for which there is an option to repurchase, the transaction would be presumed to be a loan transaction, and the instrument a mortgage, as specified

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

This bill provides that no appropriation is made by this act, nor is any obligation created thereby, pursuant to Section 2231 or 2234

Ch 1030 (SB 1032) Watson Parent and child

Existing law provides that the parents of a child are obliged to give the child the support and education suitable to the child's circumstances. A court may order either or both parents to pay any amount necessary for the support, maintenance, and education of a child

This bill would (1) require a court, absent good cause to the contrary, and upon determining an ability to pay, to award reasonable attorney's fees to a custodial parent in any action to enforce an existing order for child support, (2) provide that any order awarding custody to a parent who is receiving, or in the opinion of the court is likely to receive, assistance pursuant to the Burton-Miller Act (AFDC) for the maintenance of the child shall include an order directing the noncustodial parent to pay any amount necessary for the support of the child, to the extent of the noncustodial parent's ability to pay, (3) provide that the assignment of support rights executed by a parent in order to receive AFDC shall also constitute an assignment to the state, and (4) provide that

reports required to be made by district attorneys to the Attorney General under current law summarizing case and collection activity with regard to locating parents who have deserted their children shall not contain any individually identifiable information

Existing law authorizes a court, in a proceeding where it has ordered either or both parents to pay any amount for the support of a minor child, to order either parent or both parents to direct that such support payments shall be made to designated officers of the court or a county officer designated by the court It requires such an order where the custodial parent receives welfare moneys for the support of the child Generally, the district attorney is charged with the enforcement of such an order and expenses of enforcement are a charge upon the county where the proceedings are pending

This bill would provide that in any case where the custodial parent and the parent ordered to pay support reside in different counties the court may direct that payments be made to a county officer of the county of residence of the custodial parent and that the court may direct the district attorney of either county to enforce such order. It would specify that if the court directs the district attorney of the noncustodial parent's county of residence to enforce such order, the expense of such enforcement shall be a charge upon such county

Existing law provides that the obligations of parents to support their natural child shall extend only to, and may be satisfied only from, the earnings and separate property of each such parent if there has been a dissolution of their marriage

This bill would specify that assets acquired from total earnings are included within such obligation

The Revised Uniform Reciprocal Enforcement of Support Act of 1968 provides a procedure for the enforcement of support obligations when the obligee and obligor thereof are resident in different member states.

This bill would make various changes therein, including an authorization for privately retained counsel to represent an obligee in proceedings under the act

Ch 1031 (SB 562) Keene Employee housing· community housing

Existing law requires every person operating a labor camp, as defined, to obtain a permit to operate such labor camp from the enforcement agency.

This bill would permit any person operating or owning employee community housing, as defined, to request an exemption from such permit requirement, and would require the enforcement agency to grant such exemption unless the housing is currently in violation of the State Housing Law, or in the last 2 years has been in violation of the Employee Housing Act, in a manner which materially affects the health and safety of the residents of the housing The enforcement agency would also be required to submit specified information to the Department of Housing and Community Development upon granting such an exemption

This bill would prohibit any person operating employee community housing that has been granted an exemption, or who is in the process of applying for an exemption, from taking any retaliatory employment action, as defined, against an employee/tenant who exercises specified rights with respect to the housing

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

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

Ch 1032 (SB 1094) Wilson Elections

Existing law provides that every person who willfully causes, procures, or allows himself or any other person to be registered to vote, knowing that he or that other person is ineligible to register, is punishable by imprisonment in state prison for 16 months or 2 or 3 years or in county jail for not more than one year

This bill would provide that every person knowingly and willfully engaging in such activities with respect to a nonexistent person, is guilty of a crime and subject to the same punishment, and would define a nonexistent person as including, but not limited to,

deceased persons, animals, and inanimate objects

This bill would provide that no appropriation is made by this act pursuant to Section 2231 or 2234 of the Revenue and Taxation Code because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1033 (AB 1558) Knox California Health Facilities Authority

Nothing in present state law authorizes any state agency to make direct loans to finance acquisition, construction, or remodeling of privately owned health facilities or clinics, or to refinance loans previously made by other lenders for such purposes

This bill would create a new state agency to be known as the California Health Facilities Authority, which would be empowered to make loans under certain conditions to nonprofit corporations or associations for financing or refinancing of the acquisition, construction, or remodeling of health facilities and specified clinics and for other "projects" defined by the bill The bill would require borrowers to give prescribed assurances concerning availability of services, and the bill would prescribe sanctions for failure to conform to the assurances. The bill would require Medi-Cal reimbursement provided to facilities under the bill to be adjusted to reflect a proportional amount of the interest savings occasioned by such financing, to the extent feasible and consistent with federal law Among the various arrangements which would be authorized by the bill, the authority could lease the project to the borrower until full repayment of the loan For the purpose of obtaining moneys to make such loans, the authority would be authorized to issue its revenue bonds and bond anticipation notes The total amount of such revenue bonds which could be outstanding at any one time would be limited to $650,000,000

The bill would create a California Health Facilities Authority Fund, which would be continuously appropriated to the authority for the purposes of the bill and which would be impressed with a trust for the benefit of holders of the authority's bonds. The fund would be exempt from specified general laws pertaining to allocation of earnings from investment of the fund

Ch 1034 (AB 1609) Levine Search warrants

Existing law provides for issuance of search warrants on specified grounds relative to commission of crimes

This bill would prohibit issuance of search warrants for documents controlled by specified persons in the absence of probable cause to suspect the subject thereof of criminal activity unless there is compliance with specified procedures for searches by special masters, as defined, and hearings relative to nondisclosure.

Ch 1035 (SB 186) Rodda. Government agencies state funding.

(1) Assembly Bill No. 8 was enacted as Chapter 282 of the Statutes of 1979, and, among other things, provides revised methods of financing school districts, county superintendents of schools, and community college districts.

This bill would make various supplemental and technical changes in these school finance provisions

(2) Under existing law, up to $2,500,000 of the proceeds from the State School Building Aid Bond Law of 1974 is made available as a state loan to the Fresno Unified School District for the construction of a permanent campus for a regional occupational center

This bill would delete the provisions making such funds available

(3) Existing law prescribes a method of reimbursing school districts and county superintendents of schools which provide education to children who live in certain institutions or family homes

This bill would, until June 30, 1981, prescribe a revenue limit increase for the education of such children.

(4) Existing law authorizes state participation in the Compact for Education with other States until December 31, 1979

This bill would extend such authorization until June 30, 1980, and would appropriate $14,500 to the Department of Education for the purpose of paying the annual dues of the Education Commission of the States for such participation

(5) Existing law authorizes a school district to deposit funds from the sale or lease of surplus property in its general fund if, prior to such sale or lease, the district makes specified findings

This bill would permit the district to make such findings either before or after the sale or lease.

(6) Chapter 282 of the Statutes of 1979 repealed provisions which created a pilot program for calendar and course scheduling in the community colleges which was to have remained in effect until July 1, 1980

This bill would restore the provisions authorizing this program and extend the life of the program until July 1, 1981

(7) Under existing law, there is the Leroy F Greene State School Building Lease-Purchase Law of 1976 which directs the State Allocation Board to fix the rents, charges, and fees payable by school districts for facilities financed by the state, and requires that such rents, charges, and fees be fixed at a rate to yield annual revenues equal to the cost of interest on, and retirement of, bonds issued under the lease-purchase law

This bill would repeal provisions authorizing school districts to increase the maximum tax rate to produce revenues for annual lease payments and would delete the requirement that rents, charges, and fees be fixed at a rate to yield annual revenues equal to the cost of interest on, and retirement of, bonds issued under the lease-purchase law, and, instead, would make alternative provision for rentals, as specified

This bill would also make other technical changes in the 1976 law

(8) Chapter 282 of the Statutes of 1979 provided for reductions, as specified, in moneys for local assistance in fiscal year 1980–81 and thereafter, under specified conditions

This bill would provide that such reductions be made only if an additional condition, as specified, exists.

(9) Section 27 2 of the Budget Act of 1979 requires the Department of Finance to reduce amounts included in General Fund appropriation items, with specified exceptions, in order to achieve a statewide reduction of $25,224,000 in personal services.

This bill would amend Section 27 2 to require instead a statewide salary savings of $25,224,000 in personal services in the 1979–80 fiscal year and would state that it is not intended to be a permanent workforce reduction The bill would also expand the list of exceptions

(10) Existing law provides for an appropriation for the support of the State Board of Registration for Professional Engineers

This bill would appropriate an additional $369,012 for such purpose, and would provide that $107,420 of such amount be used for certain administrative hearings

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

Ch 1036 (SB 629) Sieroty Public retirement systems· benefits.

Existing State Teachers' Retirement Law and Public Employees' Retirement Law provide for retirement benefits to be annually inereased by a 2% improvement factor.

This bill would provide on January 1, 1980, specified one-time adjustments in allowances to all persons whose allowances under those systems are based upon members who retired or died prior to specified dates The bill would require increases in statutory employer contributions to the Public Employees' Retirement Fund and in school district and other employing agency contributions to the State Teachers' Retirement Fund The increases in contributions to the Public Employees' Retirement Fund would be repealed on January 1, 1996, unless a later enacted statute deleted or extended such date

The bill would also appropriate $8,485,000 to the State Controller to reimburse local agencies for their costs

Ch. 1037 (SB 1059) Presley Pawnbrokers

Under existing law, persons engaged in the business of receiving goods in pledge as security for a loan are referred to as pawnbrokers

This bill would specify that "receiving goods as security for a loan" does not include a good faith purchase of goods

Existing law limits the charges which a pawnbroker may receive for a loan

This bill would modify such limits Among other things it would provide that such limits do not apply to loans over $10,000, as specified

Existing law requires a pawnbroker to enter at the time of the transaction in a pawnbook the date, duration, amount, interest, and an accurate description of the pledge, and the name and residence of the pledgor He is required to give the pledgor a written copy

This bill would require the pawnbroker to enter at the time of the transaction in a record of loans and pledges, the date, duration, amount, interest or charges, a reasonably accurate description of the pledge, and the name and address of the pledgor It would provide that the written copy given to the pledgor need not include his name and address

Under existing law, where a pawnbroker sells pledged property, he is required on demand by the pledgor to refund the amount received from the sale in excess of the balance of the loan, interest due on the loan, and 4% of the balance of the loan for expenses.

This bill requires the pawnbroker to refund the amount received in excess of the balance of the loan, interest due on the loan, including interest or charges to the time of demand or sale whichever is earlier, and 4% of the balance for expenses of sale

Existing law does not require a peace officer who takes property from a pawnbroker which is alleged to be stolen to give the pawnbroker a receipt

This bill would add such a provision

Various provisions of existing law provide that where stolen or embezzled property comes into the custody of a peace officer, magistrate, court, or clerk, it should be returned to the owner

This bill would provide that where property alleged to be stolen or embezzled is taken from a pawnbroker, the peace officer, magistrate, court, clerk, or other person having custody shall not deliver the property to a person claiming ownership without notifying the pawnbroker so that the pawnbroker may claim such property. It would also require notice to the pawnbroker prior to any disposal to the county.

Existing law prohibits a pawnbroker from receiving junk, metal, mechanical tools, or implements from any person under 16 years of age

This bill would prohibit a pawnbroker from receiving anything in pledge from any person under 16 years of age

Existing law requires a pawnbroker to report daily descriptions of all property received in pawn or purchased, except for certain bulk transfers from another pawnbroker

This bill would require a pawnbroker to report daily, or on the first working day after receipt or purchase descriptions of all property received in pledge or purchased, unless otherwise required by local authorities except for certain bulk transfers from other collateral brokers or wholesalers

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

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

Ch 1038 (SB 1019) Garamendi. Schools finance

Existing law requires the Superintendent of Public Instruction to compute certain apportionments as if 2 school districts were actually 1 unified district In order to be eligible for such computation of the allowance, the 2 school districts must, among other things, be governed by a common board of education

This bill would delete the requirement that such school districts be governed by a common board of education in order to be so eligible when the joint administration began on July 1, 1962, and would authorize such school districts which are eligible during the 1979–80 fiscal year to have their 1978–79 revenue limit recomputed under specified provisions.

Current statutes provide for the distribution of state funds to school districts

This bill would appropriate $100,000 from the General Fund to Section A of the State School Fund for apportionment to the Rescue Union School District during the 1979–80

school year and would provide for a corresponding reduction of one-third of such amount in state funds which would otherwise be available to such district in the 1980–81, 1981–82, and 1982–83 school years pursuant to specified provisions, together with specified interest

This bill would take effect immediately as an urgency statute

Ch 1039 (SB 399) Carpenter School crossing guards.

Under existing law, the Department of the California Highway Patrol may, and in counties meeting a specified condition is required to, provide protection for school pupils at school crossings on a contractual basis The counties reimburse the state for the costs of the program. Specified fines and forfeitures received by the county may be used to compensate crossing guards who are not regular full-time members of a county law enforcement agency

This bill would specify that the Highway Patrol will continue to administer the school crossing guard program until June 30, 1980, in those counties which request it and had in effect on June 30, 1979, a contract with the Highway Patrol to administer such a program Effective January 1, 1980, such counties would be required to furnish the crossing guards who would be employees of specified agencies of the county The bill would authorize the county board of supervisors to adopt standards for school crossing guards and to exercise final authority over district programs, as specified The bill would declare the Legislature's intent that the Highway Patrol's participation in the crossing guard program cease as of June 30, 1980

The bill would provide that the proceeds of fines and forfeitures may be used to compensate crossing guards and to pay necessary equipment and administrative costs

The bill would take effect immediately as an urgency statute

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

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

Ch 1040 (AB 1192) Papan Appropriation Pillar Point Harbor Project

This bill would appropriate, subject to specified provisions, $1,500,000 from the Harbors and Watercraft Revolving Fund to the Department of Boating and Waterways for purposes of making a loan to the San Mateo County Harbor District to be used for the Pillar Point Harbor Project, the Oyster Point Harbor Project, or both such projects.

Ch 1041 (SB 1089) Wilson Attorneys.

(1) Existing law provides that 6 members of the Board of Governors of the State Bar shall be public nonattorney members appointed by the Governor.

This bill would provide that after 1983, one such member would be appointed by the Senate Committee on Rules, one by the Speaker of the Assembly, and the remainder by the Governor

(2) 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) $135 for an active member admitted to the practice of law in this state for 10 or more years, (2) $120 for an active member admitted to the practice of law in this state for less than 10 but more than 5 years, (3) $90 for an active member admitted to the practice of law in this state for less than 5 years 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, until January 1, 1980, and then the limits will be (1) $90 for active members admitted to the practice of law in this state for 5 or more years, (2) $70 for active members admitted to the practice of law in this state for less than 5 but more than 2 years, and (3) $50 for active members admitted to the practice of law in this state for less than 2 years.

This bill would provide for fees as follows:

Members of 10 years or more $125

Members of more than 5 but less than 10 years. $110.
Members of more than 2 but less than 5 years $80.
Members of less than 2 years. $50

(3) This bill would also create a special committee to review and make recommendations regarding the scope, efficiency, and economy of the State Bar's activities, which are funded by the annual membership fees, and would prescribe the composition, powers, and duties of such committee

This bill would provide that such provisions relating to fees and the special committee shall remain in effect only until January 1, 1981, and as of that date be repealed.

Ch 1042 (SB 229) Roberti Housing programs

(1) Present law authorizes the Department of Housing and Community Development and the California Housing Finance Agency to provide financial assistance, including loans primarily, for the development of low- and moderate-income housing. However, there is presently no specific authorization for a state agency to pay a portion of the development costs of rental housing in exchange for restricting a portion of the units in the development for persons of low income and the remainder for persons of moderate income

This bill would authorize the Department of Housing and Community Development to conduct such a program, as prescribed, with respect to rental housing financed by the California Housing Finance Agency, or a city, county, redevelopment agency, or housing authority acting as a local housing finance agency, as prescribed, where the financing is provided at below-market interest or the housing is otherwise subsidized by the finance agency The assistance provided by the department could be all or any portion of the development costs, as defined, and could be payable as such costs are incurred or be payable in installments in order to reduce the sponsor's debt service The bill would require such assistance to be provided pursuant to a contract between the department and the public finance agency, and would require the finance agency to enter into a prescribed regulatory agreement with the sponsor of the rental housing. The regulatory agreement would be required to be recorded

The bill would create, and continuously appropriate to the department, a Rental Housing Construction Incentive Fund for the purpose of conducting the above-described program Moneys in the fund would be exempt from provisions authorizing transfers to other funds, excepting the Surplus Money Investment Fund, and all interest or any increment earned by investing or depositing money in the fund would be payable to the fund The bill would require that not less than 40% of the moneys in the fund be used to assist housing financed by the California Housing Finance Agency, unless the department makes certain findings

Under the bill existing monetary limitations on the amount of bonds the agency may issue would be inapplicable to bonds issued to finance housing assisted under the above provisions of this bill

The bill would authorize a city, county, or city and county to issue revenue bonds to provide below-market interest financing of a rental housing development for purposes of acting as a local finance entity pursuant to its provisions

(2) Nothing in present law authorizes the Department of Housing and Community Development to purchase rights of occupancy in privately owned rental housing developments

This bill would require the department to establish a Rental Housing Construction Program under which the department would be empowered to (1) contract with private and public housing sponsors for rights of occupancy in newly constructed rental housing units, in exchange for advancing all or a portion of specified costs of developing such units at below-market interest or without interest, (2) make grants to housing authorities for such purpose or for the direct development of rental housing

(3) Although present law authorizes several types of state loans to finance housing, there is no provision authorizing a state agency to provide assistance for housing in the nature of an equity investment

This bill would authorize the Department of Housing and Community Development to conduct such a program to enable eligible tenants of rental housing or a mobilehome park which is to be converted to a condominium or cooperative, to acquire their dwelling unit or a space or a share in the cooperative entitling continued occupancy Upon

sale, or in certain instances prior to sale, the department would be entitled to a prescribed share of the sales price or value in the dwelling unit or space Financial assistance under the bill could be provided directly or through a mortgage lender The financial assistance could not exceed 49% of the purchase price and the tenant-buyer would be required to make a minimum 3% downpayment The financial assistance would be provided pursuant to a contract secured by a recorded deed of trust or, in the case of purchase of a cooperative housing corporation share, any security device deemed adequate by the department to protect the state's interest.

This bill would also authorize the department to provide financial assistance to enable stock cooperative corporations to acquire mobilehome parks occupied or to be occupied by shareholders or members of the corporation It would also authorize the department to provide financial assistance to certain persons or families for purposes of enabling such persons or families to purchase a share in a stock cooperative corporation which owns a mobilehome park, as specified Upon sale of the park by the corporation or a share in the corporation, the department would be entitled to a portion of the proceeds proportionate to its financial participation

This bill would create and continuously appropriate to the department a Homeownership Assistance Fund for the purpose of enabling the above-described equity participations Moneys in the fund would be exempt from provisions authorizing transfers to other funds, excepting the Surplus Money Investment Fund, and all interest or any increment earned by investing or depositing moneys in the fund would be payable to the fund The bill would require that not less than 50% of the moneys in the fund be used to assist persons whose incomes do not exceed 80% of the county median, as prescribed, and would require priority be given, where consistent with the bill, to needs identified in the California Statewide Housing Plan

(4) Present law authorizes the Department of Housing and Community Development to conduct, pursuant to contracts with counties or cities, a program of deferred-payment loans for purposes of financing rehabilitation of housing in connection with specified local programs

This bill would make the following changes in such provisions

(A) Permit proceeds of such a loan to be used to finance room additions to prevent overcrowding of low- or moderate-income households.

(B) Authorize conduct of a deferred-payment loan program in connection with a federally assisted code enforcement effort being conducted by a defined local public entity or nonprofit corporation, pursuant to contracts with the department

(C) Authorize the department to reimburse the related administrative costs of such contracting local public entities and nonprofit corporations

(D) Establish a Demonstration Housing Rehabilitation Program for the Elderly and Handicapped, as specified

(5) It would appropriate $100,000,000 † from the General Fund to the Department of Housing and Community Development for expenditure pursuant to a prescribed schedule Under the schedule, $82,000,000 would be transferred to the Rental Housing Construction Incentive Fund, created by the bill, $7,500,000 would be transferred to the Homeownership Assistance Fund, created by the bill, $10,000,000 would be appropriated for the purposes of the deferred-payment loans program, and $500,000 would be appropriated for Department of Housing and Community Development administrative costs

Ch 1043 (AB 333) Hughes. Housing programs.

(1) Present law authorizes the Department of Housing and Community Development and the California Housing Finance Agency to provide financial assistance, including loans primarily, for the development of low- and moderate-income housing. However, there is presently no specific authorization for a state agency to pay a portion of the development costs of rental housing in exchange for restricting a portion of the units in the development for persons of low income and ~~the remainder for persons of moderate~~ [very low]* income

This bill would authorize the Department of Housing and Community Development to conduct such a program, as prescribed, with respect to rental housing financed by the

† Appropriation deleted by action of the Governor

California Housing Finance Agency, or a city, county, redevelopment agency, or housing authority acting as a local housing finance agency, as prescribed, where the financing is provided at below-market interest or the housing is otherwise subsidized by the finance agency The assistance provided by the department could be all or any portion of the development costs, as defined, and could be payable as such costs are incurred or be payable in installments in order to reduce the sponsor's debt service The bill would require such assistance to be provided pursuant to a contract between the department and the public finance agency, and would require the finance agency to enter into a prescribed regulatory agreement with the sponsor of the rental housing. The regulatory agreement would be required to be recorded

The bill would create, and continuously appropriate to the department, a Rental Housing Construction Incentive Fund for the purpose of conducting the above-described Moneys in the fund would be exempt from provisions authorizing transfers to other funds, excepting the Surplus Money Investment Fund, and all interest or any increment earned by investing or depositing money in the fund would be payable to the fund The bill would require that not less than 40% of the moneys in the fund be used to assist housing financed by the California Housing Finance Agency, unless the department makes certain findings

Under the bill existing monetary limitations on the amount of bonds the agency may issue would be inapplicable to bonds issued to finance housing assisted under the above provisions of this bill

The bill would authorize a city, county, or city and county to issue revenue bonds to provide below market interest financing of a rental housing development for purposes of acting as a local finance entity pursuant to its provisions

(2) Nothing in present law authorizes the Department of Housing and Community Development to purchase rights of occupancy in privately owned rental housing developments

This bill would require the department to establish a Rental Housing Construction Program under which the department would be empowered to (1) contract with private and public housing sponsors for rights of occupancy in newly constructed rental housing units, in exchange for advancing all or a portion of specified costs of developing such units at below market interest or without interest, (2) make grants to housing authorities for such purpose or for the direct development of rental housing

(3) Although present law authorizes several types of state loans to finance housing, there is no provision authorizing a state agency to provide assistance for housing in the nature of an equity investment

This bill would authorize the Department of Housing and Community Development to conduct such a program to enable eligible tenants of rental housing or a mobilehome park which is to be converted to a condominium or cooperative, to acquire their dwelling unit or a space or a share in the cooperative entitling continued occupancy Upon sale, or in certain instances prior to sale, the department would be entitled to a prescribed share of the sales price or value of in the dwelling unit or space Financial assistance under the bill could be provided directly or through a mortgage lender The financial assistance could not exceed 49% of the purchase price and the tenant-buyer would be required to make a minimum 3% downpayment The financial assistance would be provided pursuant to a contract secured by a recorded deed of trust or, in the case of a cooperative housing corporation share, any security device deemed adequate by the department to protect the state's interest

This bill would also authorize the department to provide financial assistance to enable stock cooperative corporations to acquire mobilehome parks occupied or to be occupied by shareholders or members of the corporation It would also authorize the department to provide financial assistance to certain persons or families for purposes of enabling such persons or families to purchase a share in a stock cooperative corporation which owns a mobilehome park, as specified. Upon sale of the park by the corporation or a share in the corporation, the department would be entitled to a portion of the proceeds proportionate to its financial participation

This bill would create and continuously appropriate to the department a Homeownership Assistance Fund for the purpose of enabling the above described equity participations Moneys in the fund would be exempt from provisions authorizing transfers to other funds, excepting the Surplus Money Investment Fund, and all interest or any

increment earned by investing or depositing moneys in the fund would be payable to the fund The bill would require that not less than 50% of the moneys in the fund be used to assist persons whose incomes do not exceed 80% of the county median, as prescribed, and would require priority be given, where consistent with the bill, to needs identified in the California Statewide Housing Plan

(4) Present law authorizes the Department of Housing and Community Development to conduct, pursuant to contracts with counties or cities, a program of deferred-payment loans for purposes of financing rehabilitation of housing in connection with specified local programs

This bill would make the following changes in such provisions

(A) Permit proceeds of such a loan to be used to finance room additions to prevent overcrowding of low- or moderate-income households.

(B) Authorize conduct of a deferred-payment loan program in connection with a federally assisted code enforcement effort being conducted by a defined local public entity or nonprofit corporation, pursuant to contracts with the department

(C) Authorize the department to reimburse the related administrative costs of such contracting local public entities and nonprofit corporations.

(D) Establish a Demonstration Housing Rehabilitation Program for the Elderly and Handicapped, as specified.

(5) It would appropriate $100,000,000 from the General Fund to the Department of Housing and Community Development for expenditure pursuant to a prescribed schedule Under the schedule, $82,000,000 would be transferred to the Rental Housing Construction Incentive Fund, created by the bill, $7,500,000 would be transferred to the Homeownership Assistance Fund, created by the bill, $10,000,000 would be appropriated for the purposes of the deferred-payment loans program, and $500,000 would be appropriated for Department of Housing and Community Development administrative costs

Ch 1044 (AB 337) Costa. Housing land purchase fund

Under present law, the California Housing Finance Agency is authorized to make development loans to housing sponsors for the acquisition of land in connection with the proposed construction of a housing development Additionally, the Department of Housing and Community Development is authorized to make predevelopment loans to local governmental agencies and nonprofit corporations for, among other things, the cost of acquisition of land or options (prior to obtaining long-term financing) in connection with the provision of assisted housing for low-income persons in rural areas.

This bill would create, and appropriate $1,000,000 for deposit in, the Land Purchase Fund, which would be continuously appropriated to the Department of Housing and Community Development for the purpose of loaning money to local governmental agencies, nonprofit corporations, or cooperative housing corporations for acquiring land or options thereon for use in developing assisted housing in rural areas for low-income persons Loans made pursuant to the bill would bear interest at a prescribed variable rate, unless waived by the department, as prescribed Any such loan for which interest is waived would be subject to a 2% loan origination fee

The bill would require the department to make a prescribed annual report to the Legislature and the Governor Not more than $25,000 of the amount appropriated by the bill could be used for administrative expenses of the department

Ch 1045 (AB 1119) Gage Housing residential hotels low-income persons.

(1) Under existing law, the California Housing Finance Agency may lend moneys for the purpose of financing the construction, rehabilitation, or acquisition of housing for persons and families of low or moderate income, as defined, and may grant money and property to housing sponsors and local agencies, as defined, for prescribed purposes.

Existing law requires the Commission of Housing and Community Development to adopt, and the Department of Housing and Community Development is required to enforce, structural fire safety regulations governing existing multiple-story structures let for human habitation, and to generally adopt building regulations for dwellings, which regulations are required to be adopted by cities and counties except on finding of necessity because of local conditions.

This bill would require the Department of Housing and Community Development, in conjunction with the State Fire Marshal, to develop a model code for rehabilitation

of residential hotels, as defined, on or before January 1, 1981 The bill would authorize counties and cities to adopt the model code as an alternative to State Housing Law standards

The bill would require the California Housing Finance Agency to develop a program of financing and loan insurance for assisting the rehabilitation and acquisition of residential hotels serving persons of low income, as defined, and very low income, and to implement such a program on or before January 1, 1981 If the agency is unable to implement such a program, it would be required to report the reasons for its inability to do so to the Legislature on or before July 1, 1981

The bill would require the Department of Housing and Community Development to contract, subject to the availability of federal funds, for residential hotels as housing for persons of very low and low income, and fix a schedule of rents for such purposes and would permit alteration of such rents, as specified in the bill

The bill would require specified reports on the projects funded and use of residential hotels be made to the Legislature by January 1, 1983

(2) Under present law, the minimum term of loans made from the Urban Development Loan Fund is 18 months

This bill would reduce such minimum term to 12 months.

(3) The Zenovich-Moscone-Chacon Housing and Home Finance Act defines "rural area" and permits the California Housing Finance Agency to change the definition administratively to conform to changes in federal programs.

This bill would expand such definition, as prescribed, and permit the Department of Housing and Community Development to also adopt administrative changes in such definition to conform to changes in federal programs

(4) AB 333 would, if chaptered, expand the types of loans which may be made from the Housing Rehabilitation Loan Fund

In connection therewith, this bill would, contingent upon chaptering of AB 333 prior to this bill, add clarifying and conforming changes to such provisions, permit assumption of deferred payment rehabilitation loans, as prescribed, define "sponsor" for purposes of the Demonstration Housing Rehabilitation Program which would be established pursuant to AB 333, require limitation of such sponsors' profits to 6%, as specified, and revise requirements relating to such program with respect to priorities in reoccupation of rehabilitated housing

(5) AB 333 would, if chaptered, authorize the Department of Housing and Community Development to conduct a prescribed rental housing construction program under which the department would pay a portion of the development costs of rental housing in exchange for restricting a portion of the units in the development for defined eligible households

In connection therewith, this bill would, contingent upon chaptering of AB 333 prior to this bill, make technical and corrective changes in such provisions, revise the program priorities and eligibility criteria, delete an authorization for reallocation of more assisted units to very low income households, require the department to annually report on the program as prescribed, exempt eligible households residing in units assisted under the program from income-tax liability or public-assistance ineligibility by reason of any payment or subsidy provided under the program, reduce the maximum time the department may supervise the management of rental housing assisted under the program from 40 to 30 years, revise the requirements respecting the terms of assistance contracts between the department and the California Housing Finance Agency or local finance entity and the terms of regulatory agreements with sponsors, require recording of such regulatory agreements, and require that justification for expenditures from the Management Reserve Account in the Rental Housing Construction Incentive Fund be provided by the financing agency or entity, rather than by the sponsor

(6) AB 333 would, if chaptered, authorize the department to provide specified financial assistance to enable households renting their dwelling unit or mobilehome space to acquire the unit or space or a share in a stock cooperative, where the unit or space is to be converted to condominium or stock cooperative ownership AB 333 would also authorize the department to financially assist stock cooperatives in acquiring mobilehome parks, provided the stockholders are below county median income

In connection therewith, this bill would make clarifying changes, specify new conditions re financial assistance for acquisition of mobilehome parks and extend eligibility

for such assistance to nonprofit corporations, revise requirements re allocation of such financial assistance, and require the department to annually report on the program, as prescribed.

(7) AB 333 would, if chaptered, contain various findings and declarations of the Legislature relative to housing needs.

This bill would, contingent upon chaptering of AB 333 prior to this bill, revise such findings and declarations.

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

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

Ch 1046 (AB 1929) Boatwright State claims.

This bill would appropriate $1,082,419 96 † from specified funds to the State Board of Control to pay the claims of the Secretary of the State Board of Control

This bill would take effect immediately as an urgency statute

Ch 1047 (SB 866) Carpenter Health facility construction and expansion loan insurance

Pursuant to Section 4 of Article XVI of the California Constitution, the Legislature has enacted the California Health Facility Construction Loan Insurance Law authorizing the Office of Statewide Health Planning and Development to guarantee the repayment of loans made by private lenders to local governmental agencies or nonprofit corporations for the construction, expansion, modernization, renovation, remodeling, or alteration of health facilities.

This bill would amend such law to revise the purposes for which the proceeds of loans guaranteed under such act would be used, the priorities for allocating loan guarantees under such act, and eligibility requirements for the loan guarantees The bill would, among other things, authorize loans guaranteed under such act to include costs of acquisition of an existing health facility and existing buildings. The bill would also provide that a loan guaranteed under the act may be for refinancing another prior loan if the Office of Statewide Health Planning and Development determines that the prior loan would have been eligible for a guarantee under the act when made.

This bill would include changes in Section 436.2 of the Health and Safety Code to be made by Chapter 1305, Statutes of 1978, operative January 1, 1980

This bill would take effect immediately as an urgency statute

Ch 1048 (AB 1497) Perino Sales and use tax exemption

Under the existing Sales and Use Tax Law, gross receipts from the sale or use of meals and food products served to and consumed by patients of a health facility, community care facility, or a residential facility are exempt from sales and use taxes.

This bill would also exempt the gross receipts from the sale or use of meals and food products served to and consumed by residents or patients of any house or institution supplying room and board for a flat monthly rate and serving as a principal residence exclusively for persons 62 years of age or older

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions

This bill would appropriate $11,700 to the Controller to make the reimbursements to counties and cities specified in Section 2230

This bill would take effect immediately as a tax levy, but its operative date would

† Appropriation reduced to $1,042,702 40 by action of the Governor

depend on its effective date

Ch 1049 (AB 780) Egeland Unemployment compensation disability benefits.

Existing law provides that a disabled individual is eligible to receive disability benefits if unemployed due to a disability if, among other things, he or she has been unemployed and disabled for a waiting period of 7 consecutive days during each disability benefit period with respect to which waiting period no benefits are payable except that if an individual is confined in a hospital, pursuant to orders of his or her physician, for at least 1 day, or in a nursing home under specified conditions, any unexpired full days of the 7-day waiting period for disability benefits are waived

This bill would, in addition, require the waiver of the 7-day waiting period if an individual is unemployed and disabled for more than 49 days during the disability benefit period

Existing law provides that the total amount of unemployment compensation disability benefits payable to an individual shall be 26 times the weekly benefit amount, provided that in no case shall the total amount of such benefits payable be more than ¼ the total wages paid to the individual during his or her base period

This bill would increase the total amount of such benefits payable to an individual to 39 times the weekly benefit amount subject to the same proviso

Existing law provides that an individual's "weekly benefit amount," for purposes of unemployment compensation disability benefits, is determined by reference to a table which specifies a weekly benefit amount ranging from $30 to $146, depending on the amount of wages paid in the highest quarter of the individual's disability base period.

This bill would revise such table to specify a weekly benefit amount ranging from $30 to $154

The provisions of the bill would become operative with respect to periods of disability commencing on or after January 1, 1980

This bill would incorporate additional changes in Section 2653 of the Unemployment Insurance Code, proposed by AB 758, to be operative only if AB 758 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last.

This bill would appropriate $37,380,000 † from the Unemployment Compensation Disability Fund for the purposes of the bill

Ch 1050 (AB 960) Lockyer Labor payment of wages

Existing law requires every employer, semimonthly or at the time of each payment of wages, to furnish each of his employees an itemized statement in writing showing specified items

This bill would, in addition, require every employer, with specified exceptions, who pays wages in cash, semimonthly or at the time of each payment of wages, to furnish each employee an itemized statement in writing showing specified items, to keep a copy of such statement, or a record of the deductions, on file for at least 3 years, and to permit inspection of the employer's records by the employee upon reasonable request An employer who violates such requirement would be subject to a civil penalty of $100 per employee for each violation, and any employee injured as a result of a knowing and intentional violation would be entitled to recover actual damages or $100, whichever is greater

This bill would also add provisions permitting the Labor Commissioner to issue a citation to the person violating such provisions, and would provide procedures for notice and hearing to contest a citation or the assessment of a civil penalty

Ch 1051 (AB 758) Alatorre Unemployment disability compensation

Currently, the maximum amount of unemployment disability benefits payable during any one disability benefit is 26 times the person's weekly benefit amount provided that such amount does not exceed one-half the total wages paid to the individual during his base period

This bill would eliminate such 50% earnings limitation on unemployment disability benefits for periods of disability commencing on or after January 1, 1980, but in no case would benefits paid be more than 75% of the total wages paid to the individual during

† Appropriation deleted by action of the Governor

his or her disability base period.

This bill would incorporate additional changes in Section 2653 of the Unemployment Insurance Code, proposed by AB 780, to be operative only if AB 780 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last.

This bill would appropriate $3,850,000 † from the Unemployment Compensation Disability Fund for the purposes of the bill.

Ch. 1052 (AB 757) Alatorre. Unemployment disability compensation

Under existing law, a person who is disqualified from receiving unemployment compensation benefits during a trade dispute is presumed to be ineligible to receive unemployment disability compensation

This bill would provide instead, that a person otherwise eligible to receive unemployment disability compensation shall not be disqualified from receiving such benefits because of being disqualified from receiving unemployment compensation benefits during a trade dispute.

Ch. 1053 (AB 759) Alatorre Unemployment insurance: eligibility and benefit amount

Existing law requires employers to pay a lower amount of contributions into the Unemployment Fund for the succeeding calendar year whenever the balance in the fund on December 31st of each year equals or exceeds 2.5% of the wages in employment and specifies a higher rate of employer contributions if the balance in the fund upon such date is less than 2.5% of the wages in employment.

This bill would provide that notwithstanding such provisions the lower rate of contribution shall be in effect for the 1980 calendar year

Existing law provides that an individual is "unemployed," among other things, in a week of less than full-time work, or any week during which such individual performs full-time work for 5 days as a juror or as a witness under subpoena, if the wages payable to him for such week are less than his weekly benefit amount. Existing law provides that a commercial fisherman shall be considered "partially unemployed" if he earns less than his weekly benefit amount.

This bill would delete the requirement that the wages payable to an individual be less than his weekly benefit amount in order to be considered "unemployed "

Existing law provides that an individual eligible for unemployment compensation benefits in any week shall be paid an amount equal to his weekly benefit amount less the amount of wages in excess of $21 payable to him for services rendered during that week

This bill would provide instead, that the benefit will be equal to his weekly benefit amount less the amount of wages in excess of $25 or 25% of the weekly benefit amount of the individual claimant, whichever is greater.

Under existing law an individual may establish a valid claim for unemployment compensation benefits if, among other things, he or she has been paid at least $750 in wages during his or her base period

This bill would, instead, require that such individual have been paid wages of at least $900 for new claims filed between January 1, 1980, and May 1, 1981. For claims filed between May 1, 1981, and January 1, 1982, an individual would be required to either (1) earn wages of not less than $20 in each of 8 or more calendar weeks and be paid wages totaling at least $900, or (2) earn wages of at least $1,100 The latter amount would increase to $1,200 for claims filed on or after January 1, 1982.

Existing law establishes a range of weekly benefit amounts payable under the unemployment compensation law from a minimum of $30 to a maximum of $104 The amount payable to an individual depends on the amount of wages paid to the individual during the quarter of his or her base period in which his or her wages were the highest.

This bill would increase from $104 to $120 the maximum weekly benefit amount payable under the unemployment compensation law for claims filed between January 1, 1980, and May 1, 1981, would increase such amount for claims filed between May 1, 1981, and January 1, 1982, to $130, would further increase such amount to $136 for claims filed after January 1, 1982, and would revise the schedule of wages required to qualify for such benefits from the current increment amounts to various increments in average

† Appropriation deleted by action of the Governor

for such benefits from the current increment amounts to various increments in average weekly wages for each $1 increase in weekly benefits.

Existing law permits an employer who makes an underpayment of the amount of worker contributions due the Employment Development Department to make a later adjustment if such error was caused by excusable neglect

This bill would similarly permit an employer to make a later adjustment for erroneously reporting, through excusable neglect, the number of calendar weeks for which an employee has earned wages or the amount of wages earned in any calendar week.

The bill would also make various technical, nonsubstantive changes in the law.

This bill would permit the Director of Employment Development, in order to aid local agencies and school districts, to determine reimbursements for any increased costs incurred as a result of this act on an estimated basis utilizing information in the possession of the Employment Development Department

Section 2231 of the Revenue and Taxation Code requires the state to reimburse local agencies and school districts for costs mandated by the state The section also specifies the manner for paying the reimbursement and requires any statute mandating the costs to also contain an appropriation to pay for the costs in the initial fiscal year.

This bill would appropriate $1,600,000 to the State Controller for allocation and disbursement to local agencies and school districts for costs incurred by them pursuant to this act

Ch 1054 (SB 1137) Vuich Outdoor advertising political signs.

Under the Outdoor Advertising Act, with specified exceptions, no advertising display may be placed within 660 feet of a landscaped freeway or a highway that is in the National System of Interstate and Defense Highways or the Federal-Aid Primary System

This bill would specify that the act would not prohibit the placement of temporary political signs, unless a federal agency determines that such placement would violate federal regulations However, no such signs could be placed within a highway right-of-way or within 660 feet of and visible from a landscaped freeway

The bill would take effect immediately as an urgency statute.

Ch 1055 (AB 298) McAlister Personal income taxes worker contributions credit

Existing Personal Income Tax Law provides for various credits against personal income tax liability

This bill would provide for a refundable credit in the amount of 80% of the worker contributions withheld from a taxpayer in the 1979 calendar year and paid into the Unemployment Compensation Disability Fund, such credit not to exceed $91.

Under existing law funds are continuously appropriated from the disability fund for disability payments

This bill would transfer from the disability fund to the General Fund an amount equal to the worker contributions credits and refunds allowed by the Franchise Tax Board.

The bill would also make additional changes in Sec 17053 5, R. & T C and Sec 1176.5, U.I.C , as proposed by SB 251 and AB 1776, respectively, to be operative only if the above bills and this bill are chaptered, and this bill is chaptered after SB 251 and AB 1776

The bill would take effect immediately as a tax levy.

Ch 1056 (AB 1520) Roos Judges' Retirement Law benefits

Existing Judges' Retirement Law make the surviving spouse of any judge who died on or after January 1, 1954, but before retirement eligible for an allowance

This bill would prescribe an allowance for the surviving spouse of a judge who died in office in 1951, and would appropriate $36,750 to the Judges' Retirement Fund to pay the costs of the bill

Ch 1057 (SB 1143) Ayala. Municipal courts San Bernardino County

Existing law specifies the judges and divisions of the San Bernardino County Municipal Court District

This bill would create the Morongo Basin Division having one judge, revise the territory of the East and Valley Divisions, and raise the number of judges in the East Division of the San Bernardino County Municipal Court District from 1 to 2.

Existing law specifies the number and compensation of the employees of the San Bernardino County Municipal Court District

This bill would revise the number and compensation of the employees of the San Bernardino County Municipal Court District

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

This bill provides that there shall be no appropriation made by this act, nor is any obligation created thereby under Section 2231 or 2234 of the Revenue and Taxation Code, for the reimbursement of any local agency or school district for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act

Ch 1058 (AB 1043) Agnos Brain-damaged persons· pilot project

Under existing law there are no programs that specifically provide services and financial assistance for brain-damaged persons

This bill would require the Director of Mental Health to establish a one-year pilot project for such persons by contracting with an appropriate nonprofit community agency to conduct a program providing for diagnostic services, in-home support services, out-of-home services, and counseling and legal services.

The bill would require the director to use any available funds and would appropriate an additional $250,000 for such purposes

The bill would also require the director to make a report to the Legislature on the pilot project, as specified

Ch 1059 (AB 1134) Agnos In-home supportive services.

An existing statute states that the purpose of the in-home supportive services statutes is to provide a range of supportive services for current, former or potential recipients of public assistance who can remain in their own homes or homes of their own choosing and that supportive services include, but are not limited to, chore and housekeeping services, homemaker services, consultation and assistance of a protective service worker, volunteer visiting services, and other nonmedical services which enable comfortable and safe independent living

(I) This bill would revise the definition of supportive service to include (1) domestic services and services related to domestic services; (2) heavy cleaning, (3) nonmedical personal services; (4) accompaniment by a provider when needed during necessary travel to health related appointments or to alternative resource sites and other essential transportation as determined by the director; (5) yard hazard abatement, (6) protective supervision, (7) teaching and demonstration directed at reducing need for other supportive services, and (8) other services as determined by the director which enable comfortable and safe independent living.

(II) This bill would also require remuneration to a person providing such supportive services and who under the Civil Code has a legal duty to provide care to his or her child who is the recipient, only when the provider leaves full-time employment or is prevented from obtaining such employment because no other suitable provider is available and where his or her inability to provide supportive services may result in inappropriate placement or inadequate care Remuneration would be required only for the above enumerated services as follows (a) for the related services in item (1) above, (b) for items (3), (4), and (8) above, and (c) item (6), but only as needed because of the functional limitations of the child

(III) This bill would also specify that respite care, a temporary or periodic service to relieve persons providing care without compensation, shall also be provided and would state that this change does not constitute a change in, but is declaratory of, existing law

(IV) This bill would also, contingent upon the chaptering of AB 1940 on or before January 1, 1980, add to the services included by paragraph I above in supportive service, and add to the services required by paragraph II above to be remunerated, paramedical services

(V) This bill would also appropriate $216,000 to the State Department of Social Serv-

ices for the purposes of this act

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

Ch 1060 (AB 1098) Ingalls. Highways state excess land, appropriation.

(1) Under existing law, the Department of Transportation, prior to the sale of an entire parcel it had acquired for state highway purposes but is no longer necessary therefor, is required to pay the county in which the parcel is located an amount equal to the taxes that would have been paid if the department had not acquired the parcel.

This bill would require that such payments be used only for street 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

(2) Item 164 1 of the Budget Act of 1979 appropriated $2,000,000 from the State Highway Account in the State Transportation Fund to the department to bring $75,000,000 in unbudgeted projects to a ready-to-advertise point of readiness by June 30, 1980

The bill would appropriate $8,000,000 from the account to the department in augmentation of Item 164 1, and would require the total of $10,000,000 to be used by the department to advance, as specified, the ready-to-advertise status of construction projects as set forth in the department's project management control system data base on November 1, 1979

The bill would require the department to report quarterly to the California Transportation Commission and the Legislature on project development staffing and project development and advertising schedules.

Ch 1061 (AB 1128) Berman Medi-Cal. prepaid health plans.

Existing law authorizes the State Department of Health Services to contract with one or more health plans in order to provide benefits to persons eligible under the California Medical Assistance Program

This bill would make various changes pertaining to contract provisions, state regulations governing such plans, plan enrollment procedures and service standards, reporting requirements, marketing material contents, subcontracting, periodic and additional medical audits, reviews, and onsite visits, financial audits, and uniform accounting and financial reporting procedures, schedules of reviews, visits and audits, and evaluations of such plans

The bill would also limit, operative July 1, 1980, the expenses paid by such plans to the Commissioner of Corporations for audits to those expenses for additional or nonroutine examinations for good cause and additional or nonroutine medical surveys for good cause, as specified

Ch 1062 (AB 1284) Knox Recreational marinas loans

No provision of existing law provides for subordinated loans to be made to recreational marinas

This bill would provide for such loans to be made by the Department of Boating and Waterways, as specified, for the construction, improvement, or expansion of recreational marina facilities and would authorize the department to adopt regulations and submit proposals for loans, as specified.

This bill would create a continuously appropriated State Recreational Marina Revolving Account in the Harbors and Watercraft Revolving Fund into which funds appropriated for the purpose of this act would be deposited

This bill would also appropriate $1,050,000 from the Harbors and Watercraft Revolving Fund to such account for the purposes of its provisions.

Ch 1063 (AB 1368) Bates Day care facilities for children

Existing law contains provisions for the licensing of community care facilities, which are defined to include family day homes, among other categories. The licensing is carried out by the State Department of Social Services or specified agencies with which the department contracts for the provision of such service

This bill would change the term "family day home" to "family day care home" and would require the department or such contracting agencies to grant a license for a family day care home for children within a certain time period if specified criteria are

met

It would authorize a licensing agency, when it determines that family day care homes for children are operating without a license, to issue a cease and desist order only after notice of such license requirement and if certain findings are made and, in all other cases, only if the unlicensed provider does not apply for a license in a reasonable time after notice of such license requirement

It would also establish a pilot project of registration of family day care homes for children in certain counties administered by the department, as specified. It would require that such project be evaluated and would require such evaluation to be submitted to the Legislature, as specified The project would commence on January 1, 1980, and terminate on January 1, 1983 The bill would make other conforming changes.

The bill would appropriate $112,000 from the General Fund to the State Department of Social Services to carry out the purposes of processing additional applications under the bill, and provides for reallocation of other licensing funds, as specified

Ch 1064 (AB 1287) Levine Public Utilities Commission.

(1) Existing law prohibits a public utility of a class subject to requirements of certification of its operations by the Public Utilities Commission from exercising any franchise or permit granted to it, but not exercised, or reinstated after the exercise of which has been suspended for more than one year, without the issuance of a certificate of public convenience and necessity by the commission covering such operations, and permits the public utility to apply for the requisite certificate in advance of securing the franchise or permit, to be issued when the franchise or permit has been secured

This bill would delete these provisions.

(2) Existing law authorizes electrical and gas corporations subject to the jurisdiction of the commission to institute home insulation assistance and financing and directs the commission to investigate the feasibility of low-interest, long-term financing of solar energy systems

This bill would authorize the commission to permit or require electrical or gas corporations to institute energy conservation programs except for specified solar systems The bill would require the commission to initiate appropriate action to secure exemptions or waivers required by federal law The bill would also declare the intent of the Legislature with respect to these provisions

Ch 1065 (AB 594) Goggin State parks and recreation funding

(1) Under existing law, all units of the state park system, except wilderness areas, are classified by the State Park and Recreation Commission into one of specified categories The Department of Parks and Recreation is required to prepare an inventory of features for a unit prior to classification and a general plan following classification for submission to the commission for its approval Following such approval, the department is required to submit the inventory and general plan to the Legislature

The bill would exempt from such provisions lands purchased or otherwise acquired by the department at the Pan Pacific and Seccombe Park projects, which are to be operated and maintained by other public agencies under operating agreements, for the term of the agreements. Any facility to be developed on such lands could only be constructed in accordance with a development plan approved by the Director of Parks and Recreation

(2) Under existing law, various fees, rentals, and other returns collected by the department for the use of any state park system area, and certain other revenues received by the department, are deposited in various funds and accounts for expenditure for various purposes

The bill would create 1 new fund, the State Parks and Recreation Fund, and would require that the following accounts and funds established either by statute or by administrative action be abolished

(a) The San Francisco Maritime State Historic Park Account
(b) The Park and Recreation Revolving Account
(c) The Resources Protection Account.
(d) The Collier Park Preservation Fund
(e) The State Park Highway Account in the Bagley Conservation Fund
(f) The Coastal Access Fees Account.

(g) The Hostel Facilities Use Fees Account

An amount not to exceed $7,000,000 of such fees, rentals, other returns and revenues, received by the department under existing law (other than fees and other proceeds collected at the Hearst San Simeon State Historical Monument and the California Exposition and State Fair, which would specifically be required to be deposited in the General Fund, and other than fees received from the use of boats or boating facilities, which would continue to be required to be deposited in the Harbors and Watercraft Revolving Fund), and other than proceeds collected at state vehicular recreation areas, which would continue to be required to be deposited in the Off-Highway Vehicle Fund, would be required to be deposited in the new State Parks and Recreation Fund Moneys in excess of $7,000,000 would be paid into the General Fund. In addition, all existing balances contained in the funds and accounts which the bill would abolish, together with all unexpended funds previously appropriated to the department from such funds and accounts, and from the Bagley Conservation Fund, would be deposited in the new fund. Funds in the State Parks and Recreation Fund (other than funds in the State Parks and Recreation Account which had previously been appropriated and have become encumbered, which would continue to be available for liquidation of such encumbrances) would be available for expenditure for state park planning, acquisition, and development projects, and state park resource management and protection, when appropriated by the Legislature

(3) Under existing law, proposed expenditures by the department of Park and Recreation Revolving Account funds for acquisition and development projects are required to be included as separate items in the Budget Bill for each fiscal year

The bill would delete such provisions

(4) Under existing law, $900,000 is annually transferred from the Highway Users Tax Account in the Transportation Tax Fund to the State Park Highway Account in the Bagley Conservation Fund and continuously appropriated to the department for the maintenance and repair of highways in units of the state park system, and are available for expenditure by the department for construction and improvement of such highways when appropriated for such purposes by the Legislature

The bill would instead direct the department to include in its annual budget an amount not to exceed $1,500,000 to be appropriated by the Legislature from the Highway Users Tax Account in the Transportation Tax Fund to the State Parks and Recreation Fund, which would be created by the bill, for the maintenance and repair of highways in units of the state park system

(5) The bill would also make related, conforming changes

(6) Under existing law.

(a) The sum of $2,500,000 is appropriated to the Department of Parks and Recreation from the Collier Park Preservation Fund for the acquisition of Malibu Beach and the adjoining pier for the state park system.

(b) Such appropriation is subject to the proviso 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 seller is required to have prepared, at his own expense, a structural safety report on the Malibu Pier which is satisfactory to the commission, and the seller is made liable for the improvements necessary to bring the Malibu Pier into a condition of good sound repair Thereafter, the Wildlife Conservation Board is empowered to make pier improvements or perform pier rehabilitation or replacement work it deems necessary in cooperation with the County of Los Angeles

(c) Rentals received from the lease of property acquired by the state pursuant to the Property Acquisition Law are deposited in an account in the General Fund and continuously appropriated to the Department of General Services to maintain, improve, and care for real property acquired pursuant to such law

The bill would also appropriate such moneys for a restaurant and make a conforming change in legislative findings and declarations

The bill would change the proviso to provide that no funds may be expended on the purchase price by the State Public Works Board until the State Lands Commission certifies that the seller has fulfilled or provided for all rental obligations, past and present, due the state for utilization of the tide and submerged lands adjacent to Malibu

Beach

The bill would also change the proviso by deleting provisions describing the seller's obligations, provisions requiring a structural safety report, and provisions making the seller liable for improvements necessary to bring the Malibu Pier into a condition of good sound repair The bill would instead provide that any work necessary at the time of transfer to put the pier into a condition of reasonably sound repair shall be accomplished by the Department of General Services out of the account established under the Property Acquisition Law The total amount paid out of such account could in no event exceed $150,000, and the account would be reimbursed from the net revenues produced by the pier and restaurant

The bill would transfer jurisdiction over the pier and restaurant to the Department of Parks and Recreation after completion of repairs by the Department of General Services

The bill would thereafter require the Wildlife Conservation Board to make any and all improvements, rehabilitation, or replacements necessary to protect the public health, safety, or welfare within a period of 5 years Revenues produced by the operation of the pier and the restaurant during such period would be deposited in the Wildlife Restoration Fund and appropriated without regard to fiscal years to the Wildlife Conservation Board for such improvements, rehabilitation, or replacements

(7) The bill would become operative on July 1, 1980, except as to provisions regarding Malibu Beach and the adjoining pier and restaurant

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

Ch 1066 (SB 1142) Richardson Elections

Existing law allows the county clerk, upon request, to determine whether a person convicted of a felony is qualified to vote and requires the county clerk to inform that person of his or her right to review the county clerk's decision Existing law also requires the informational portion of the voter registration cards to inform each such person that his or her registration shall be reviewed by the county clerk

This bill would repeal such provisions It would provide that on the affidavit of registration, the affiant must show that he or she is not currently imprisoned or on parole for conviction of a felony

Existing law allows the county clerk to cancel an individual's registration upon the production of a certified copy of a subsisting judgment of the conviction of a person registered of any infamous crime or the embezzlement or misappropriation of any public money

This bill would provide instead that the registration may be cancelled upon proof that the person registered is presently imprisoned or on parole for conviction of a felony

Existing law does not provide for the cancellation of voter registration in the event the voter changes his or her residence within the same precinct

This bill would provide that in such case, the registration shall remain valid and shall show the voter's new address.

Existing law provides that a person between the ages of 18 and 21 years and who is registered to vote shall be eligible for election or appointment to the Democratic County Central Committee, the Republican County Central Committee, or the Republican State Central Committee

This bill would repeal such provisions.

Ch 1067 (AB 1028) Rosenthal Dental auxiliaries.

Under existing law, funds received by the State Treasurer in connection with the licensure of dental auxiliaries are deposited in the State Dentistry Fund

This bill would instead provide that such funds shall be placed in a newly created State Dental Auxiliary Fund which would be continuously appropriated for administrative purposes related to the licensure and regulation of dental auxiliaries

Under existing law, the dental auxiliary committee may hire employees subject to approval by the Board of Dental Examiners.

This bill would delete the requirement of board approval.

Ch 1068 (AB 1364) Bates. Limited-equity housing cooperative public financing

Under the Community Redevelopment Law, redevelopment agencies are presently required to develop, or cause to be developed, housing for persons and families of low or moderate income, where housing for such persons and families is destroyed by redevelopment Under the Zenovich-Moscone-Chacon Housing and Home Finance Act, the California Housing Finance Agency is authorized to insure loans for the rehabilitation, refinancing, or acquisition of housing meeting prescribed criteria.

This bill would define "limited-equity housing cooperative," placing a specified limit on the consideration paid for shares or memberships therein, and would authorize the California Housing Finance Agency to insure loans for financing such entities

Additionally, this bill would require redevelopment agencies causing development of replacement housing, other than single-family residences, primarily for persons of low income, as defined, to give preference to the development of limited-equity housing cooperatives when requested by a project area committee, provided the project is achievable in an efficient and timely manner

This bill would expressly subject limited-equity housing cooperatives to the requirements contained in the so-called "Subdivided Lands Law" pertaining to stock cooperatives, but would provide that limited-equity housing cooperatives are not to be considered stock cooperatives

Ch 1069 (AB 1355) Hughes Local agency financing of housing

(1) Existing law contains no provisions which authorize all cities and counties to conduct a program of housing finance with the exception of the authority for a city or county to issue revenue bonds for the purpose of financing residential rehabilitation under the Marks-Foran Residential Rehabilitation Act of 1973

This bill would authorize a city or county to engage in a home financing program and to issue revenue bonds for such purpose in a specified manner It would require each city or county which engages in such a financing program to establish certain criteria for the qualifications of persons and families eligible for such assistance, as specified It would authorize such a city or county to enter into contracts with lending institutions, as defined, for the origination and servicing of home mortgages. It would require a city or county prior to executing such a contract with a lending institution to establish criteria for the qualifications of such a lending institution to provide such services, as specified

This bill would authorize counties and cities within a county, as prescribed, to enter into agreements for joint conduct of a program under the bill or for conduct by one of the parties of such a program within the territory of the other The bill would also preempt conflicting local legislation respecting provision of long-term mortgage financing for construction or acquisition of housing, except multifamily rental housing Such preemption would be inapplicable to specified bonds issued [by any charter city]* on or before February 1, 1980

This bill would also authorize a city of over 2,000,000 population to issue revenue bonds to finance multifamily rental housing for occupancy by persons and families of low and moderate income and to finance prescribed related capital improvements

(2) Under existing law, there is created a Housing Bond Credit Committee composed of the Governor, the State Controller, the State Treasurer (who is the designated chairman), the Director of Finance, and the President of the California Housing Finance Agency The committee has the authority to disapprove a state revenue bond issuance proposed to finance housing developments

This bill would provide that the committee has such authority with respect to proposed bond issues under the bill

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

Ch 1070 (AB 846) Leonard Domestic water supply systems water facilities.

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

This bill would authorize grants from such fund not to exceed the amounts of $400,000 each to the Joshua Basin County Water District, the Amador County Water Agency, the Seeley County Water District, the Calaveras County Water District—Copperopolis Improvement District, the Calaveras County Water District—Sheep Ranch Improvement District, the Calaveras County Water District—West Point Improvement District, and the Calaveras County Water District—Wilseyville Improvement District for the purpose of improving their domestic water systems to meet, at a minimum, safe drinking water standards. The bill would make legislative findings in such connection The bill would require the Department of Water Resources to determine eligibility for such grants in accordance with the provisions of Chapter 322 of the Statutes of 1978.

The bill would also appropriate, for capital outlay in accordance with specified provisions of the Budget Act of 1979, $1,339,270 from the General Fund to the Department of Water Resources for Sutter bypass rehabilitation

The bill would take effect immediately as an urgency statute

Ch 1071 (AB 1940) Agnos In-home supportive services.

(1) Existing law requires each county to provide a range of supportive services, as specified, for those current, former or potential recipients of public assistance who can remain in their own homes or an abode of their own choosing when such services are provided.

This bill would expressly include as supportive services those necessary paramedical services which are ordered by a licensed health care professional who is lawfully authorized to do so, which persons could provide for themselves but for their functional limitations. The bill would require that such services be rendered by a provider under the direction of such a licensed health care professional, subject to the informed consent of the recipient obtained as part of the order of service, and would make related and technical changes.

(2) This bill would also, contingent upon the chaptering of AB 1134 on or before January 1, 1980, include paramedical services, in the terms in which they are described in item (1) above, in the services included by AB 1134 in supportive services, and in those supportive services required by AB 1134 to be remunerated

(3) An existing provision of the state supplementary program statutes authorizes a higher overall maximum in-home supportive service allowance for a "severely disabled" recipient and defines that term in terms of need for specified daily living functions of in-home supportive care for at least 20 hours per week

This bill would add a provision to include paramedical services in such specified functions

This bill would effect such change in the law and another change by amending such provision to be operative only if SB 124 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered last

(4) This bill would appropriate $2,699,000 to the State Department of Social Services for the purpose of implementing this act

The bill would take effect immediately as an urgency statute

Ch. 1072 (AB 1607) Berman Public employer-employee relations.

(1) Existing law provides that judicial review of a unit determination of the Public Employment Relations Board shall only be allowed when the board agrees that the case is one of special importance and joins in the request for such review, or when the issue is raised as a defense to an unfair practice complaint

This bill would also provide that upon receipt of a board order joining in the request for judicial review, a party to the case may petition for a writ of extraordinary relief from the unit determination decision or order

(2) Existing law permits any charging party, respondent, or intervenor aggrieved by a decision or order of the board in an unfair practice case to seek review in the superior court in any county in which the practice in question occurred, for purposes of state employment and higher education employment, or to seek review in a court of competent jurisdiction, for purposes of public school employment

This bill would instead permit such charging party, respondent, or intervenor aggrieved by a final decision or order of the board in such case to petition for a writ of extraordinary relief from such decision or order

(3) This bill would also provide that the petition for extraordinary relief described in paragraphs (1) and (2), above, shall be filed in the district court of appeal in the district where the dispute occurred within 30 days after the board's final order, order denying reconsideration, or order joining in the request for judicial review The court would have jurisdiction to grant the board such temporary relief or restraining order it deems just and proper, and to enter a decree enforcing, modifying, or setting aside the order of the board

(4) Existing law provides that the findings of the board on questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive for purposes of judicial review

This bill would also specifically include ultimate facts within such questions of fact which shall be conclusive for such purposes

(5) Existing law permits the board to seek enforcement of any decision or order in the superior court in any county in which the employees affected by the decision or order work, for purposes of state employment and higher education employment, or to seek enforcement in a court of competent jurisdiction, for purposes of public school employment

This bill would instead permit the board, if the time to petition for extraordinary relief from a board decision has expired, to seek enforcement of any final decision or order in a district court of appeal or a superior court in the district where the case occurred. If the court determines that board procedures were followed and compliance with the order was refused, the court would be required to enforce such order by writ of mandamus The court would be prohibited from reviewing the merits of the order

(6) Existing provisions of the higher education employment relations law provide that where specified provisions of law are in conflict with a memorandum of understanding, the memorandum of understanding shall be controlling. However, no written memoranda which require budgetary or curative action by the Legislature or other funding agencies shall be effective unless and until such action has been taken

This bill would provide in each of such specified provisions of law that if the provisions of a memorandum of understanding are in conflict with such law, 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

(7) This bill would also include provisions relating to upward mobility of employees of the California State University and Colleges System among those provisions over which a memorandum of understanding shall be controlling, and would remove provisions relating to the Public Employees' Retirement System, the Public Employees' Medical and Hospital Care Act, the functions and responsibilities of the California Postsecondary Education Commission, the utilization of nonpublic information by certain employees and contractors for personal pecuniary gain, and an annual report on personnel by the Trustees of the California State University and Colleges to the Legislature, from those provisions over which a memorandum of understanding shall be controlling

(8) Existing law provides that any employee of the Trustees of the California State University and Colleges over the mandatory retirement age who otherwise has the qualifications of an academic or administrative employee and who is not retired under the State Teachers' Retirement System or the Public Employees' Retirement System, if mentally and physically sound, may be employed from year to year without tenure at the discretion of the trustees.

This bill would delete reference to the Public Employees' Retirement System from such provision

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

Ch 1073 (AB 1572) Moore Community redevelopment housing

(1) Present law requires every redevelopment agency to annually report as prescribed to its legislative body The report is required to include an opinion on the redevelopment agency's compliance with laws, regulations, and administrative requirements governing activities of the redevelopment agency, commencing with the report for the agency's last fiscal year ending before January 1, 1980

This bill would change the requirement for initial inclusion of such opinion in the

redevelopment agency's annual report to require such opinion to be included for the first time in the report for the redevelopment agency's last fiscal year ending before March 1, 1980

(2) Under present law, redevelopment agencies are required to devote 20% of tax-increment revenues to increase or improve the community's supply of housing for persons and families of low or moderate income and very low income households, unless the community's legislative body finds that no need exists in the community for such housing, adequate funding is otherwise available to meet such housing needs, or a lesser percentage of tax-increment moneys will suffice to meet such housing needs.

This bill would require, within 10 days following such a finding, that the redevelopment agency send a copy of the finding to the Department of Housing and Community Development, and would also require a specified report to the department from each redevelopment agency, within 30 days of the bill's effective date, regarding any such findings made prior to such effective date. This bill would require the department to annually prepare and publish, as specified, an analysis and assessment concerning the use of federal funds in redevelopment project areas

(3) Present law, with respect to revenue bonds issued by redevelopment agencies for purposes of financing redevelopment construction loans, authorizes such an agency to refund such revenue bonds, as specified, and authorizes the use of the balance of the proceeds of such a refunding by such an agency, after certain conditions have been complied with, for any lawful purpose

This bill would, instead, require that such proceeds be used by the agency for any lawful purpose set forth in the provisions of the Health and Safety Code relating to redevelopment construction loans, as specified

It would also make a conforming change in a provision relating to the use of revenues and proceeds deposited as trust funds, as specified

(4) Existing statutory provisions do not require the Department of Housing and Community Development to administer a replacement housing program in connection with Interstate Route 105

This bill would require the department to administer such a replacement housing program in accordance with a prescribed consent decree issued by the United States District Court for the Southern District of California.

Ch 1074 (AB 475) Fenton Importation of elk

(1) Under existing law, it is unlawful to import, transport, possess, or release alive into this state, except under a permit, any wild animal, as specified

This bill would except elk (genus Cervus) from the list of animals which may be imported into this state with a permit and provide instead that it is unlawful to import any elk (genus Cervus) into this state; however, it would allow the Department of Fish and Game to import elk if specified findings are made The bill would exempt zoos, as specified, from such provision, would require the Department of Fish and Game to seize any illegally imported elk, and would prohibit the removal of any elk horn or antler from any live elk for commercial purposes

(2) The bill would specifically authorize any person prior to January 1, 1980, to apply to the State Board of Control for, and would require the board to pay, compensation for actual damages, not including anticipated lost profits, not to exceed $150,000, incurred as a result of establishing a business in reliance on a permit issued by the Department of Fish and Game with the approval of the Fish and Game Commission, when it is no longer legal to conduct such business

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

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

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

Ch 1075 (AB 581) Imbrecht Taxation

Existing law continuously appropriates to the Controller from the State General Fund sums sufficient to make payments to local government to reimburse them for revenue loss as a result of the reduction of the property tax due to the valuation of open-space lands subject to an enforceable restriction

This bill would provide that the payments shall be made only when the value of each parcel of open-space land subject to the enforceable restriction is less than the value that would have resulted if the valuation of the property was made pursuant to Section 110 1 of the Revenue and Taxation Code

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 However, 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.

This bill would provide that unless a party to an instrument creating an enforceable restriction expressly prohibits such a valuation, the valuation resulting from the capitalization of income method shall not exceed the valuation that would have resulted by calculation under Section 110 1 of the Revenue and Taxation Code, as though such property was not subject to an enforceable restriction in the base year This bill would also require the county assessor to notify the parties to an instrument creating an enforceable restriction of the existence of such a provision This bill would also provide that, in determining the base year value of property for comparison purposes under the State Constitution's property tax limitation provisions, the county may charge the contract holder a fee, as specified

Under existing law if inheritance tax is not paid prior to 9 months after a decedent's death, the tax bears interest at 12% per annum

This bill would require the Controller to waive the interest on a showing that the tax was delinquent solely because of a failure of a public official to perform his or her duties in a timely manner

This bill would provide further that its provisions relating to the valuation of open-space lands shall be applicable in the 1979–80 fiscal year and thereafter and that the provision relating to inheritance taxes shall take effect on January 1, 1980

The bill would take effect immediately as an urgency statute

Ch 1076 (AB 358) N Waters Hunting license fishing permit Fish and Game Commission regulations

(1) Under existing law, the Fish and Game Commission, until January 1, 1980, has the general power to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles, as specified

This bill would extend such power of the commission until January 1, 1985

(2) Under existing law, it is unlawful for any person to use or possess any license, license tag, license stamp, or permit which was not lawfully issued.

The bill would make it unlawful for any person to use or possess such license, tag, or stamp not lawfully issued to the user

(3) Existing law provides that a hunting license shall be issued to the spouse of any veteran, even if an alien or nonresident, for a fee of $10

This bill would delete such provision

(4) Existing law provides that any person who is a ward of the state and a patient in a certificated private home or any developmentally disabled person, as specified, under the age of 21 shall be issued a fishing permit However, the reference to certificated private home is obsolete

This bill would repeal the obsolete provision and the requirement that specified persons be under the age of 21

(5) Under existing law, the Department of Fish and Game is required to submit a report to the Legislature regarding actions it has taken concerning oil sumps hazardous to wildlife Existing law also requires that the State Oil and Gas Supervisor submit an annual report to the Legislature regarding actions taken by such supervisor concerning oil sumps hazardous to wildlife

This bill would repeal such provisions, and would make additional technical changes

in existing law.

(6) Under existing law, the Fish and Game Commission is authorized to make regulations to preserve, properly utilize, or maintain the best relative number of each species or subspecies of birds and mammals

This bill would also require the commission, when adopting regulations relative to game birds, game mammals, and fur-bearing mammals, to consider population, habitat, food supplies, the welfare of individual animals, and other pertinent facts and testimony

(7) The bill would incorporate additional changes in Section 3031 of the Fish and Game Code, as added by Chapter 855 of the Statutes of 1978, proposed by AB 91, to be effective only if AB 91 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered last

Ch. 1077 (AB 1300) Fenton Occupational Safety and Health Appeals Board: awarding costs

Existing law requires the Occupational Safety and Health Appeals Board to hear appeals by employers with respect to citations issued by the Division of Occupational Safety and Health for violations of occupational safety and health standards, rules, orders, or regulations but does not specifically permit the appeals board to award reasonable costs, including attorney's fees, consultant's fees, and witness' fees to an employer who prevails on such appeal

This bill would permit the appeals board to award such costs, not to exceed $5,000, to an employer who appeals such a citation resulting from an inspection or investigation conducted on or after January 1, 1980, if the employer prevails in the appeal or the citation is withdrawn, and the board finds that the issuance of such citation was the result of arbitrary or capricious action or conduct by the division

This bill would specify that the payment of such costs shall be from funds in the regular operating budget of the division, and would require the division to show the number of cases and the total costs paid for the prior fiscal year in its proposed budget for each fiscal year

This bill would appropriate $126,500 to the Department of Industrial Relations for the purposes of the bill

Ch 1078 (AB 1401) Boatwright Methanol Fuel Experimental Program.

Under existing law, it is the state's policy to foster a synthetic fuels industry

This bill would

(1) Authorize the use of methanol fuel, and methanol fuel and gasoline blends, and establish a 10-year Methanol Fuel Experimental Program which would be conducted by the Department of Motor Vehicles and permit vehicles registered in the state to operate exclusively on methanol or methanol and a mixture of gasoline or diesel.

(2) Specify that the bill is not to be construed as authorizing the use of any other fuel or fuel additives.

(3) Require, with specified exceptions, manufacturers or sellers of devices, as defined, to submit the devices to the State Air Resources Board for testing.

(4) Require the state board to report test results to the Legislature within 120 days after receiving the device for testing

(5) Set out the guidelines for participation in the program and require the department to maintain designated information on the program.

Ch. 1079 (SB 702) Foran Transportation· San Francisco Bay Area Transportation Terminal Authority

(1) Under the San Francisco Bay Area Transportation Terminal Authority Act, the San Francisco Bay Area Transportation Terminal Authority is required to develop a regional transit terminal in San Francisco

This bill would require the authority to develop instead plans for such a terminal

(2) Under the act, the authority is authorized to issue bonds to develop the regional transit terminal

The bill would authorize instead the California Transportation Commission to issue the bonds to develop the regional transit terminal

(3) Under the act, "revenue" is defined, in general, to mean income from the operation of the regional transit terminal

The bill would include as revenue income derived in connection with the regional transit terminal

(4) Under the act, the authority board includes 1 voting member appointed by the Metropolitan Transportation Commission who would become a nonvoting member when the terminal property owned by the state is turned over to the authority

The bill would delete the provision making this member a nonvoting member

(5) Under the act, the authority has perpetual succession

The bill would terminate the existence of the authority on December 31, 1981 The authority could terminate itself prior to that date under specific conditions.

(6) Under the act, when the regional transit terminal plans are developed so that the authority and the Department of Transportation agree that the objectives of the act can be accomplished, the terminal property owned by the state would be transferred to the authority under specified terms and conditions

The bill would require the authority to design and prepare plans and specifications for the adopted alternative for the development of the regional transit terminal and to submit the plans and specifications to the department for review and acceptance

(7) Under the act, the authority is authorized to perform various acts regarding the design, construction, and operation of the regional transit terminal

The bill would vest in the department the power to construct and operate the terminal

(8) Under the act, the authority is authorized to accept federal grants and loans and local contributions for purposes of the authority

The bill would vest in the authority, and the department, the authority to accept federal grants and loans and local contributions to develop the regional transit terminal

(9) The bill would make other related conforming changes

Ch 1080 (SB 552) Smith State park system property acquisition

Under existing law, the Department of Parks and Recreation is authorized to acquire property for the state park system with consent of the Department of Finance, and acting through the State Public Works Board, in accordance with the provisions of the Property Acquisition Law

Under existing law, the Director of Parks and Recreation is required 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

This bill would repeal the above provisions relating to the notification of property owners and do all of the following

(1) Authorize the Department of Parks and Recreation to select land or other real property for the purpose of acquiring options to purchase land or other real property for the state park system and to appraise such options either by utilizing the services of the Real Estate Services Division of the Department of General Services or by contract with independent appraisers approved by the Real Estate Services Division, and make conforming changes in the Property Acquisition Law

(2) Authorize the Department of Parks and Recreation to select land or other real property to be acquired for the state park system and, after giving notice to the Legislature and property owners, appraise such land or other real property either by utilizing the services of the Real Estate Services Division of the Department of General Services or by contract with independent appraisers approved by the Real Estate Services Division, and make conforming changes in the Property Acquisition Law

(3) Require all appropriations for state park system acquisition project planning costs, and for costs of site selection and appraisal, to be submitted by the Department of Parks and Recreation for inclusion in the Governor's Budget for each fiscal year

(4) Require the department to submit a proposal for an appropriation for the acquisition of options to purchase land or other real property for the state park system for inclusion in the Governor's Budget for each fiscal year based upon its estimate of the amount needed for such purpose

(5) Require all appropriations for state park system acquisition projects proposed by the department to be submitted by the department for inclusion in the Governor's

Budget for each fiscal year, require such projects to have been selected and appraised by the department prior to such inclusion, require the Governor's Budget to contain a separate description of each such project and its appraised value; and provide for deducting the sum expended for the acquisition of an option to purchase from the proposed appropriation for acquisition of the land or other real property.

(6) Prohibit, out of moneys appropriated for the acquisition of options to purchase land or other real property for the state park system, the expenditure of more than $10,000 for the acquisition of any single option unless otherwise provided by the Legislature

(7) Require purchase negotiations for the acquisition of any land or other real property for the state park system to be initiated within 6 months of the effective date of the act which appropriates funds for the acquisition and title to be conveyed or a written agreement to transfer title to be executed within 1 year of the initiation of purchase negotiations unless the Department of Parks and Recreation formally abandons the acquisition, as specified, prior to the conclusion of such 1-year period The board would be authorized to commence condemnation proceedings, as defined, during such periods if it found it to be appropriate. However, if, within 6 months of the initiation of purchase negotiations, title is not conveyed or a written agreement to transfer title is not executed, the acquisition has not been formally abandoned, or condemnation proceedings have not been commenced, the board would be required to immediately notify specified Members of the Legislature of those facts. Additional notice would be required 6 months later as to the status of the acquisition project

(8) Authorize the board to schedule such special meetings as are necessary to expedite the acquisition of options to purchase land or other real property for the state park system

Ch 1081 (SB 472) Nielsen Yolo County flood control

Existing law creates the Yolo County Flood Control and Water Conservation District and prescribes the boundaries, organization, and powers of the district Existing law authorizes the creation of benefit zones within the district and the institution of projects within zones of the district

This bill would prescribe a procedure for territory within the district to be annexed to a zone or an improvement district of the district, and would permit, in accordance with prescribed procedures, and subject to specified conditions, the dissolution of such a zone or improvement district

The bill would also authorize the district to fix, in accordance with prescribed procedures, a water standby or availability charge, as specified, for land within the district to which water is made available for any purpose by the district, whether the water is actually used or not The bill would permit the district, in accordance with prescribed procedures, to elect to have all, or any standby or availability charges or delinquent charges collected on the tax roll in the same manner as general county taxes

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

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

Ch 1082 (AB 1776) Lancaster. Unemployment insurance

Existing unemployment compensation law contains provisions in various sections regarding notice, administrative appellate review, and judicial review with respect to various proceedings.

This bill would transfer and consolidate such provisions in the unemployment insurance law, would correct a printing error in a provision of law relating to the collection of money owed to the state pursuant to the unemployment insurance law, and would also make other technical, nonsubstantive changes in the law

This bill would incorporate additional changes in Section 1176 5, Unemployment Insurance Code, proposed by AB 298, to be effective only if AB 298 and this bill are both

chaptered and become effective on or before January 1, 1980, and this bill is chaptered last

Ch 1083 (AB 371) Knox Health care service plans

(1) Under existing law, there is established a Health Care Service Plan Advisory Committee which advises the Commissioner of Corporations with respect to the administration of the Knox-Keene Health Care Service Plan Act of 1975

This bill would make specified revisions with respect to such committee's composition, expenses, and duty to meet and to review regulations.

(2) Under existing law, health care service plans are required to file an annual report containing certain information Existing law also requires the Commissioner of Corporations to file an annual report with the Governor and Legislature containing specified information

This bill would, instead, require specified health maintenance organizations to provide the Department of Corporations with a copy of specified reports annually filed with the federal Department of Health, Education, and Welfare

(3) Existing law prohibits any person from acting as a solicitor or solicitor firm, as defined, unless such person has secured a license for such purpose Existing law sets forth various criteria by which the Commissioner of Corporations is to evaluate such license applications for purposes of denying or issuing such applications for purposes of denying or issuing such license Existing law requires the payment of filing fees for such applications and payment of renewal fees in a specified manner Existing law contains provisions authorizing certain disciplinary actions against such licensees who are in violation of specified provisions

This bill would eliminate the solicitor and solicitor firm licenses together with the attendant fee requirements and standards for evaluating such license applications and for disciplinary action against such licensees

This bill would instead authorize the Commissioner of Corporations to take various disciplinary actions against solicitors or solicitor firms for specified violations

(4) Existing law with respect to health care service plans does not expressly make it unlawful for certain persons to represent or imply in any manner that such person has been sponsored, recommended, or approved or that such person's abilities or qualifications have in any respect been passed upon by the Commissioner of Corporations

This bill would make such acts unlawful, as specified

(5) Existing law prescribes certain procedures for the reinstatement of a license for a health care service plan or for a solicitor or solicitor firm Under such provisions of existing law, the granting of such a petition for restoration may be conditioned upon the payment of certain application fees and certain administration fees which have not been paid

This bill would make certain conforming changes in such reinstatement provisions since the provisions of the bill would delete the requirement for licensing solicitors or solicitor firms It would also authorize the Commissioner of Corporations to prescribe a fee not to exceed $500 for the filing of a petition of restoration, as specified

(6) The bill would also make certain other conforming changes

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

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

Ch 1084 (AB 735) Bane State and local agency funds investment, security for deposit

(1) Existing law specifies those securities eligible for the investment of specified surplus funds, including negotiable certificates of deposits purchased from a nationally or state-chartered bank or savings and loan association.

This bill would provide instead, with respect to investment in such negotiable certificates of deposits that the deposits are to be issued by, rather than purchased from, such

a bank or savings and loan association

This bill would make a related technical change

This bill would also make additional changes in Section 16430 of the Government Code, proposed by SB 391, to be operative only if this bill and SB 391 are both chaptered and effective January 1, 1980, and this bill is chaptered after SB 391

(2) Existing law specifies those securities which are eligible to be received as security for the deposit of funds of a local public agency in banks and savings and loan associations

This bill would, in the case of a city, county, or city and county having a population of 650,000 or more, on July 1, 1978, and subject to certain other specified conditions, include among such eligible securities, promissory notes secured by first mortgages and first trust deeds upon improved residential real property located in California. One of the conditions would be that the State Treasurer establish, by regulation, procedures for determining the value of the promissory notes and that the local agency administrator develop standards and procedures necessary to protect the security of deposits collateralized pursuant to the bill's provisions

Ch. 1085 (AB 1054) Berman. State park system· Santa Monica Mountains· Seccombe Park.

(1) The Budget Act of 1978 was amended and supplemented to appropriate $20,467,000 from the State, Urban, and Coastal Park Fund to the Department of Parks and Recreation for the acquisition of certain Santa Monica Mountains lands, subject to specified provisions Such appropriation is available for expenditure during the 1978–79, 1979–80, and 1980–81 fiscal years for acquisition and during the 1978–79 fiscal year for studies, planning, and working drawings.

Of such appropriation, the sum of $3,000,000 is allocated for the acquisition of Backbone Trail, $1,100,000 for the acquisition of the viewshed of Malibu Creek State Park, and $1,467,000 for the acquisition of parcels in the Stunt Road area.

This bill would delete such categories.

(2) Of such appropriation, the sum of $14,900,000 is allocated for the acquisition of Cross Mountain Park, the Huntington-Hartford Estate, North Benedict Canyon, Caballero Canyon, and the Cahuenga Peak area adjacent to Griffith Park

This bill would reduce such appropriation to $14,750,000.

The bill would also make such appropriation available for expenditure during the 1981–82 fiscal year for acquisition, and would delete the provisions limiting expenditure to the 1978–79 fiscal year for studies, planning, and working drawings.

(3) The bill would also make a technical change.

(4) The Budget Act of 1979 does not contain an appropriation from the State Beach, Park, Recreation, and Historical Facilities Fund of 1964 for the acquisition and development of Seccombe Park.

This bill would amend and supplement the Budget Act of 1979 by appropriating $1,300,000 from such fund to the department for the acquisition and development of Seccombe Park, allocated as specified and subject to specified provisos.

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

Ch 1086 (AB 699) Young Community antenna television. subscriber rates

Under existing law, the governing body of a city or county or city and county may authorize by franchise or license the construction of a community antenna television system. The law presently imposes maximum limitations on the amounts of fees for the granting of such a franchise or license and permits the award of a franchise to be made on the basis of, among other things, the rates to the subscriber.

This bill would, upon request of the franchisee or licensee, modify local regulation by the franchisor, under specified conditions, of the rates, charges, and rate structures of a franchisee or licensee if such franchisee or licensee provides a community antenna television system, as defined, which provides a community service channel program, as specified.

It would permit the franchisor to act as a public trustee of such community service channel or channels, as specified. It would exempt a franchisee or licensee from liability for acts arising from the use of the community service channel by others.

It would prescribe a complaint system with respect to such a franchisee's or licensee's

services and provide for the levying of certain penalties for failure to remedy a complaint, as specified

The bill would cease to be operative on January 1, 1984, except a provision would remain in effect beyond that date requiring that rates then in effect shall not be subject to reduction by local authorities below the average rate in the state for the class of service provided

Finally, the bill would require the California Public Broadcasting Commission to make a specified report by April 15, 1982, regarding the effect of the bill, and would impose specified filing requirements upon cable television systems

Ch 1087 (AB 1512) Berman Santa Monica Mountains Conservancy.

Existing law, which will be repealed August 31, 1979, requires the Santa Monica Mountains Comprehensive Planning Commission to prepare a comprehensive plan on the Santa Monica Mountains Zone, as defined, and to file a final report with the Governor and the Legislature not later than January 2, 1979, with respect to implementation of the plan

This bill would enact the Santa Monica Mountains Conservancy Act It would establish the Santa Monica Mountains Conservancy composed of 5 voting members and 1 nonvoting member, and prescribe its functions with respect to the Santa Monica Mountains Zone, as defined by the bill The bill would limit the jurisdiction of the State Coastal Conservancy, with respect to the Santa Monica Mountains Zone, to the area which is seaward of the Pacific Coast Highway upon certification of a local coastal program for a coastal zone area within the Santa Monica Mountains Zone

This bill would provide that nothing in the act would supersede or limit a local government's exercise of its police powers.

The bill would create the Santa Monica Mountains Conservancy Advisory Committee composed of 12 members The bill would state legislative findings and declarations The Santa Monica Mountains Conservancy Fund would be established and a separate federal grant account would be established within the fund

The act would be repealed on January 1, 1984, unless a later enacted statute deletes or extends such date

This bill would appropriate $100,000 to the Santa Monica Conservancy Fund for support of the Santa Monica Mountains Conservancy for expenditure for purposes of the act

Ch 1088 (AB 1827) Ingalls Vehicle dealer licensing. drivers' licenses· classes.

(1) Existing law, generally, prohibits anyone acting as a vehicle dealer, as defined, or vehicle salesman, as defined, without having a valid license or temporary permit issued by the Department of Motor Vehicles.

This bill would specify that dealers who have no established place of business in the state but who are authorized vehicle dealers in another state and have an established place of business in that state need not be licensed in California if their business is limited to importation of vehicles for sales to, and export of vehicles purchased from, dealers licensed in this state. The bill would also exempt salespersons who work for such dealers from licensing requirements.

(2) Existing law establishes 4 classifications of drivers' licenses, depending on the size and weight of the vehicle to be driven, and requires a driver's license applicant to submit to an examination appropriate to the type of motor vehicle or combination of vehicles he or she desires a license to drive A class 3 license authorizes the licensee to drive any 2-axle vehicle and, among other things, a 3-axle housecar

This bill would authorize the holder of a class 3 license to operate any 3-axle vehicle weighing less than 6,000 pounds gross

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

Ch 1089 (SB 582) Alquist State park system

Existing law establishes the state park system administered by the Department of Parks and Recreation. Henry W Coe State Park in Santa Clara County is a unit of the state park system

This bill would reappropriate $3,185,753 from the Bagley Conservation Fund for the acquisition of Coit Ranch and Thomas Ranch as additions to Henry W Coe State Park,

and declare legislative intent

The bill would prohibit such reappropriated moneys to be expended until the State Public Works Board has made certain determinations regarding implied dedication and public prescriptive rights or claims.

Ch 1090 (SB 842) Holmdahl Coastal resources development

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, defined as the coastal zone, which shall be based on various coastal resources planning and management policies set forth in designated provisions of the act Such policies, among other things, include a provision specifying that coastal-dependent developments shall have priority over other developments on or near the shoreline.

This bill would add legislative declaration relating to existing developed uses and future developments to the act It would define "coastal-related development" to mean any use that is dependent on a coastal-dependent development or use The bill would specify that, when appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

The bill would also revise the planning and management policies of the act dealing with the locations of various new developments in the coastal zone

Ch 1091 (SB 674) Holmdahl Energy resources confidential information geothermal powerplants

(1) The Warren-Alquist State Energy Resources Conservation and Development Act provides for, among other things, site certification of thermal powerplants, including geothermal powerplants, by the State Energy Resources Conservation and Development Commission

Under the existing provisions, the commission is required to make available any information filed or submitted pursuant to this act under the provisions of the California Public Records Act

This bill would require the commission to keep confidential any information submitted to the Division of Oil and Gas of the Department of Conservation that the division determines, under a designated statutory provision to be proprietary

(2) Under the existing law, prior to filing an application for certification, a notice of intent to file an application is required to be filed. Existing law contains special provisions with respect to procedures and time schedules in the processing of and approval of notices of intent and applications for certification of geothermal powerplants

This bill would require the commission to issue its findings on a notice of intent for a geothermal powerplant within 9 months from the date of filing of such notice and to issue its final decision on an application for certification of a geothermal powerplant within 9 months from the date of filing of such application, or at such later time as mutually agreed to by the commission and the applicant or person submitting the notice or application.

The bill would make additional changes in some cases with respect to the procedures and time schedule for obtaining certification for a geothermal powerplant to delete the notice of intention requirement and require a final decision on the application for certification within 12 months, or such later time as mutually agreed

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

Ch 1092 (SB 753) Keene Fire protection

(1) Under existing law, the State Board of Forestry is required to classify all lands within the state for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state The board of supervisors of any county may provide by ordinance that the county elects to assume responsibility for the prevention and suppression of all fires on all land in such county, including lands within state responsibility areas

This bill would authorize a county to assume such responsibility within state responsibility areas when the Director of Forestry concurs in accordance with criteria promulgated by the board

(2) Existing law makes no appropriation for replacement of the mess hall at the Calaveras Fire Center

This bill would appropriate $450,000 to the Department of Forestry for such purpose The bill would take effect immediately as an urgency statute

Ch 1093 (SB 341) Beverly Insurance

(1) The existing Standard Nonforfeiture Law, which regulates the types of benefits to be paid under a policy of life insurance in the event of default in premium payments or upon surrender of the policy, does not apply to annuity contracts

This bill would enact a Standard Nonforfeiture Law for Individual Deferred Annuities Such law would require payment of a specified paid-up annuity benefit, upon cessation of premium payments under certain annuity contracts, and with respect to contracts providing for lump sum settlements at maturity or other times, would require, upon surrender of the contract, payment of a specified cash surrender benefit in lieu of any paid-up annuity benefit

(2) The existing Standard Valuation Law regulates the manner in which reserves are to be maintained by insurers issuing life insurance policies and annuity and pure endowment contracts

This bill would revise the provisions of such law relative to reserves maintained for life insurance policies and for annuity and pure endowment contracts. However, with respect to annuity and pure endowment contracts entered into or purchased prior to January 1, 1980, the bill would specify that such contracts remain subject to the existing provisions of law, as they existed prior to January 1, 1980

(3) Existing law provides that the minimum standard for the valuation of fraternal benefit certificates issued from January 1, 1972, through December 31, 1975, may be 4% interest

This bill would extend the issue date of such certificates to January 1, 1980, and in the case of certificates issued on and after January 1, 1980, the minimum standard for the valuation of all single premium certificates would be 5½% per annum interest and for the valuation of all other such certificates 4½% per annum interest

Ch 1094 (SB 641) Montoya Postsecondary education need-based student grants bilingual-crosscultural teacher preparation and training

(1) Existing law generally requires that applications for need-based student grants funded by the state or a public postsecondary educational institution be considered in light of the resources of the applicant's parents, but provides that such resources not be considered if one of several requirements are met One such requirement is that the applicant has not lived with either parent or received financial assistance exceeding $600 from either parent for 3 consecutive tax years, as specified

This bill would provide that the resources of the applicant's parents shall not be considered for need-based student grants if in the calendar year aid is received and in any of the 3 calendar years prior to the award period for which aid is requested, the applicant has not been claimed as a dependent on his or her parent's state and federal tax returns, has not received more than $750 per year in financial assistance from his or her parents, and has not lived with his or her parents for more than 6 weeks. The bill would also provide that the resources of the applicant's parents not be considered if the applicant meets one of 5 specified requirements

(2) Under prior law, repealed as of July 1, 1979, the Commission for Teacher Preparation and Licensing was required to develop status reports and make such reports to the Legislature regarding bilingual-crosscultural programs The commission was required to design career ladder programs, provide for grants to allow bilingual aides to become certificated bilingual teachers, and design various language and culture curricula, as prescribed Prior law additionally provided for a Bilingual-Crosscultural Teacher Development Grant Program administered by the Student Aid Commission, and prescribed various duties for the Department of Education for the recruitment of bilingual-crosscultural personnel

This bill would substantially reenact the prior law as of the effective date of this bill and would repeal such law as of June 30, 1984

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

Ch 1095 (SB 648) Alquist Railroads abandoned railroad lines

Under existing law, the California Transportation Commission is required to select the abandoned railroad lines to be acquired for busway or exclusive public mass transit guideway projects

This bill would require the commission and the Department of Transportation to act expeditiously to consider the purchase of the railroad right-of-way abandoned by the Southern Pacific Transportation Company on its Monterey branch from post mile 123 30 to post mile 125 81

Ch 1096 (SB 755) Keene Salmon· commercial permits

Existing law does not require a special commercial salmon permit before salmon may be taken for commercial purposes.

This bill would prohibit the taking of salmon for commercial purposes except under a nontransferable, revocable permit which would be valid through December 31, 1981, issued by the Department of Fish and Game to a qualified individual, as defined, otherwise authorized to engage in commercial fishing. The bill would prescribe the procedure for issuance of such permits, would prescribe the powers and duties of the department in such connection, and would require the Fish and Game Commission to set a fee to be charged for such a permit

The bill would permit substitution of another person for the permit holder for one period not to exceed 15 calendar days in any 1 year, subject to prior authorization by the Director of Fish and Game, as specified The bill would permit any person authorized to fish for salmon commercially in another state to fish in California, subject to reciprocal privileges for California commercial salmon fishermen, and would prohibit the use of a vessel to take salmon for commercial purposes and sport purposes in the same calendar year, except as specified.

The bill would also establish in the department the Commercial Salmon Fishing Appeals Board with prescribed membership to resolve appeals related to the qualification of an individual and denials of requests for substitutions for permit holders, and would specify related matters.

The bill would make an appropriation by providing that moneys be paid into the Fish and Game Preservation Fund, a continuously appropriated fund

The bill would remain in effect only until January 1, 1982, and as of such date it would be repealed

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

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

Ch 1097 (SB 825) Keene Transportation of hazardous waste.

Under existing law, the Department of the California Highway Patrol regulates the safe operation of various vehicles, including vehicles transporting hazardous materials. The Highway Patrol conducts inspections to see if the vehicles are equipped as required and in safe operating condition The State Fire Marshal is specifically charged with inspecting and registering cargo tanks and tank vehicles used to transport flammable and combustible liquids.

The State Department of Health Services regulates the storage, use, processing, and handling of hazardous waste, including transporting or transferring hazardous waste. A person producing a hazardous waste is required to provide the driver transporting the hazardous waste with a list detailing the composition of the waste, the origin and destination of the material, and safety measures to be taken in case of accidental contact with the material.

In addition, haulers of hazardous waste are required to be registered by the State Department of Health Services The department prescribes standards and issues permits for the use and operation of hazardous waste facilities.

The bill would enact a comprehensive Hazardous Waste Haulers Act which would:

(1) Preempt conflicting regulations and local ordinances covering haulers of hazardous waste

(2) Require annual inspection of trucks, trailers, vacuum tanks, cargo tanks, and containers, as specified, used to transport hazardous waste and make certification of trucks, trailers, vacuum tanks, cargo tanks, or containers used to transport hazardous waste and registration of hazardous waste haulers by the State Department of Health Services contingent upon the successful completion of the inspection

(3) Require all transporters of hazardous waste to maintain minimum liability insurance coverage consistent with the requirements of the Public Utilities Commission and provide that the State Department of Health Services may prescribe and establish a higher liability limit if the department deems it necessary

(4) Authorize the Department of the California Highway Patrol to establish and collect a fee for conducting hazardous waste inspections, not to exceed $50, to be deposited in the Motor Vehicle Account in the State Transportation Fund and continuously appropriated to the California Highway Patrol to reimburse it for inspection costs.

(5) Require operators of permitted disposal sites, or any other person to report, as required, to the State Department of Health Services whenever hazardous waste is accepted from a vehicle which does not have a valid certificate of compliance

The bill would place the fees from the inspection in a fund which would be continuously appropriated, therefore, the bill would make an appropriation

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

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

The bill would appropriate $20,000 from the General Fund to the State Department of Health Services to pay the cost of developing the regulations required by the bill

Ch 1098 (SB 447) Holmdahl Municipal utility districts special election.

(1) Under existing law, the board of directors of a municipal utility district may call a special election for the purpose of submitting to the voters of the district the proposition as to whether or not the voters approve the addition of fluorine and fluorine compounds to the public water supply of the district, and another election in the district on the same proposition may not be called by the board within 2 years after such election.

This bill would provide that another election on the same proposition may not be called within 4 years after such election, and would provide that the board must call such election when a petition so requesting, as specified, has been certified by the secretary of the district. The bill would specify that such election shall be governed by the provisions of the bill rather than other provisions of law generally providing for the conduct of district elections This bill would specify the requirements for certification, including a publication of notice that such petition will be circulated, and that such petition has been signed by a specified percentage of the registered voters in the district.

(2) Existing law specifies requirements regarding the notice of election, arguments for or against the proposition, signatures to arguments, and distribution of argument copies

The bill would provide that such requirements also apply to elections called under the provisions of the bill

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

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

Ch 1099 (SB 434) Russell Public Employees' Retirement System industrial disability

Existing Public Employees' Retirement Law prescribes various benefits for members receiving an industrial disability retirement allowance

This bill would prohibit the industrial disability retirement allowance of a member who commenced membership, after January 1, 1980, in the category in which the member was serving at the time of disability from exceeding the service retirement allowance that would be payable if the member's service had continued to age 55 or 63, as specified, depending on the category of membership The prohibition would be inapplicable to members under specified circumstances

Ch 1100 (SB 412) Petris. State highways excess real property

Under existing law, the Department of Transportation is required to first offer for sale or exchange its excess real property which consists of land of notable environmental value to cities, counties, regional park authorities, and the State Resources Agency, in that sequence, for park or recreational uses

The policy of the department is to sell its excess real property at its fair market value

This bill would require the department to first offer specified parcels of excess real property along the Shepard Canyon corridor in the City of Oakland for sale to the City of Oakland for open space or park and recreational purposes, or both, for a consideration at least equal to the department's acquisition cost

The bill would state that such sale or exchange would mitigate significant environmental effects and that a special statute is necessary and that a general statute cannot be made applicable.

Ch 1101 (SB 387) Montoya. Schools adult education regional occupational centers and programs

Existing law authorizes an increase in the base revenue limit of school districts which enroll students in vocational education, other than regional occupational programs or centers, under certain federally approved vocational education programs.

This bill would add a statement, as a clarification of the intent of the law, that a district which had not submitted attendance reports at the time they were originally due, shall not have the right at a later date to submit amended attendance documents to have credited this attendance

Ch 1102 (SB 377) Greene Medi-Cal prescription drugs

Existing law generally requires the State Director of Health Services to adopt regulations setting rates of payment to providers of health care services, including pharmacies, under the California Medical Assistance Program (Medi-Cal)

This bill would require the director to update allowable drug product prices no less often than every 60 days

The bill would become operative July 1, 1980

Ch 1103 (SB 177) Nielsen Criminal trials reimbursement of counties.

Existing law provides that a county which is responsible for the cost of a trial or trials or any hearing of a person for the offense of homicide may apply to the Director of Finance for reimbursement of the costs incurred by the county in excess of the amount of money derived by the county from a tax of 5 cents on each $100 on property assessed for purposes of taxation within the county.

This bill would appropriate $1,200,000 from the General Fund in augmentation of Item 417 of the Budget Act of 1979, relating to the reimbursement for the costs of such trials.

This bill would take effect immediately as an urgency measure

Ch 1104 (SB 201) Wilson Fish sport fishing license, trout and salmon license stamp, Renewable Resources Investment Fund.

(1) Under existing law, any resident or nonresident of the state over the age of 16 years may procure a sport fishing license for a specified fee which will authorize such person to take any fish from the ocean waters of the state for purposes other than profit

This bill would require that such persons obtain a trout and salmon license stamp before being authorized to take salmon or steelhead in ocean waters

(2) Existing law provides that upon application specified persons shall be issued a sport fishing license free of charge

This bill would, in addition, provide that any person who has been a state resident for

5 years, and who has lost, or has lost the use of, one or more limbs, or who is so disabled as to be permanently unable to move from place to place without the aid of a mechanical device, shall receive a free sport fishing license

(3) Existing law provides for the issuance of a 3-day fishing license and further provides that a sport fishing license stamp may not be purchased for such license

This bill would revise the provision prohibiting the purchase of a sport fishing license stamp to prohibit the purchase of an inland water license stamp, but would provide that a trout and salmon stamp is required to fish for salmon or steelhead in ocean waters

(4) Existing law does not provide for the issuance of a sport fishing license which is valid for only 1 designated day

This bill would provide that such a license may be issued to any person over the age of 16 years upon payment of a $2 fee Such license would grant the privilege of taking fish, except for mollusks, crustaceans, invertebrates, and amphibians, from ocean waters, as specified It would also provide that a special trout and salmon license stamp, good for only 1 day, is required to authorize such person to take salmon or steelhead in ocean waters, and shall be issued for a specified fee, and would provide that an inland water license stamp may not be purchased for such license Such provisions would be operative only if AB 335 is chaptered and contains provisions authorizing the issuance of a sport fishing license that is valid for fewer than 3 days

(5) The bill would appropriate $649,929 from the General Fund to the Department of Forestry for expenditure for fire suppression activities from January 1, 1980, to June 30, 1980, in accordance with a specified schedule

(6) The bill would make an appropriation by increasing moneys paid into the Fish and Game Preservation Fund, a continuously appropriated fund

(7) The bill would, upon a specified contingency, also create the Renewable Resources Investment Fund and transfer $10,000,000 to such fund from the General Fund The bill would also appropriate specified amounts from such fund without regard to fiscal year to the Department of Fish and Game, the Department of Water Resources, the Department of Forestry, and the State Water Resources Control Board to be used as specified

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

Ch 1105 (SB 256) Robbins. California Environmental Protection Program

Under existing law, a portion of the fees collected from the sale of environmental license plates is deposited in the California Environmental Protection Program Fund The money in the fund is expended for purposes of the California Environmental Protection Program The goals of the program are not specifically defined, but generally include the preservation and protection of the environment, including, but not limited to, the control and abatement of air pollution generated by motor vehicles The Secretary of the Resources Agency and the Secretary of the Business and Transportation Agency are responsible for developing the program and determining its priorities An amount equal to the Department of Motor Vehicles' costs in administering the program is continuously appropriated to the department

This bill would rename the fund the California Environmental License Plate Fund and would require that funds expended for the program be used to support identifiable projects and programs of public agencies and private research organizations which have a clearly defined benefit to the people of the state and which have one or more specified environmental purposes The bill would require such appropriations to be summarized in a section in the Governor's Budget for each fiscal year containing a separate description for each project

The bill would also specify that the department's administrative costs would no longer be continuously appropriated Funds would be available to the department when appropriated by the Legislature

Ch 1106 (SB 437) Roberti Bond act local assistance grants state park system

(1) The Budget Act of 1978 appropriated moneys from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and from the State, Urban, and Coastal Park Fund for specified local assistance grant projects, subject to proviso, and reverted to such funds the unencumbered balance of specified prior local assistance grant appropriations

This bill would amend and supplement the Budget Act of 1978 by adding sections

thereto to appropriate a total of $94,782 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and a total of $356,358 from the State, Urban, and Coastal Park Fund for specified local assistance grant projects, subject to the same proviso, and revert to the 1974 Bond Act fund the unencumbered balance of a specified prior local assistance grant appropriation

(2) The Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 requires that there be an agreement or contract between the state and the applicant in the case of a state grant project which shall contain therein the provisions that the property so acquired shall be used by the grantee only for the purpose for which the state grant funds were requested and that no other use of the area shall be permitted except by specific act of the Legislature Such act finds and declares that there is a need for outdoor recreation areas and facilities

This bill would authorize the conversion of an open recreation building in the City of Ione constructed with 1964 Bond Act grant moneys to an enclosed recreation hall, and would find and declare that such enclosed recreation hall is related to, and in support of, outdoor recreation facilities.

(3) Under existing law, the state park system is administered by the Department of Parks and Recreation

This bill would appropriate $10,000 from the Collier Park Preservation Fund to the department for a study of the feasibility of acquiring Lake Cunningham in the City of San Jose for the state park system, the study to be submitted to the Governor and the Legislature not later than June 30, 1980.

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

Ch 1107 (SB 339) Nejedly Water districts

(1) Under the Irrigation District Federal Cooperation Law, an irrigation district may cooperate and contract with the United States pursuant to the Federal Reclamation Act of June 17, 1902, for various specified district purposes and, if authorized by the contract, deposit bonds of the district with the United States and pay interest at a rate not greater than 6 percent

This bill would increase the allowable interest rate from 6 to 8 percent

(2) Under existing law, the Board of Supervisors of the Contra Costa County Flood Control and Water Conservation District is required, upon formation of each zone within the district, to appoint a zone advisory board, as prescribed, and to consult with the advisory board in all matters affecting such zone.

This bill would permit, rather than require, the appointment of such a zone advisory board

(3) Under existing law the district is not authorized to loan available district, zone, subzone, or drainage area moneys for use within another zone, subzone, or drainage area of the district

This bill would authorize the district, in accordance with prescribed procedures, to appropriate any of its available district, zone, subzone, or drainage area moneys to a revolving fund to be used for specified purposes in a zone, subzone, or drainage area within the district, subject to reimbursement in accordance with prescribed requirements

Ch 1108 (AB 1606) Lehman Special districts.

(1) Under existing law, 6 directors of the Kings River Conservation District are elected by division and 1 is elected at large, and a director is required to be a district elector, landowner, and resident

This bill would provide instead that the 6 directors shall reside within such divisions but shall be elected by the entire district, and would delete the requirement for a director to be a landowner

(2) Under existing law, the Kings River Conservation District is created and governed pursuant to a special act of the Legislature which prescribes the boundaries, powers, and purposes of the district

This bill would revise the boundaries of the district The bill would also make legislative findings and determinations relating to the right of the district to take, use, control, or distribute any of the waters of the Kings River, and would specify, with respect to the waters of the Kings River, that the district shall have no power to condemn specified

works and water rights

(3) Under existing law, the rate of interest charged on the unpaid balance of fees or charges for sewer services fixed by an entity pursuant to specified authority may not exceed 6% per annum

This bill would, until March 31, 1980, permit the Otay Municipal Water District to charge a rate of interest which does not exceed the prime rate of interest charged by private institutional lenders within the area of the district.

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

Ch 1109 (AB 462) Mello Coastal zone. boundaries maps.

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 the maps adopted pursuant to those provisions, the inland boundary of the coastal zone, as shown on designated detailed coastal maps adopted by the commission on March 1, 1977, would be amended by maps dated September 12, 1979, and filed on September 14, 1979, with the office of the Secretary of State and which are on file in the office of the commission Such maps would be adopted by reference by this bill.

The existing law requires, with prescribed exceptions, any person wishing to perform or undertake any development, as defined, in the coastal zone to obtain a coastal development permit

This bill would exempt any person proposing a development on land which would be added to the coastal zone by the bill, who, prior to a designated date, has obtained from the city or county of jurisdiction a building permit, grading permit, tentative map approval, or other similar permit defining the scope of the development to be undertaken, from the coastal development permit requirement and, thus, allow such person to proceed with or complete authorized development The bill would require the commission to prepare, approve, and adopt on or before October 1, 1980, a local coastal program for specified areas in the vicinity of Batiquitos Lagoon within the City of Carlsbad

The bill would require the commission to file amended versions of its detailed maps which conform to, and incorporate the changes made by, this bill.

It would also provide that local governments would be reimbursed pursuant to designated provisions of the California Coastal Act of 1976 for costs that may be incurred by them in carrying out any program or performing any service required by the bill.

Ch 1110 (SB 248) Johnson Public Employees' Retirement Law

(1) Existing Public Employees' Retirement Law establishes the Public Employees' Retirement System which provides retirement compensation and death benefits to specified public employees

This bill would make certain technical changes in such law necessitated by the enactment of other statutes, and also deletes obsolete language, clarifies ambiguities, and repeals sections which have no further operative effect

(2) Existing Public Employees' Retirement Law includes various state law enforcement and fire personnel within the state safety category of membership.

This bill would include specified skilled laborers within the Departments of Correction and Youth Authority as state safety rather than state miscellaneous members upon the receipt of a favorable report on their eligibility for such category from the State Personnel Board

The bill would also include such members within the term "policeman" for purposes of the Federal Social Security Act, thereby terminating their coverage under the federal system The termination would not be operative until a ruling or regulation authorizing their inclusion as "policeman" is issued by the federal agency

(3) Existing law authorizes members and retired members to elect to receive optional settlements of their retirement allowances providing for the continuation of benefits to their survivors

This bill would, under certain circumstances, also permit the retirement board to select an optional settlement on behalf of the surviving spouse of a member and would validate such actions previously taken by the board under such circumstances.

(4) The bill would incorporate changes in Section 87483 of the Education Code, proposed by AB 1213, to be effective only if AB 1213 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered last

(5) The bill would also incorporate changes in Section 21330 of the Government Code, proposed by AB 260, to be effective only if AB 260 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered last.

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

Ch 1111 (SB 847) Holmdahl Air pollution emission trade-offs

Under existing law, air pollution control and air quality management districts are authorized to establish a permit system for the building, erection, alteration, replacement, operation, or use of any article, machine, equipment, or contrivance which may cause the issuance of air contaminants A permit system so established is required to ensure that the article, machine, equipment, or contrivance for which the permit is issued does not prevent, or interfere with, the attainment or maintenance of any air quality standard

This bill would authorize every district board to establish by regulation, subject to disapproval by the State Air Resources Board pursuant to specified provisions, a system for the banking of reductions in the emission of air contaminants which could be used to offset future increases in the emission of air contaminants in accordance with district rules and regulations The bill would require the district air pollution control officer to approve such reductions and would provide for the ownership and transfer of such reductions An applicant refused approval for such reductions would be authorized to request a hearing by the hearing board of the district

Ch 1112 (SB 1042) Vuich Rights

Under existing law, a person who has acquired an appropriative water right pursuant to the Water Code forfeits such rights after 3 years of nonuse

The bill would provide that no forfeiture of an appropriative right shall occur where the appropriator fails to use the water because of water conservation efforts, and would authorize the State Water Resources Control Board to require any person claiming the benefit of such provision to file periodic reports, as specified

Existing law provides that the maximum hours of work and the standard conditions of labor fixed by order of the Industrial Welfare Commission shall be the maximum hours of work and the standard conditions of labor for employees, with the employment of any employee for longer hours than those fixed by the order or under conditions of labor prohibited by the order being unlawful

This bill would permit the Chief of the Division of Labor Standards Enforcement to exempt any employer or employees from any mandatory day or days off requirement contained in any order of the commission, when in his judgment hardship will result Such exemption would be only of sufficient duration to permit the employer or employees to comply with the order, but not more than one year, with a renewal permitted only after the chief has investigated and is satisfied that a good faith effort is being made to comply with the order This bill would prohibit an employer from discharging or discriminating against any employee who refuses to work hours in excess of those permitted by the order Such provision would remain in effect only until January 1, 1981, unless a later enacted statute deletes or extends such date

The bill would take effect immediately as an urgency statute

Ch 1113 (SB 1040) Carpenter State fiscal affairs federal funds

Existing law requires that funds received by the state from the United States be placed in the Federal Trust Fund, commencing on July 1, 1979 Existing law also requires, commencing with the 1981–82 fiscal year, that federal funds received by the state be appropriated by the Budget Act

This bill would require that federal funds received by the state for the purposes of education which are to be expended or disbursed by the State Board of Education, the Department of Education, and the Advisory Council on Vocational Education be appropriated by the Budget Act commencing with the Budget Act of 1980

This bill would require the Department of Education to prepare annually a comprehensive state plan detailing the prospective expenditure, allocation, and apportionment

of federal funds to be appropriated for the next fiscal year by the Budget Act It would also require the Department of Education to prepare annually a comprehensive report setting forth in detail the manner in which all federal funds were allocated and apportioned to, and expended by, educational agencies in this state in the prior fiscal year

Ch 1114 (SB 1022) Russell Crimes insanity treatment

Existing law provides for treatment of criminal defendants found not guilty by reason of insanity, which provisions do not specify the maximum or in all cases the minimum term that would apply

This bill would make provisions relative to such maximum and minimum terms, including provisions for extension of terms, and would state the Legislature's intent with respect to the application of such provisions to persons whose commitment has been extended under case law The bill would take effect immediately as an urgency statute

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

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

Ch 1115 (SB 1015) Marks California Housing Finance Agency· contracts personnel

(1) Under existing law, the California Housing Finance Agency is authorized to make and execute contracts and other instruments for the exercise of its powers and functions.

This bill would expressly exempt specified agency contracts from competitive bidding requirements, but would require consideration of any applicable state policies respecting competitive bidding before the agency lets a contract on a negotiated bid The bill would additionally exempt specified contracts and instruments made or executed by the agency from any requirement for supervision or approval by any other division or officer of state government

This bill would prohibit transferring any sums of money from any fund or account of the agency except as specified

(2) Under existing law, the executive vice president of the California Housing Finance Agency is required to serve as a nonvoting ex officio member of the board of directors of such agency

This bill would delete such requirement

(3) Existing law contains certain provisions with respect to conflict of interest of an employee or officer of the California Housing Finance Agency

This bill would permit certain agency employees in specified instances to participate in owner-occupied single family financing and insurance programs operated by the agency

(4) Existing law authorizes the president of the California Housing Finance Agency to employ an attorney for the agency

This bill would require such attorney to carry the title of general counsel It would also retitle the president of the California Housing Finance Agency as the executive director and empower him or her to appoint bond counsel, as specified

The bill would limit the fees of bond counsel where more than 1 is appointed

(5) Under existing law, there is within the California Housing Finance Agency a senior vice president for finance who, among other things, performs such duties as may be required by the president of the agency or the board of directors of the agency

This bill would retitle the senior vice president for finance as the director of financing and would require such person to perform such duties as may be required by the executive director

(6) Under existing law, the president of the California Housing Finance Agency is required to prepare an annual budget for such agency

This bill would make certain revisions with respect to such budgeting requirement

(7) This bill would make other conforming changes

Ch 1116 (SB 86) Roberti Surplus residential property disposal.

Present law requires that both a state and a local agency disposing of surplus real property shall notify any housing authority and offer the property to such housing authority at fair market value

This bill would, in addition, require state agencies to dispose of surplus residential property, as defined, in accordance with the following priorities and procedures

(1) First, offer all single-family residences presently occupied by their former owners to such former owners at the appraised fair market value

(2) Second, offer single-family residences to the present occupants who have occupied the property for 2 or more years who are persons and families of low or moderate income, as defined

(3) Third, offer all single-family residences to their present occupants who have occupied the property for 5 years or more and whose household income does not exceed 150% of the area median income, as defined.

Property offered pursuant to (2) or (3) above would be at an affordable price which can be afforded by them but not greater than fair, as defined, market value, determined in a specified fashion, and less than the price paid by the agency for the original acquisition, unless the acquisition price was greater than the current fair market value

(4) Fourth, offer all other surplus residential properties and those not purchased pursuant to paragraphs (1) and (2) to housing-related public and private entities, as specified, for affordable rents and prices determined in a specified fashion on stated conditions

(5) Fifth, offer all property not so sold, and all other surplus residential property, at fair market value with preference to purchasers who will occupy the property.

In addition, this bill would provide with respect to sale of surplus residential property by the state that failure to comply with the provisions of this bill shall not invalidate the transfer, sale, or conveyance to a bona fide purchaser for value or an encumbrancer for value

Existing law permits surplus real property acquired for highway purposes to be sold under specified terms with a payment period up to 10 years

This bill would allow in certain cases the payment period to be extended up to 40 years in the case of unimproved real property sold or exchanged for the purpose of low and moderate income housing

This bill would take effect immediately as an urgency statute

Ch 1117 (SB 1080) Rodda. Municipal utility district indebtedness.

Under existing law, municipal utility districts owning and operating an electric distribution system for at least 8 years and containing a population of 250,000 or more may, by 4/5 vote of the board of directors, incur indebtedness constituting a general obligation of the district up to $50,000,000 for up to 5 years' duration and fix interest rates thereon without calling an election therefor for specified purposes in connection with the purchase, processing, and reprocessing of fuel for a nuclear electric generating facility Existing law also prohibits any district from incurring indebtedness for public works exceeding 20% of the assessed value of all real and personal property within the district

This bill would revise the purposes for which such districts may incur such indebtedness to include specified purposes relating to the generation and transmission of electricity generally, would permit the board by majority vote to authorize evidences of indebtedness payable solely from the revenues of the district, as defined, would permit indebtedness constituting either a general obligation or payable solely from revenues to mature in up to 7 years, would permit such indebtedness to be sold by private sale, would permit the district to arrange for bank credit, as specified, would revise the maximum amount of indebtedness to $50,000,000 or 25% of the district's annual gross revenues, whichever is greater, and would make other changes The bill would set forth a referendum procedure applicable to any resolution authorizing the issuance of any bonds pursuant to these provisions, and upon presentation to the district secretary of a proper referendum petition would declare the resolution of issuance to be of no effect until approved by the voters

The bill also would specify that these provisions are in addition to other powers of the district and that any indebtedness incurred pursuant to this bill shall not be included as part of the district's overall indebtedness limit It would also make these provisions apply to a district which has owned and operated electric generating facilities for at least 8 years and contains a population of 250,000 or more

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

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

Ch 1118 (SB 1195) Beverly Geologic hazard abatement districts

Existing law does not authorize the formation of geologic hazard abatement districts.

This bill would authorize the formation of such districts, as specified, and prescribe their powers and duties

The bill would specifically

(a) Define "geologic hazard" to mean an actual or threatened landslide, land subsidence, soil erosion, or other natural or unnatural movement of land or earth

(b) Provide that the district is a political subdivision of the state

(c) Authorize the legislative body of the local agency within which the district is formed to appoint itself to act as the initial board of directors for a term not to exceed 4 years and provide for an elected board of 5 directors thereafter

(d) Authorize the district to acquire real property or any interest therein by eminent domain.

(e) Authorize the district to acquire, construct, operate, manage, or maintain improvements, as defined, on public or private lands

(f) Authorize the district to use the Improvement Act of 1911, the Municipal Improvement Act of 1913, or the Improvement Bond Act of 1915 to pay the costs of an improvement

Ch 1119 (SB 1203) Beverly Public liability.

Under existing law, a public entity or employee is generally liable for damages caused by tortious conduct, but is not liable where the conduct was an act of discretion

This bill would provide that a local public entity or employee is not liable for damages caused by impending peril as a result of gradual earth movement or by actions taken to abate such peril providing the legislative body of the local public entity has made specified findings and determinations regarding such peril and undertakes remedial action

The bill would take effect immediately as an urgency statute.

Ch 1120 (AB 120) Ingalls. Transportation social services.

(1) Under existing law, there is no requirement for the coordination of social service transportation services

This bill would enact the "Social Service Transportation Improvement Act" to promote the consolidation of such transportation services

The Director of Finance would be required to identify, in the proposed budget, state funds that could be available to support such transportation services and other federal funds for such purposes and to request federal and state agencies to ascertain any categorical funding constraints.

The Secretary of the Business and Transportation Agency would be required to contract for a study of the insurance problems of existing social service transportation services which would be required to be completed by December 31, 1980

The transportation planning agencies and county transportation commission, and specified counties and the San Diego Metropolitan Transit Development Board, would be required to submit a report and action plan of specified content to the secretary, not later than December 31, 1981, on such transportation services in the areas under their respective jurisdictions

The secretary would be required to review and comment on the adequacy of each action plan not later than May 31, 1982 The secretary also would be required to submit a summary of the reports and action plans, with recommendations, to the Legislature not later than June 30, 1982.

The secretary would be required to act as the Chairman of the Social Service Trans-

portation Task Force consisting of the Secretary of the Health and Welfare Agency, the Director of Finance, and representatives from other specified entities to monitor the implementation of the act

(2) Under the Mills-Alquist-Deddeh Act, after specified allocations, up to 5% of the remaining money in the local transportation fund, until July 1, 1982, may be allocated to cities, counties, and operators for community transit services, except in those areas where the money may be used for local street and road purposes

The bill would authorize allocations to be made from that 5% portion to consolidated transportation service agencies to provide social service transportation services

(3) The bill would make other related changes.

(4) The bill would appropriate $95,000 in the 1979–80 fiscal year and $85,000 in the 1980–81 fiscal year from the Transportation Planning and Development Account in the State Transportation Fund to the secretary for administrating and monitoring the act if federal funds are not available for such purposes

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

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

Ch 1121 (AB 1246) Mello Senior Companion Program appropriation

Existing law does not provide for a Senior Companion Program

This bill would require the Department of Aging to enter into a memorandum of agreement with the federal ACTION agency on establishing and expanding the Senior Companion Program in accordance with federal standards, as specified The program would provide meaningful volunteer community service opportunities to low-income senior adults (age 60 or over) for adults with specified special needs, in accordance with federal law, as specified The program would allow low-income senior adults to provide care and support to adults with special needs, as specified, and would require each senior companion to participate 4 hours a day, 5 days a week, but would not allow those persons receiving in-home supportive services to be assigned senior companions

The Department of Aging would supervise the program and could provide or provide for transportation, and must provide senior companions, 1 free meal in each day served, accident insurance, an annual physical exam, and a nontaxable hourly stipend Applying local and state agencies and organizations would administer the program at the local level This bill would also require the director of the department to submit a report to the Legislature on the progress of the program no later than January 1, 1982, and the program established would be repealed by January 1, 1983

Existing statutes provide for the disregard of various incomes and benefits for purposes of various public assistance and social services programs. The existing Personal Income Tax Law excludes various sources of income and benefits from gross income, in computing such taxes

This bill would exclude any stipends, meals, transportation, and other income, received by a senior companion pursuant to this act, from gross income for purposes of computing personal income taxes, and from income and resources for purposes of eligibility and aid determinations under specified public assistance and social services programs

This bill would appropriate $250,000 to the Department of Aging for the Senior Companion Program, would subject the funds to various specified conditions, and would limit administrative expenses by the state to 7% of the total amount of the funds appropriated and limit the individual project administrative expenses to 10% of the total amount of the appropriation which is expended

Ch 1122 (AB 1247) Hayden Foster Grandparent Program

Existing law does not provide for a Foster Grandparent Program

This bill would require the Department of Aging to enter into a memorandum of agreement with the federal ACTION agency on establishing and expanding the Foster

Grandparent Program in accordance with federal standards, as specified The program would be designed to provide meaningful part-time volunteer opportunities for low-income elderly persons (age 60 or over) in accordance with federal law, as specified The program would allow low-income elderly persons to render personal supportive services to children with exceptional needs and who are deprived of normal relationships with adults and would require each foster grandparent to participate 4 hours a day, 5 days a week The Department of Aging would supervise the program and could provide or provide for transportation, and would be required to provide each foster grandparent, 1 free meal for each day worked, accident insurance, an annual physical exam, and a nontaxable hourly stipend Applying local and state agencies and organizations would administer the program at the local level

Existing statutes provide for the disregard of various incomes and benefits for purposes of various public assistance and social services programs. The existing Personal Income Tax Law excludes various sources of income and benefits from gross income, in computing such taxes

This bill would exclude any stipends, meals, transportation, and other income received by a foster grandparent pursuant to this bill, from gross income for purposes of computing personal income taxes, and from income and resources for purposes of eligibility and aid determinations under specified public assistance and social services programs

This bill would appropriate $250,000 to the Department of Aging for the purposes of the Foster Grandparent Program, would subject the funds to various specified conditions, and would limit the state administrative expenses to 7% of the funds appropriated and individual project administrative expenses to 10% of such sum

Ch 1123 (SB 771) Alquist Residue conversion coal

Existing law contains no provisions specifically requiring the State Energy Resources Conservation and Development Commission to select and fund projects for the conversion of agricultural and forestry residue into energy or synthetic fuels or to develop and demonstrate energy sources or internal combustion engines utilizing clean coal

This bill would enact the State Agricultural and Forestry Residue Utilization Act of 1979 to implement a program to demonstrate residue conversion technologies throughout the state and to provide for the selection and funding, as specified, of 20 or more such projects by the commission

The bill would establish the State Agricultural and Forestry Residue Utilization Account in the General Fund, and appropriate moneys therein for the purposes of the bill. The bill would authorize the State Controller to make temporary loans up to $5,000,000 to the account for cash flow purposes

This bill also would establish the Clean Coal Account in the General Fund. The funds in this account would be used by the commission to develop and demonstrate clean coal projects, as specified

The bill would appropriate $14,500,000, $10,500,000 to the State Agricultural and Forestry Residue Utilization Account and $4,000,000 to the Clean Coal Account

Ch 1124 (AB 900) Goggin Energy conservation assistance loans. schools, hospitals, public care institutions, and local government

Existing provisions of the Warren-Alquist State Energy Resources Conservation and Development Act authorize the State Energy Resources Conservation and Development Commission to prescribe energy conservation standards for new residential and nonresidential buildings The National Energy Conservation Policy Act (P L. 95-619) provides federal grant funds for energy conservation programs for schools and hospitals and buildings owned by units of local government and public care institutions

This bill would enact the Energy Conservation Assistance Act of 1979 The bill would authorize the commission to allocate state loan funds to schools, hospitals, public care institutions, and local government entities for financing energy conservation related projects This bill would require the State Controller to establish the State Energy Conservation Assistance Account in the General Fund

The provisions of the bill would be repealed on January 1, 1991, and require all loans to be repaid as provided by the bill irrespective of such repeal

The bill would appropriate to the account, from the General Fund, an amount of $10,000,000 for each of the fiscal years 1979–80 and 1980–81

This bill would take effect immediately as an urgency statute

Ch 1125 (AB 406) Kapiloff Beverage containers.

(1) Nothing in present law specifically governs the types of materials which may be used to connect beverage containers sold in this state

This bill, on and after July 1, 1981, or a date 1 year after a determination by the State Solid Waste Management Board that degradable plastic connectors are commercially available, whichever date is later, would prohibit the sale or offering for sale at retail of beverages in beverage containers which are connected to each other with devices made of a plastic material that is not degradable or that are not plastic of specified designs, as determined by the board. The bill would make it an infraction, with specified penalties, to sell at wholesale or distribute to a retailer for sale at retail in this state a beverage in containers which are connected to each other in violation of the bill. For such purposes, "degradable" would be defined, as specified

The bill would declare the legislative intent of such provisions and require a report of specified content to the Legislature on or before July 1, 1980

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

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

Ch 1126 (SB 1120) Garamendi. Stockton-East Water District

Existing law authorizes the Stockton-East Water District, in accordance with specified procedures, to annually determine and fix rates of a ground water assessment and charges for stream-delivered water to the extent that such charges are not governed by contract or agreement, but specifies that such rates and charges may not exceed specified amounts

This bill would establish within the district administration, agricultural, and municipal divisions, and would prescribe a procedure for annually establishing a budget for each division and for the district overall. The bill would prescribe a procedure for annually setting rates for stream-delivered water, domestic ground water, and agricultural ground water The bill would require such rates to equitably divide the cost of meeting a balanced agricultural division budget among the sources of revenue for the division, but in a manner which will encourage the use of surface water available for agricultural use within the district The bill would also authorize the board of directors of the district to establish rates of a municipal ground water assessment, as specified The bill would specify related matters.

The bill would prescribe special rates applicable for such assessments and charges for the 1979 calendar year only, and would specify the maximum rates, other than the municipal ground water assessment rate, that may be charged by the district for calendar year 1980 and thereafter unless the voters approve a contract by the district for new supplemental water or approve bonds for financing a distribution system for new supplemental water

The bill would also require the district to file with the Legislature not later than July 1, 1980, a report as to the practicality and method of dividing the district into a municipal agency and an agricultural agency

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

This bill would provide that, notwithstanding Section 2231, there shall be no reimbursement pursuant to that section, nor shall there be any appropriation made by this act for a specified reason

The bill would go into immediate effect as an urgency statute

Ch 1127 (SB 1085) Johnson Transportation planning and funding

Under the Mills-Alquist-Deddeh Act, the transportation planning agency in a county under 500,000 population may make allocations from the local transportation fund for streets and roads after public transportation needs are met Existing regulations of the Business and Transportation Agency require a hearing on whether, in such case, there are unmet public transportation needs

This bill would specify that any action to review the decision of a transportation planning agency pursuant to these regulations shall be filed within 30 days after the agency's decision, or after the Secretary of the Business and Transportation Agency has investigated, evaluated, and made findings on the decision, whichever is later, except that actions with respect to a decision made prior to August 15 for the fiscal year commencing the July 1 immediately preceding need not be filed until September 15.

Ch. 1128 (SB 614) Wilson Coastal resources State Coastal Conservancy projects. coastal zone boundary changes

(1) The existing law authorizes the State Coastal Conservancy, under prescribed conditions, to undertake coastal resource enhancement projects, which, generally, consist of assembling parcels of land to improve resource management, relocating improperly located or designed improvements, and taking other corrective measures which will enhance the natural and scenic character of designated coastal resource enhancement areas within the coastal zone, as defined

This bill would provide that, notwithstanding the geographic limitations of the provisions establishing and prescribing the powers and duties of the conservancy or the provisions of the California Coastal Act of 1976, the conservancy may undertake a coastal resource enhancement project in the City of San Diego, within the area known as Famosa Slough and bounded as specified

(2) 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 the maps adopted pursuant to those provisions, the inland boundary of the coastal zone in the County of San Diego would be revised as specified The bill would require the commission to fill amended versions of its detailed maps which conform to, and incorporate the changes made by, this bill.

This bill would provide that local governments would be reimbursed pursuant to designated provisions of the California Coastal Act of 1976 for costs that may be incurred by them in carrying out any program or performing any service required by the bill.

Ch 1129 (SB 541) Dills Vehicles axle weight limits

Under existing law, the total gross weight in pounds imposed upon the highway by any group of 2 or more consecutive axles is specified, depending on the distance between the extremes of the axles

In addition to such weight limits, 2 consecutive sets of tandem axles, 36 or more feet apart, may carry a gross weight of 34,000 pounds each, but not to exceed 68,000 pounds for 2 consecutive sets

This bill would authorize 2 consecutive sets of tandem axles on a combination of vehicles, between 25 and 33 feet apart, in addition to carrying the prescribed weights, to carry a gross weight of 64,000 pounds if the gross weight carried by each set of axles does not exceed 32,000 pounds.

This provision would be in effect only until December 31, 1983, unless a later enacted statute deletes or extends the date

Ch 1130 (SB 549) Marks Air pollution marine vessels.

Existing law provides that, if the State Air Resources Board finds that a basinwide air pollution control plan, or the program or rules and regulations of an air pollution control district will not likely achieve and maintain the state's ambient air quality standards, the state board may establish a plan, program, or rules and regulations to achieve and maintain such standards

This bill would define the term "marine vessel" for purposes of air pollution control laws and would direct the state board to prepare and submit to the Legislature on or before January 1, 1981, its recommendations with regard to the regulation of marine vessels It would prohibit the state board from implementing any emission requirements

for marine vessels prior to July 1, 1981, but would not restrict enforcement of any rule or regulation governing marine vessels adopted by an air pollution control district prior to July 1, 1979, or amended thereafter

Ch 1131 (SB 555) Alquist Special studies zones

(1) Under the Alquist-Priolo Special Studies Zones Act, the State Geologist is required to delineate special studies zones encompassing certain areas of earthquake hazard, and to compile maps delineating such zones Cities and counties are required, prior to approval of a "project," as defined, to require a geologic report defining and delineating any hazard of surface fault rupture, unless the report is waived, as specified.

This bill would require that the implementation of such act be pursuant to policies and criteria established and adopted by the State Mining and Geology Board It would also redefine "project" to mean (A) any subdivision of land subject to the Subdivision Map Act and which contemplates the eventual construction of structures for human occupancy and (B) structures for human occupancy with specified exceptions

(2) Under existing law, the Governor is authorized to warn the public as to the existence of an earthquake prediction determined to have scientific validity The state and its agencies are not liable for any injury resulting from the decision to issue or not to issue such warning, and the state, its agencies, and its political subdivisions may, on the basis of such warning, take or not take actions relating thereto without incurring liability for such action or inaction

This bill would recast such provisions, delete declarations of legislative intent, and specify that such immunity extends to acts or omissions in fact gathering, evaluation, or other activities leading up to the issuance or nonissuance of a warning, and to public employees The bill would also provide that such warning is a sufficient basis for a declaration of a state of emergency or local emergency, and that the state, its agencies, its political subdivisions, and public employees shall be immune from liability in accordance with immunity provisions of law applicable during such state of emergency or local emergency

(3) Under existing law, cities, cities and counties, and counties are required to adopt building standards which are consistent with building standards adopted by state agencies

The bill would provide that, if SB 445 is enacted, no city, city and county, or county, nor any employee of any such entity, shall be liable for damages for injury to persons or property, resulting from an earthquake or otherwise, on the basis of any assessment or evaluation performed, any ordinance adopted, or any other action taken pursuant to provisions regarding earthquake hazardous building reconstruction which would be added by SB 445, irrespective of whether such action complies with the terms of such provisions, or on the basis of failure to take any action authorized by such provisions

(4) The bill would also make various clarifying and technical changes.

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

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

Ch 1132 (AB 1164) Bates Habilitation services developmentally disabled

Under existing statutes, regional centers for developmentally disabled persons purchase work activity and vocational training when needed in such person's individual program plan

This bill would prescribe that the Department of Rehabilitation be responsible for the development of habilitation components, as defined, and the purchase of habilitation services through contract with the State Department of Developmental Services for adults with developmental disabilities, as specified The bill would require the department and State Department of Developmental Services to enter into an interagency agreement for such purposes The bill would also eliminate the requirement that the Department of Rehabilitation purchase habilitation services through contract with the

State Department of Developmental Services after July 1, 1982, when funds are appropriated to the Department of Rehabilitation in the Budget Act for such purposes, unless a report submitted by January 1, 1982, by such departments based upon specified evaluations recommends against such appropriation The bill would require the Department of Rehabilitation to establish a ratesetting system for the purchase of such services based on reasonable cost

The bill, in addition, would require that a specified report be made to the Assembly Subcommittee on Mental Health and Developmental Disabilities and the Senate Health and Welfare Committee

This bill would also appropriate $3,847,000 † to the Department of Rehabilitation for expenditure as follows $747,000 for carrying out the purposes of this act, $3,100,000 for purchasing services pursuant to this act commencing July 1, 1980

Ch 1133 (AB 339) Nolan Funding of governmental agencies.

(1) Under existing law prior to July 1, 1978, the state funded 90% of the county alcoholism programs and local mental health programs under the Short-Doyle Act The county's financing of 10% of such programs was waived until July 1, 1979. From July 1, 1979, to July 1, 1982, the state is required to pay the costs of all such programs, except for certain state hospital services Thereafter, the state funds 90% and the county funds 10% of such programs

This bill would, instead, from July 1, 1979, to July 1, 1982, waive the county's financing of 10% of such programs, except for such certain state hospital services, for which financing would be waived only until January 1, 1980 Such provisions in this bill regarding county alcoholism programs would be repealed on January 1, 1980, if AB 272 is chaptered in 1979

(2) Under existing law, costs of local mental health services may be a negotiated net amount if a contract is for 75% or more of the total local mental health plan or may be negotiated rates if a contract with the county is for not more than $150,000.

This bill would authorize negotiated net amounts if the contract is all or part of the total local mental health plan and would eliminate the maximum contract amount in order to use negotiated rates These changes would remain in effect only until July 1, 1983

(3) Existing law requires each county to submit annually to the State Director of Health Services a plan and budget for county health services as defined The net county costs of health services specified in the budget would be annually appropriated to the County Health Service Fund for allocation to counties

This bill would require the plan for Alameda County to provide a specified level of funding of health services provided by the City of Berkeley

(4) Assembly Bill No 8 (Ch 282, Stats 1979), among other things, provides revised methods of allocating property tax revenues to local agencies, school districts, community college districts, and county superintendents of schools

This bill would provide an adjustment in the formulas used for such allocation which would increase the amount of property tax revenues of the San Joaquin Health District

(5) The Budget Act of 1979 (Ch 259, Stats 1979) prohibited specified funds for public social services from being used to provide cost-of-living increases to county employees which are in excess of 6%

This bill would repeal this prohibition

(6) The bill would make minor and technical changes to various health and welfare provisions contained in AB 8

(7) AB 8 appropriates specified amounts from the General Fund to Section A of the State School Fund for specified purposes

This bill would augment such appropriation by $585,000 †

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

Ch 1134 (SB 111) Carpenter Dental disease prevention program

Under existing law, the State Department of Health Services is required to maintain a dental program including planning, consultation, support, evaluation, and information

† Appropriation deleted by action of the Governor

functions. Existing law requires pupils of public and private elementary and secondary schools to be provided the opportunity to receive topical application of fluoride or other decay-inhibiting agent to the teeth

This bill would authorize each local health department to offer a community dental disease prevention program for all children in kindergarten through 6th grade. The State Department of Health Services would be required to determine and publish on or before March 1, 1980, minimal standards for such programs, as specified The local health officer of each participating local health department, in cooperation with appropriate education personnel and the local advisory board which would be created by the bill, would be required to submit a proposal for the program by July 1, 1980, to the State Department of Health Services. It would require the department to review program proposals and approve the programs which meet the minimum standards. It would require the department to reimburse local health departments with approved programs on a participating child per year basis, as specified It would authorize the local health officer to utilize and contract with other local public and private agencies, school districts, and county superintendents of schools in conducting the program

This bill would require the Department of Education to assist the State Department of Health Services in developing in-service training programs, as specified, in dental health and dental disease prevention for kindergarten through 6th grade teachers.

The bill would require the governing board of each participating school district and the governing authority of each participating private school to cooperate with the local health officer administering the community dental disease prevention program in their school However, the bill would not require participation in the program by either public or private schools

The bill would require specified reports to be submitted by July 1, 1981, and annually thereafter, by the local health officer of each participating county or city to the State Department of Health Services and a specified report by the State Department of Health Services to the Legislature by January 1, 1982, and annually thereafter

The bill would require the Legislative Analyst to conduct an evaluation, as specified, of the programs provided by the bill during the fourth program year and submit a report of the evaluation to the Legislature by January 1, 1985

The bill also would provide that the program provisions which would be enacted by the bill would be repealed on December 31, 1986.

This bill would appropriate $3,833,700 † to the Director of Finance, without regard to fiscal years, for allocation as follows $60,000 to the Department of Education for assisting the State Department of Health Services in development of in-service training programs for kindergarten through 6th grade teachers, $184,000 †† to the State Department of Health Services for administration, and $3,589,700 ††† to the State Department of Health Services for allocation to local agencies for costs incurred under the program.

Ch. 1135 (SB 196) Presley Correctional facilities

Existing law appropriates $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 appropriate $11,474,300 to the Department of Corrections for the temporary relief of overcrowding, as specified, for repair and reconstruction at the California Correctional Center at Susanville, as specified, for curbs, sidewalks, gutters and drains at Chino, for the acquisition of sites, as specified, and for design development. It would also appropriate $400,000 to the Joint Rules Committee from the General Fund for the creation of a Citizen's Advisory Committee to supervise specified studies, and make a report to the Legislature relative to inmate housing, alternatives to incarceration of convicted felons, and evaluation of the determinate sentencing system It would specify that no new prisons shall be constructed at Chino and impose other specified requirements relative to new prisons.

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† Appropriation reduced to $2,100,000 by action of the Governor

†† Schedule reduced to $140,000 by action of the Governor

††† Schedule reduced to $1,900,000 by action of the Governor

This bill would take effect immediately as an urgency statute

Ch 1136 (AB 1088) McVittie Prisoners costs of detention

Existing law provides that whenever an alleged parole violator is detained in a county jail or detention facility, pursuant to the powers of the Community Release Board or the Youth Authority, when such detention relates to a violation of the conditions of parole and not to a new criminal charge and whenever a state prisoner is kept by a county or city during a trial for escape or a crime committed in prison or during a habeas corpus hearing, the county or city is entitled to reimbursement for the cost of such detention or keeping of the prisoner

This bill would specify that the costs of such detention for purposes of reimbursement shall include the same cost factors utilized by the Department of Corrections in determining the cost of prisoner care in state correctional facilities.

This bill would appropriate from the General Fund $500,000 to the Department of Corrections and the Youth Authority, as specified, for the purposes of this bill

This bill would take effect immediately as an urgency statute

This bill also makes additional changes proposed by AB 336, to be operative only if AB 336 and this bill are both chaptered and become effective on or before January 1, 1980, and this bill is chaptered after AB 336

Ch. 1137 (AB 713) Boatwright State claims.

This bill would appropriate $8,046,077 14 from the General Fund to the State Board of Control to pay specified claims against the state, provided that the amount is reduced by $7,651,505 22 appropriated by particular legislation for purposes of Chapters 89 and 1398 of the Statutes of 1974 This bill would direct the State Board of Control to comply with specified actions

This bill would also require the State Department of Finance, in cooperation with local education entities, to study alternatives for the reimbursement of local costs associated with collective bargaining for school employees, as specified, and to report thereon by January 1, 1980, to the chairmen of specified committees of the Legislature

This bill would take effect immediately as an urgency statute

Ch 1138 (AB 673) Robinson Contractors

Existing law requires a contractor to post a bond or cash deposit for the benefit of specified persons, and also requires a qualifying individual's bond or cash deposit to be posted on behalf of a contractor for the benefit of specified persons Existing law also sets forth the procedure for making a claim against such a bond or deposit

This bill would add to the list of beneficiaries of such bonds or deposits homeowners contracting for home improvements and revise the description of beneficiaries as to acts of fraud or failure to pay fringe benefits The bill would also revise the procedure for claims to recover fringe benefits and the provisions for payment of claims, license cancellation, and reissuance or reinstatement of contractors' licenses

This bill would incorporate additional changes in Sections 7071 5, 7071 10, and 7071 11 of the Business and Professions Code, proposed by AB 1363, to be effective only if AB 1363 and this bill are both chaptered and become effective January 1, 1980, and this bill is chaptered last

Ch 1139 (SB 1105) Ayala Public Employees' Retirement Law services credit

The Public Employees' Retirement Law formerly authorized contracting agencies to elect to grant up to 2 years of additional service credit to members who retired during a designated period if the agency found that because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency would be thereby served

This bill would reenact such provisions of law for a period of 3 years

The bill would take effect immediately as an urgency statute

Ch 1140 (AB 1165) Felando Developmental disabilities

(1) Existing law does not require the State Department of Developmental Services in consultation with regional centers to adopt regulations prescribing a uniform accounting system, a systematic approach to administrative procedures and practices, a uniform budgeting and encumbrancing system, and a uniform reporting system to be used by

regional centers Under existing law, the department's contract with a regional center, among other things, requires the reporting of all expenditures

This bill would require the department in consultation with regional centers to adopt such regulations, as specified Under this bill, the department's contract with a regional center would also require reporting of revenues

(2) Existing law prescribes that regional center funds not be used to supplant the budget of any agency which has a legal responsibility to serve all members of the general public and is receiving public funds for providing such services.

This bill would prescribe that a regional center not pay for any service which is mandated to be provided by any other agency, as specified, with certain exceptions.

(3) Existing law does not require the Director of Developmental Services to publish a report on the financial status of all regional centers and their operations.

This bill would impose such a requirement, as specified

(4) Existing law does not require the State Department of Developmental Services to obtain certain estimates for the cost of installing and maintaining a computerized system in each regional center Existing law also does not require the department to obtain estimates for the cost of contracting with the Department of Finance and the Office of the State Controller for the performance of an annual audit of fiscal operations and contractual compliance of regional centers

This bill would make such requirement and require a specified report to the Legislature

(5) This bill would make other conforming changes.

Ch 1141 (SB 775) Keene Perinatal care

Under existing law, the State Department of Health Services is required, among other things, to establish 2 infant medical dispatch centers for critically ill newborn infants, to establish 1 or more pilot programs of 4 or less years' duration for high-risk pregnant women, to designate tests for specified preventable heritable disorders, to conduct a prenatal amniocentesis test program for genetic disorders, to certify tests for pregnancy, to maintain a program of maternal and child health, to establish a 5-year pilot project in up to 6 counties of high nutritional need to deliver supplemental food to women during pregnancy and to infants up to 1 year of age, and to designate tests for detection of sickle cell anemia.

This bill would require the department to support the development of perinatal access systems, designate approved centers as operators of such systems, and provide specified administration, regulations, and reports relating to such systems The bill would define "perinatal access systems," among other things, to be established pursuant to the bill.

The provisions of the bill would be repealed on January 1, 1985

The bill would appropriate $921,000 to the department for expenditure in the 1979–80 and 1980–81 fiscal years for the purposes of the act

This bill would take effect immediately as an urgency statute

Ch 1142 (SB 597) Greene Developmental services.

(1) Under existing law, the State Department of Developmental Services is vested with jurisdiction for administration of designated state institutions for the developmentally disabled, as defined, and the jurisdiction exercised by the former State Department of Health with respect to developmental disabilities, including mental retardation

This bill would conform existing provisions of law to the reassignment of such jurisdiction to the State Department of Developmental Services with respect to the developmentally disabled and their care The bill would clarify the jurisdiction of the department with respect to commitment of developmentally disabled persons to state institutions under the jurisdiction of the department and the payment by such persons or their estates for care and treatment therein

The bill would make other conforming changes

(2) Under existing law, a regional center is authorized to purchase services which will best accomplish the individual program plan for developmentally disabled persons

This bill would specifically authorize a regional center to provide placement and follow-along services to developmentally disabled persons in licensed community care or health care facilities

(3) Under existing law, the department is authorized to make funds, when appro-

priated by the Legislature, available for services through regional centers

This bill would require the department to establish procedures for hearing objections to audit findings and exceptions by regional centers.

(4) Existing law provides no requirement that the Public Utilities Commission implement a program whereby each telephone corporation provide a telecommunications device capable of servicing the needs of the deaf or the severely hearing impaired

This bill would require the commission to implement such a program

Ch 1143 (SB 1149) Petris Special education programs CSUC Field Act

(1) Under current law, both a parent and a pupil are guaranteed and may initiate a fair and impartial administrative hearing before a fair hearing panel with respect to any decision regarding, and resulting from, the pupil's identification as an individual with exceptional needs

This bill would, until July 1, 1982, authorize public education agencies, as defined, not subject to the so-called master plan for special education, to initiate such a hearing, and would recast the provisions authorizing responsible local agencies subject to such plan to initiate such a hearing This bill would specify the procedure to be followed for convening such a hearing and requesting a review of the decision of the fair hearing panel

In addition, this bill would, until July 1, 1982, designate the hearing before the fair hearing panel as a hearing at the local level and would afford a parent, public education agency, or responsible local agency the opportunity to request, in lieu of such hearing, a hearing at the state level before a hearing officer who is under contract with the Department of Education This bill would specify the procedures to be followed for implementing the state level hearing.

(2) Under current law, in those areas subject to the so-called master plan for special education, the parent of an individual with exceptional needs is also entitled (1) to an informal review of his or her concern prior to the hearing before the fair hearing panel, (2) to examine all school records of such individual, and (3) to request a review by the Superintendent of Public Instruction of the determination of the fair hearing panel

This bill would, until July 1, 1982, extend these rights to parents of individuals with exceptional needs who are enrolled in schools or programs under public education agencies, not subject to the so-called master plan

(3) Existing law requires that the informal review and hearing before the fair hearing panel be completed, generally, within 45 days after receipt of a complaint

Existing law also requires that the parent submit a written request to the responsible local agency for a hearing before a fair hearing panel

This bill would, until July 1, 1982, require completion, including the mailing of the panel's decision to each party, within 45 days after the public education agency or the responsible local agency receives the parent's initial written request for a hearing at the local level or the parent receives the agency's initial written notice to initiate such a hearing

(4) Existing law requires the responsible local agency director or designees to comply with specified provisions relating to the informal review and hearing within 10 school days of receipt of the parent's written request for a hearing before a fair hearing panel

This bill would, until July 1, 1982, require compliance within 10 days of the responsible local agency's or public education agency's receipt of the parent's request for such hearing or of the parent's receipt of the agency's notice to initiate the hearing

(5) Existing law requires the responsible local agency director to implement the procedures to convene a fair hearing panel within 5 days of the informal review if such review fails to resolve satisfactorily the parent's concern

This bill would, until July 1, 1982, require the responsible local agency or public education agency to implement such procedures within a specified 5-day period if (1) the informal review fails to resolve the concern to the satisfaction of the party initially requesting the hearing before a fair hearing panel and (2) the requesting party elects a hearing at the local level by submitting a second written request for such a hearing or by sending a second written notice to initiate such hearing, as the case may be

This bill would, until July 1, 1982, require, in the alternative, that if the requesting party elects the hearing at the state level by submitting a written request or sending a written notice, as the case may be, and if the requesting party is a parent, then the

responsible local agency or public education agency shall transmit the parent's request to the Superintendent of Public Instruction within 3 days following receipt of the request

In addition, this bill would, until July 1, 1982, require that if the requesting party elects the hearing at the state level, then the Superintendent of Public Instruction shall conduct the hearing and mail a copy of the decision to each party within 30 days following receipt of the request, unless a specified extension is requested and granted

(6) Under existing law the parent has the right and opportunity to examine the pupil's record within 5 school days after making such a request

This bill would, until July 1, 1982, change the time period to 5 days

(7) Existing law makes extensive provision for review of the fair hearing panel's decision by the Superintendent of Public Instruction or designees, including the right to petition for review within a 20-day period following the panel's decision, the opportunity to each party to present an oral or written argument or both within a 30-day period following the superintendent's receipt of the petition, and the superintendent's or designees' responsibility to render a written, reasoned decision within 15 days following the hearing for review

This bill would, until July 1, 1982, require the review to be conducted in accordance with regulations adopted by the State Board of Education, would extend the period to petition to 30 days following each party's receipt of the panel's decision, would give each party the right to written argument, would limit the right to oral argument and presentation of additional evidence to the discretion of the superintendent or designee, would replace the 15-day period for rendering the written, reasoned decision with the general provision that the review, including such decision, be completed within 30 days following the superintendent's or designee's receipt of the petition for review, and would require that the designee be an individual knowledgeable in administrative hearings and under contract with the Department of Education.

(8) Under existing law, authorization for the governing board of any school district to establish and maintain alternative schools in the district expires on July 1, 1980

This bill would extend indefinitely such authorization

(9) Existing law authorizes the Trustees of the California State University and Colleges to issue specified revenue bonds at an interest rate not to exceed 7% per annum Chapter 325 of the Statutes of 1979 authorizes the trustees to issue specified revenue bond anticipation notes at an interest rate not to exceed 8% per annum.

This bill would authorize such bonds to be issued at an interest rate not to exceed 8% per annum

(10) Existing law generally requires school buildings to comply with specified building standards under the so-called Field Act

This bill would authorize the Redlands Unified School District to continue use of a building, which does not meet the specified standards, until June 30, 1980, or until construction of a proposed building is completed, whichever is earlier

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

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

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

Ch 1144 (SB 949) Petris Mental health involuntary treatment facilities.

Under existing law, any inebriate or drug addict or any person who as a result of a mental disorder is a danger to others or himself or herself, or gravely disabled may be involuntarily detained or committed for evaluation and treatment in a facility for up to 72 hours and certified for intensive treatment for up to 14 days in a facility.

This bill would require the State Department of Mental Health to contract with appropriate independent experts, as determined by the department, for a study of specified matters relating to the care and treatment of such persons and recommendations for additional standards for the care and treatment of such involuntarily detained

or committed persons in such facilities

The bill would also require the department to report the results of the study, and the recommendations therein, to the Legislature by September 1, 1980

This bill would appropriate $300,000 from the unencumbered balance of the appropriation made by Item 275 of the Budget Act of 1979 for assistance to local mental health programs under the Short-Doyle Act to the County of Tuolumne for the establishment of mental health facilities within Tuolumne General Hospital

This bill would take effect immediately as an urgency statute, and it would remain in effect only until January 1, 1981, and as of such date it would be repealed, unless a later enacted statute deletes or extends such date

Ch 1145 (SB 273) Johnson Volunteer firefighters· length of service award system

Existing law authorizes cities and counties having a police department or fire department to establish a relief and pension fund for such departments

This bill would authorize cities, counties, and districts that have fire departments with registered uncompensated volunteer firefighting members to offer such members an award, as an incentive to such members for service rendered after the effective date of the bill The governing body of such a fire department would be authorized to contract with the Board of Administration of the Public Employees' Retirement System for the purpose of the bill if the electorate of the area served by the fire department approves such contract. Such provisions would be administered by the Board of Administration of the Public Employees' Retirement System, except that provisions relating to the service point system and the maintenance of records would be subject to regulations of the State Board of Fire Services, as specified The bill would provide for funding, contributions, and the awarding of benefits, based upon specified criteria. The bill would also define various terms for purposes of such provisions

This bill would create the Volunteer Firefighters Length of Service Award Fund in the State Treasury which would be continuously appropriated to the Board of Administration of the Public Employees' Retirement System to pay costs of administration and awards made under the bill.

The bill would also appropriate $200,000 to the Board of Administration of the Public Employees' Retirement System for a loan to the award system for start-up costs and costs of administration. The loan would be required to be repaid at times and in amounts deemed appropriate by the board

The above provisions of the bill would be repealed on January 1, 1985, unless such date is deleted or extended by a later statute

Ch 1146 (SB 882) Keene Courts

Existing law mandates that certain at-issue civil actions in superior courts with 10 or more judges be submitted to judicial arbitration and authorizes superior courts with less than 10 judges to provide by local rule for mandatory judicial arbitration of certain at-issue civil actions, except that any superior court chosen for participation in a specified pilot project is excluded from the judicial arbitration program

This bill would specify that certain at-issue civil actions, pending during a specified period, in the Superior Court of Sonoma County which has 7 judges, shall be submitted to arbitration if the amount in controversy will not exceed $15,000 per plaintiff

The bill also would incorporate additional changes to Section 1141 11 of the Code of Civil Procedure, contingent upon the enactment and prior chaptering of AB 1631

The Constitution presently authorizes the Chief Justice to assign a judge to another court in order to expedite judicial business and equalize the work of judges

This bill would provide that at any time when one or more judges are assisting a one-judge superior court pursuant to judicial assignment under the Constitution, and when there is a justice court in the county which is not in use for other court purposes, such superior court may conduct session at such justice court

Existing law provides that if the salaries of personnel of the clerk's office of the municipal court in Marin County in effect immediately prior to January 1, 1978, are changed by the board of supervisors, such change shall be on an interim basis

This bill would provide that changes in clerk office salaries in Marin County in effect immediately prior to January 1, 1980, shall be on an interim basis.

Existing law establishes the per diem and mileage to be paid grand jurors in Lake

County

This bill would specify that such per diem and mileage applies to all duly called sessions of the grand jury or committee meetings called by the foreman thereof, and would state that such provision is declaratory of existing law

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

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

This bill would take effect immediately as an urgency statute except for specified provisions which would become operative on January 1, 1980

Ch 1147 (AB 940) Lehman Appropriation DBCP testing and analysis Hydrilla control

This bill would appropriate $500,000 from the General Fund to the Department of Food and Agriculture, contingent upon the department seeking alternative funding, to initiate projects and research regarding specified questions related to 1,2-dibromo-3-chlorpropane (DBCP) and protection against nematodes The bill would also make legislative findings and declarations and would require that the Department of Food and Agriculture and the State Department of Health Services jointly report to the Legislature by March 15, 1980, concerning costs, results, and recommendations relating to levels of DBCP contamination, as specified In addition, the Department of Food and Agriculture would be required to report to the Legislature by the same date on specified matters concerning DBCP studies.

The bill would also appropriate $500,000 from the General Fund to the Department of Food and Agriculture for expenditure during the 1979–80 fiscal year for the eradication of Hydrilla (Hydrilla verticillata) in the All-American Canal and the water system of the Imperial Irrigation District in Imperial County The bill would require the department to include, in its budget request, funds for the program during the 1980–81, 1981–82, and 1982–83 fiscal years It would require that the General Fund appropriation not exceed ⅓ of the total cost of the program, and require the department to seek federal and local funding for the balance of the eradication program costs

This bill would take effect immediately as an urgency statute

Ch 1148 (SB 924) Smith Corrections and probation officers

Existing law provides that the Commission on Peace Officer Standards and Training must establish minimum standards for fitness and training with respect to local law enforcement officers State aid is provided to applicant cities, counties, and districts for the training of their employees if the agencies adhere to the standards for recruitment and training established by the commission. Such aid is allocated in the form of grants allocated by the commission from the Peace Officers' Training Fund Revenue for the fund is derived from penalty assessments on fines, penalties, and forfeitures imposed for criminal offenses Twenty-five percent of the penalty assessments for specified traffic offenses is also appropriated to the fund

This bill would require the Board of Corrections to adopt rules establishing minimum standards for the recruitment and training of local corrections and probation officers and would provide for state aid in the form of grants to any applicant county or city and county which adheres to the standards established for recruitment and training of such officers by the board The bill would specify that peace officer personnel eligible for grants for training from the commission are not eligible to receive funds from the board under this program The bill would establish in the State Treasury a Corrections Training Fund which would be funded until July 1, 1982, with 15% of the penalty assessments collected for various traffic offenses in a specified manner

The bill would become operative on July 1, 1980

Ch 1149 (SB 496) Presley Schools teachers violence and vandalism

(1) Under current law, a parent or guardian of a minor whose willful misconduct has caused injury or death to a pupil, employee, or volunteer of the school district, or whose willful misconduct damages school district property, is liable for the damage so caused

This bill would provide that a parent or guardian of a minor whose willful misconduct has caused injury or death to a pupil, employee, or volunteer of a private school, or whose willful misconduct damages private school property, is liable for the damage so caused

This bill would in addition impose liability on a parent or guardian of a minor whose willful misconduct has caused damage to the personal property of a public or private school employee

This bill would authorize any school district or private school whose property has been willfully damaged by a pupil to, after affording the pupil appropriate due process pursuant to rules and regulations adopted by the governing board of the school district or private school, withhold the pupil's grades, diploma, or transcripts until the pupil or the pupil's parent or guardian has paid for the damages For the pupil or pupil's parent or guardian unable to pay for such damages, the school district or private school would be required to provide a program of voluntary work in lieu of payment

(2) Under current statutory provisions, a parent or guardian's liability for acts of misconduct of his or her child or ward which result in injury or death to another person or in any injury to the property of another, is limited to $2,000 In all other situations, a parent who has custody or control of a minor is liable for damage caused by such minor's willful misconduct, not to exceed $2,000

This bill would increase to $5,000 the amount for which a parent or guardian could be held liable for the acts of willful misconduct of a minor that cause damage to public or private school property or the personal property of a public or private school employee, or injury or death to a pupil, employee, or volunteer of a private school or public school district

(3) Under current statutory provisions, a parent or guardian is liable for the amount of any reward, not exceeding $2,000, paid by a local agency, as defined, for information relating to the identity and apprehension of a minor whose willful misconduct results in injury or death to any person or destruction of property

This bill would increase such liability to $5,000

(4) Existing law authorizes the governing board of a school district to provide for the payment of the costs of replacing or repairing property of any employee which is damaged in the line of duty without fault of the employee or if such property is stolen from the employee by robbery or theft while the employee is in the line of duty.

This bill would, in addition, authorize school employees whose person or property has been injured or damaged by the willful misconduct of a pupil, as provided, to request the employing school district to pursue legal action against the responsible pupil or the pupil's parent or guardian

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

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

Ch 1150 (AB 66) Lockyer State and local taxation

Under existing law, all property is taxable unless otherwise exempted Presently, 50% of the assessed value of business inventories is exempt from property taxation Procedures have been established for computing revenue losses caused by such exemption, and the state reimburses entities of local government in full for the amount of such losses

This bill would exempt 100% of the assessed value of business inventories from property taxation for the 1980–81 fiscal year and fiscal years thereafter

Under existing law, local agencies and redevelopment agencies receive a subvention from the state for revenues lost by reason of the exemption of such property through a continuous appropriation of money from the General Fund to the Controller to make such subventions Any increase in such exemption affects the continuing appropriation

This bill would increase the property tax exemption for business inventories, would

affect the subventions to local agencies and would thus affect the continuing appropriation for such purpose This bill would also limit the amount of such state subventions based on an inventory tax factor

Existing law prescribes a tax of one-tenth of 1% on baled cotton

This bill would repeal such tax

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

This bill would eliminate the exemptions on gold and silver bullion, dry ice for shipping and packing, and certain cargo containers, presently exempted under the Sales and Use Tax Law, thus subjecting such items to sales and use tax

Under existing Bank and Corporation Tax Law taxes are imposed according to, or measured by, net income, at the general rate of 9%, and at a rate not to exceed 13% with regard to banks, which is in lieu of other specified taxes.

This bill would increase the bank and corporation taxes by various percentages, would revise the in-lieu provisions for banks, and would include financial corporations within those provisions

This bill would create the Financial Aid to Local Agencies Fund and would provide that the taxes estimated to be collected which are attributable to the excess of the bank tax rate over the general tax rate shall be transferred from the General Fund to the Financial Aid to Local Agencies Fund The amount in the fund shall be allocated by the Controller to cities and counties in a specified manner

Existing Bank and Corporation Tax Law permits specified offsets against the franchise tax for financial corporations

This bill would allow such offsets if not used, to be carried forward and used to offset taxes due during the income years 1981 through 1986

The bill would also transfer a specified percentage of the reimbursement for business inventories to the State Litter Control, Recycling and Resource Recovery Fund for the 1979–80 to 1982–83 fiscal years, inclusive, and would repeal the Litter Control, Recycling, and Resource Recovery tax assessment

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

Ch 1151 (AB 638) Young Retail installment sales

Existing law relating to retail installment sales has been interpreted by the courts to apply to a lender who makes a loan to enable a buyer to purchase goods or services where the lender is so closely related to the seller of goods or services that the lender should be treated as a party to the original transaction or as having provided the goods or services

This bill would provide that the provisions relating to retail installment sales shall not apply to transactions in the form of loans made to buyers of goods or services for the purchase of such goods or services where the loan is made by a supervised financial organization, as defined, except under certain specified circumstances It would also exempt completely from the provisions relating to retail installment sales, premium finance agreements entered into by industrial loan companies

No provision of the law relating to retail installment sales provides that a buyer may rescind a contract or purchase order if it is explicitly understood between the seller and the buyer that all or any part of the cash price will be paid from the proceeds of a loan to be obtained by the buyer from a third party if the buyer is unable to obtain such financing and notifies the seller within 3 business days.

This bill would so provide This bill would also make it a misdemeanor to require a purchaser of goods or services to obtain financing from any particular source

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

This bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill and would recognize that claims for costs incurred by the creation of a new crime or infraction are not to be considered by the State Board of Control, but would require a specified report by the Department of Finance

This bill would also state that its intent is to clarify and restate existing law

Ch 1152 (SB 331) Robbins Building standards regulations of state agencies

(1) Under existing law, the State Building Standards Commission is required to promulgate and publish a single State Building Standards Code of all administrative building regulations of state agencies relating to building standards which supersedes all existing administrative regulations relating to building standards issued by individual state agencies

This bill would delete such existing law The bill would enact the State Building Standards Law, which would continue in existence the State Building Standards Commission in the State and Consumer Services Agency, revise its membership and duties as provided in the bill, provide for an executive secretary to the commission to be appointed by, and serve at the pleasure of, the commission The bill would also provide for an assistant to the Secretary of the State and Consumer Services Agency who would be exempt from civil service

This bill would vest in the commission the responsibility for approving and publishing, as specified in the bill, all building standards, as defined in the bill, adopted by state agencies, as defined, into the State Building Standards Code, which code would supersede all building standards, except those relating to mobilehomes, which are adopted by state agencies on or before January 1, 1985, as provided in the bill Excepting regulations relating to mobilehomes, the bill would designate the commission as the sole state agency with authority to approve and publish building standards, as defined, after July 1, 1980

Excepting regulations relating to mobilehomes and occupational safety and health standards, the commission would be given authority to consider appeals from affected parties with respect to interpretation or enforcement of a building standard by a state agency.

The bill would conform other provisions of the codes to the requirements of approval by the commission of all building standards except those relating to mobilehomes and occupational safety and health standards, which are adopted by state agencies and publication of such building standards only in the State Building Standards Code

(2) This bill would also incorporate changes made by AB 118 (Ch 72, Stats 1979), AB 356 (Ch 385, Stats. 1979), SB 728 (Ch 442, Stats 1979), and SB 812 (Ch 434, Stats 1979), of the 1979–80 Regular Session

(3) AB 1111 of the 1979–80 Regular Session repeals and reenacts provisions of law relating to the adoption of regulations by state agencies

This bill would make amendments to certain of such provisions to require building standards to be approved by the State Building Standards Commission before transmittal to the Office of Administrative Law and conform provisions of this bill to the procedures of AB 1111, to become operative on the effective date of AB 1111 if AB 1111 is chaptered and becomes effective before this bill

(4) This bill would also incorporate additional changes in Section 13143 6 of the Health and Safety Code proposed by SB 597 to become operative only if SB 597 and this bill are both chaptered and this bill is chaptered last

(5) This bill would also incorporate changes in Sections 17920, 17920 7, 17951, 17952, 17965, and 17966 of the Health and Safety Code proposed by SB 811 to become operative only if SB 811 and this bill are both chaptered and this bill is chaptered last

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

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

Ch. 1153 (SB 930) Sieroty Hereditary disorders Huntington's disease research and workshop grants

Under existing law, the State Director of Health Services establishes regulations and standards for hereditary disorders programs

This bill would authorize the director to make grants for Huntington's disease research and interdisciplinary workshop grants, as specified The bill would create and provide for the composition of the Scientific Advisory Review Committee which would review and recommend approval of grant applications and monitor grant programs pursuant to the director's regulation The bill would abolish such committee one year after such grants have been made.

The bill would appropriate $200,000 to the State Department of Health Services for such purposes

Ch 1154 (AB 1037) Bates. The developmentally or physicall,/ disabled, and the mentally disordered housing.

Under existing law the Department of Housing and Community Development has the powers of a housing authority with regard to obtaining federal financial subsidies to provide leased housing for the developmentally or physically disabled, or the mentally disordered

This bill would require the Department of Housing and Community Development to establish a program for the purpose of housing assistance for the physically or developmentally disabled, or the mentally disordered The department would in this connection be required to contract with local agencies which provide supportive services for such individuals, where such services are designed to provide a transition to independent living. The local agencies would be required to ensure that the recipients of housing assistance are income qualified under guidelines of Section 8 of the United States Housing Act of 1937, as amended (rent subsidies), as administered by the federal Department of Housing and Urban Development Local agencies would be prohibited from contracting for housing which exceeds such guidelines for fair market rents

The bill would institute an application procedure and would provide that the Department of Housing and Community Development, in reviewing applications of local agencies, may consult with the Departments of Developmental Disabilities, Mental Health, and Rehabilitation

A local agency would be prohibited from contracting for rental of more than 12 units, or for rental of space for more than 24 persons in any one structure There would also be a limit of 18 months occupancy for an individual in a payment assisted unit

The bill would require public and private agencies participating in this program to have program philosophies and activities conforming to prescribed principles

Finally, the bill would appropriate $250,000 to the Department of Housing and Community Development to carry out such program

Ch 1155 (SB 929) Sieroty. Health. genetically handicapped

(1) Under existing law, there is established a Genetically Handicapped Person's Program administered by the State Department of Health Services. Under existing law, Huntington's disease, Friedreich's Ataxia, and Joseph's disease are not expressly included in such program. Existing law, additionally, does not include in such program the provision of certain social support services to help ameliorate the physical, psychological, and economic problems attendant to genetically handicapping conditions

This bill would expressly include Huntington's disease, Friedreich's Ataxia, and Joseph's disease in such program It would also include such social support services in the program

(2) Under existing law, there is established a 9-member Advisory Committee on Genetically Handicapped Person's Program

This bill would make such committee an 11-member committee

(3) Under existing law, the department is required to establish uniform standards of financial eligibility for the treatment services established under the program, including a uniform formula for the repayment services rendered under the program, by a specified date

This bill would require the department to establish uniform standards of financial eligibility for the services under the Genetically Handicapped Person's Program funded pursuant to Item 266 of the Budget Act of 1979

(4) This bill would appropriate $500,000 to the department for purposes of carrying

out the Genetically Handicapped Person's Program

Ch 1156 (AB 378) Vicencia. Public social services. Medi-Cal benefits—working disabled

Existing statutes make a person who was once determined to be disabled in accordance with Section 1614 of Part A of Title XVI of the Social Security Act, ineligible for benefits under such provisions, with the exception of the person who requires in-home supportive care, because the person engages in substantial gainful activity, even though the person continues to suffer from the physical or mental impairments which were the basis of the required disability determination

This bill would allow any such person to become eligible for Medi-Cal benefits if that person's income does not exceed the maximum income for supplemental security income This bill would also allow any such person to become eligible for Medi-Cal benefits as a medically indigent person, if that person's income exceeds the maximum income for supplemental security income, provided that the related maintenance level is the maximum income for supplemental security income and that the person uses all nonexempt income in excess of such maximum to pay his or her share of costs.

The bill would appropriate $503,000 † for transfer to the Health Care Deposit Fund to carry out the act.

Ch 1157 (AB 326) Alatorre Public assistance recipients.

Existing law requires a guardian or, under certain circumstances, an attorney, periodically to present an accounting to the court for settlement and allowance

This bill would delete the requirement of an accounting if the inventory of the estate of the ward indicates that the ward has no income or property and is receiving specified public assistance payments

Existing law provides that the payment under the State Supplementary Program for a disabled minor under 18 living with a guardian is a specified amount which, as paid January 1, 1974, was $213 per month

This bill would provide for a disabled minor under 18 in an out-of-home facility with a nonrelative guardian a payment of an amount which, as paid on January 1, 1974, was $283 per month, and which moneys are continuously appropriated pursuant to Section 15201 of the Welfare and Institutions Code The increase would remain in effect only until June 30, 1980

The bill would take effect immediately as an urgency statute

Specified provisions of the bill would remain operative only until January 1, 1981, if AB 261 and this bill are both chaptered and this bill is chaptered last

Ch 1158 (AB 1322) Hallett School District Salinas Union High School District declining enrollment tuition agreements.

(1) Existing law prescribes a method of computing the revenue limits of a school district, and makes provisions for an adjustment to such computation when the school district anticipates a decline in enrollment

This bill would require the inclusion of certain transferred territory's average daily attendance in computing the extent of declining enrollment for the Salinas Union High School District and, using that computation, would permit an adjustment to its revenue limit for any prior fiscal year

This bill would further require in all other cases the exclusion of certain transferred territory's average daily attendance in computing the extent of declining enrollment in the transferor district

(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

This bill would further authorize the governing board to terminate the services of certificated employees whenever the attendance in a district will decline in the following year as a result of the termination of an interdistrict tuition agreement.

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

† Appropriation reduced to $50,000 by action of the Governor

Ch 1159 (AB 130) Goggin Youth service bureaus

Under existing law the Youth Authority is authorized to share in the cost of youth service bureaus meeting designated standards at the rate of 50% of the actual fiscal year cost or $80,000 per fiscal year, whichever amount is lesser

This bill would require the department to so share in such costs

It would require youth service bureaus to maintain designated records and procedures and submit specified monthly reports to the department

It would also require the Department of the Youth Authority to submit a specified report to the Legislature by January 1, 1981, with regard to such bureaus.

It would appropriate $480,000 from the General Fund to the Department of the Youth Authority for the 1979–80 fiscal year for the above purposes.

The bill would take effect immediately as an urgency statute

Ch 1160 (AB 887) Gage Mobilehomes.

(1) Existing law prohibits the removal of wheel hubs and axles from a mobilehome except for the purpose of making temporary repairs or placing it in dead storage

This bill would permit a mobilehome owner, dealer, or manufacturer to remove the towbar, wheels, wheel hubs, and axles from a mobilehome when certain conditions are met

(2) Existing law defines a mobilehome as, among other things, a vehicle or trailer coach to be used without a permanent foundation Existing law also prohibits the installation of a mobilehome on a permanent foundation

This bill would redefine a mobilehome, for purposes of specified provisions, as a structure to be used with or without a foundation system. It would permit a mobilehome to be installed on a foundation in a specified manner after certain conditions are fulfilled It would require an owner of a mobilehome to obtain a building permit from a local agency for such installation, as specified It would require the Department of Housing and Community Development to adopt regulations for acceptable foundation systems for mobilehomes and would prescribe a method for accepting alternate systems, as specified

It would expressly prescribe that a mobilehome installed on a foundation system be subject to state enforced health and safety standards for mobilehomes. It would also prescribe that no local agency shall require mobilehomes currently on private property be installed on foundation systems, as specified It would prescribe that if certain conditions are not fulfilled that a mobilehome installed on a foundation system not be deemed to be a fixture or improvement to real property

(3) Existing law requires payment of a vehicle registration fee for registering vehicles and mobilehomes, as required by law

This bill would change such registration fee requirements for any mobilehome which must be moved under permit which was installed for occupancy as a residence on a foundation system

It would also require the Department of Motor Vehicles to adopt regulations providing for the cancellation of registration of a mobilehome permanently affixed to a foundation system

(4) Pursuant to the Documentary Transfer Tax Act, cities and counties are authorized to impose a tax on each deed, instrument, or writing by which any lands, tenements, or other realty sold shall be conveyed

This bill would specify that the transfer of a mobilehome installed on a foundation system pursuant to specified provisions and subject to ad valorem property taxes shall be subject to such tax

(5) Under existing law, a state vehicle license fee tax is imposed, at the rate of 2% of the market value of the vehicle, for the use of the state highways, which is in lieu of local property taxes The market value of trailer coaches which must be moved under permit is determined according to a statutory depreciation schedule

This bill would exempt any mobilehome which must be moved under permit from such in lieu tax if the mobilehome is installed on a foundation system pursuant to specified provisions for occupancy as a residence and would subject to local property taxation those mobilehomes exempted from such in lieu tax.

(6) Existing Sales and Use Tax Law provisions impose 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 gross receipts from the sale or use of certain mobilehomes are subject to such tax, while, for the period ending December 31, 1979, 40% of the sale price of factory-built housing is deemed to be the taxable gross receipts from such transaction.

This bill would provide that any new mobilehome sold after the effective date of the bill which is installed on a foundation system pursuant to specified provisions for occupancy as a residence and is subject to taxation shall be subject to local property taxation and would specify that for purposes of the sales tax 40% of the sale price of a mobilehome is deemed to be the taxable gross receipts from such transaction, as specified

This bill would provide for an alternative method of imposing such a tax if Senate Bill No 1004 is chaptered on or before January 1, 1980, as specified.

(7) Under existing law, there is continuously appropriated from the General Fund an amount sufficient to, among other things, reimburse local government agencies for the tax loss attributable to the homeowners' property tax exemption

This bill would make certain mobilehomes subject to real property taxation and thus eligible for such homeowners' property tax exemption

(8) This bill would require a specified fee to be paid to the Department of Housing and Community Development to be deposited in the Mobilehome Revolving Fund for enforcement of certain consumer protection provisions, as specified.

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 to reimburse local agencies for costs incurred by them in the 1980–81 fiscal year, or any subsequent fiscal year, for a specified reason, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

It would appropriate $200,000 to the State Controller for allocation and disbursement to local agencies and school districts for costs incurred by them pursuant to this act during the 1979–80 fiscal year

This bill would also incorporate additional changes in Section 2982 of the Civil Code contingent upon the enactment and prior chaptering of AB 258.

Ch 1161 (AB 1019) Hannigan Taxation

Chapter 242 of the Statutes of 1979 implemented various provisions of Article XIII A of the California Constitution and among other things, requires a transferee of property to file a change of ownership statement. Such statement shall contain such information relative to the real property acquisition transaction as the assessor shall prescribe and shall contain a notice Failure to file the statement shall result in a penalty which is added to the current assessment roll and shall become a lien against the real property

This bill would require the State Board of Equalization to prescribe the information which shall be contained in the change of ownership statement after consultation with the assessor's association, it would also provide that the penalty imposed for failing to file the statement shall be added to the roll in the same manner as escaped assessment and shall be treated and collected like all other taxes on the roll in which it is entered

This bill would make other technical and substantive changes to Chapter 242 of the Statutes of 1979 in order to further implement Article XIII A of the California Constitution

Chapter 282 of the Statutes of 1979 implemented various provisions of Article XIII A of the California Constitution and, among other things, provides for the allocation of property tax revenues among local agencies

This bill would make various supplemental changes in these allocation provisions

Chapter 282 of the Statutes of 1979 provided for reductions, as specified, in moneys for local assistance in fiscal year 1980–81 and thereafter, under specified conditions.

This bill would make changes, as specified, in the sources of moneys to be reduced and the conditions for such reductions

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 property limitations thereon, have been based on the assessed value of taxable

property and the full value of other property Moreover, Chapter 1207 of the Statutes of 1978 provides that whenever assessed value is used as the test of such exemption, it shall be increased accordingly when the assessment ratio is increased from 25% to 100%, and Chapter 260 of the Statutes of 1979 clarifies the meaning of such section, by specifying that the property limitations on the above exemption which are based on the value of assessable property shall also be increased accordingly when the assessment ratio is increased from 25% to 100%

This bill would make various changes to Chapter 260 of the Statutes of 1979 in order to further clarify the meaning of such section

Existing law provides that whenever a fire protection district or city fire department is dissolved or the area it serves is decreased by reason of a consolidation, merger, incorporation or annexation, the fire protection district or city fire department taking over the duties of the dissolved or decreased district or department when hiring additional firemen, shall give first choice for the positions to firemen employed by the dissolved or decreased district or department

This bill would provide that such provision shall also apply when the district or department is dissolved or the area it serves is decreased by reason of a contract

Existing law provides that if the civil service commission of a fire protection district finds that any person has been employed by a city which has been annexed to or included within a district in a position which is substantially the same as those of any position in the fire protection district, the commission may certify that such person is eligible to hold such district position

This bill would provide that such provisions shall also apply whenever the person has been employed by a city which has contracted with a fire protection district for all fire protection and rescue services.

Existing law provides that a city, or any portion thereof, may be included within a fire protection district and that the district board may require as a condition to the inclusion that the city remain a part of the district for a period of time not to exceed 10 years.

This bill would provide that the district board may require as a condition to the inclusion that the legislative body agree to remain part of the district for a period of at least 10 years and annually pay the actual adjusted cost of services provided by the district

Existing law exempts from taxation property used exclusively for religious, hospital, scientific, or charitable purposes owned and operated by community chests, funds, foundations or corporations organized for specified purposes

This bill would provide that any nonprofit corporation organized and operated for the advancement of education, improvement of social conditions, and improvement of job opportunities of low-income, unemployed and underemployed citizens shall not be disqualified from receiving the welfare exemption from property taxation, if otherwise qualified, solely because the organization receives all its funds from governmental agencies

Under existing provisions of the Sales and Use Tax Law, certain dealers of mobile transportation equipment who lease such equipment may elect to pay use tax measured by the fair rental value

This bill would provide that a lessor of mobile transportation equipment who cannot otherwise properly issue a resale certificate may issue a resale certificate for the limited purpose of reporting his use tax liability based on fair rental value

Existing provisions of the Sales and Use Tax Law exempt from sales and use taxes the sale or use of watercraft used in interstate or foreign commerce for commercial deep sea fishing operations

This bill would limit such exemption to watercraft used in interstate or foreign commerce for commercial deep sea fishing operations by persons who are regularly engaged in commercial deep sea fishing

Existing provisions of the Timber Yield Tax Law provide that if any person is delinquent in the payment of the tax, the State Board of Control shall give notice personally or by registered mail to all persons having any credits or personal property belonging to the delinquent

This bill would provide that such notice shall be made personally or by first-class mail

Under existing law, Sections 2229, 2231, and 2234 of the Revenue and Taxation Code provide that the state shall reimburse certain entities of local government for loss of

property tax revenues and for certain costs mandated by the state Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement

This bill provides that there shall be no appropriation pursuant to Section 2229, 2231 or 2234 for specified reasons

This bill would provide that if any provision of this act is held invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision

This bill would take effect immediately as an urgency statute

Ch 1162 (SB 165) Mills Commission on State Finance

Under existing law, there is no state commission which comprises membership from both the executive and legislative branches of government which attempts to make quarterly and annual forecasts of the state revenues and expenditures and projected surpluses or deficits and administers state funds as proposed by this bill

This bill would create the Commission on State Finance until July 1, 1984, which is composed of specified legislative members or their designees and members of the executive branch of government or their designees and which has the duty to provide the Legislature, the Governor, and the public with forecasts of state revenues, current expenditures, and the surplus or deficit at least 4 times a year

This bill would provide the Commission on State Finance with specified powers to carry out its duties and responsibilities

This bill would appropriate $97,500 from the General Fund for the 1979–80 fiscal year to the commission to perform its functions This bill would also provide for the transfer of specified personnel to the Commission on State Finance from the Department of Finance and other departments selected by the Department of Finance in consultation with the commission, to assist the commission in carrying out its duties

Ch 1163 (AB 1395) Berman Medi-Cal pilot program skilled nursing pharmacy services—capitated reimbursement

Under existing law, the State Department of Health Services is required to establish various Medi-Cal health service delivery systems pilot programs, which may provide for payment on various bases

This bill would require the establishment of a 2-year pilot program, containing specified elements, to determine the feasibility of providing Medi-Cal reimbursements on a capitated basis for pharmacy services provided in skilled nursing facilities, exemption of participating pharmacies from the Knox-Keene Act, as specified; an evaluation of the project, as specified, an evaluation of changes in the quality of patient care; and a related report to the Legislature by January 1, 1982

This bill would appropriate $130,000 for the purposes of this act, without regard to fiscal year

Ch 1164 (AB 98) Levine County Employees Retirement Law of 1937 district employees

(1) Under existing law, employees of the South Coast Air Quality Management District are required to be members of the Los Angeles County Employees' Retirement Association except those employees who elected by January 1, 1978, not to remain members of such association Persons employed by the district after January 1, 1979, are required to become members of the San Bernardino County Employees' Retirement Association A person not electing to remain a member of the Los Angeles County Employees' Retirement Association was required to elect by January 1, 1979, to become a member of the San Bernardino County Employees' Retirement Association or the Orange County Employees' Retirement Association

This bill would permit such members to elect before January 1, 1980, to become members of the San Bernardino County Employees' Retirement Association or the Los Angeles County Employees Retirement Association

(2) Under the County Employees Retirement Law of 1937, the board of supervisors, with the approval of the board of retirement, may pay any portion of the members' normal contribution to the county retirement system if the county has adopted any one of specified tables of retirement allowances.

The bill would extend the same authority to the district board of the South Coast Air Quality Management District

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

Ch 1165 (AB 1762) McVittie Fire insurance

Existing law specifies a California Standard Form Fire Insurance Policy which provides that agreed upon payments in settlement of an insured's claim be made within 60 days of proper proof of the claim.

This bill would require such payments to be made within 30 days after liability is established or settlement is reached It would also require that interest be paid on payment of such claims after 30 days, and that the company shall be liable for attorneys' fees and costs of collection if legal action is necessary to obtain payment after 30 days, during which the company has willfully failed to pay such sum.

Ch 1166 (SB 174) Roberti. Urban open-space and recreation program

(1) The Roberti-Z'berg Urban Open-Space and Recreation Program Act provides for block grants and need basis grants to cities, counties, and districts under the program for the acquisition or development of recreational lands and facilities, but permits up to 25% of grant moneys appropriated by Item 222 of the Budget Act of 1978 to be expended by the recipient for the operation and maintenance of such recreational lands and facilities, subject to specified restrictions and in accordance with criteria, rules, and procedures established by the Department of Parks and Recreation

This bill would authorize 2% of grant moneys appropriated by such item and any subsequent act to be expended for innovative recreational programs for the handicapped and up to 23% of such money to be expended for operation and maintenance or for innovative recreational programs, as defined, would recast other provisions to specify that the grant program is a continuing program, and make various conforming and technical changes

The bill would require grants for each fiscal year to be based on the jurisdictional boundaries of recipients as of July 1st

(2) Under the Roberti-Z'berg Urban Open-Space and Recreation Program Act, specified percentages of grant moneys are allocated to urbanized areas, heavily urbanized areas, and urbanized counties, as defined Such areas and counties are determined by the United States Department of Commerce, Bureau of the Census, 1970

This bill would provide instead that such areas and counties shall be determined by the Department of Parks and Recreation, in cooperation with the Department of Finance, on the basis of the most recent verifiable census data.

(3) The bill would appropriate $20,000,000 to the department for the grant program to be allocated by the Director of Parks and Recreation during the 1980–81 and 1981–82 fiscal years in equal amounts of $10,000,000 each year

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

Ch. 1167 (SB 195) Holmdahl Inheritance tax carryover basis property tax reimbursements

The California Tax Reform Act of 1977 conformed various provisions of the Inheritance Tax Law to the Internal Revenue Code as revised by the Federal Tax Reform Act of 1976

This bill would postpone the effective date of the carryover basis rules for property passing from a decedent until January 1, 1980, to conform such dates to the deferral provisions of the Federal Revenue Bill of 1978 and would make further conforming provisions relating to income from certain dispositions of property.

Under California Personal Income Tax Law, the gain from the disposition of property which is included in taxable income is that amount of the total gain from its disposition, minus the adjusted basis of such property, which generally includes the cost of the property and certain improvements The basis of property in the hands of a person acquiring the property from a decedent dying on or before December 31, 1976, is the fair market value of such property at the time of its acquisition

However, pursuant to Chapter 1079 of the Statutes of 1977, the Legislature mandated that the basis of property in the hands of a person acquiring the property from a decedent dying after December 31, 1976, is the adjusted basis of the property immedi-

ately before the death of the decedent, as adjusted

The bill would delay until December 31, 1979, the date of a decedent's death after which the basis of such property shall be the adjusted basis of the property immediately before the decedent, rather than December 31, 1976

The bill would take effect immediately as a tax levy

Ch 1168 (AB 93) W Brown Personal income tax

The Revenue Act of 1978 and the Energy Tax Act enacted by Congress made various changes in the federal income tax provisions

This bill would revise various specified provisions of the Personal Income Tax Law, the Bank and Corporation Tax Law, and the Inheritance Tax Law to conform them to certain changes in the Federal Income Tax Law made by the Revenue Act of 1978 and the Energy Tax Act

This bill would take immediate effect as a tax levy but the operative date of the act would depend on its effective date

Ch 1169 (AB 797) Lehman Poisons.

Existing law makes it a misdemeanor to sell specified poisons including toluene and related hydrocarbons to any person under the age of 18 and specifies that punishment for conviction shall be a fine of not less than $100 nor more than $500 or imprisonment for not less than 90 days nor more than 1 year or by both such fine and imprisonment

This bill would add a new provision which would specifically make it a misdemeanor to sell, dispense, or distribute toluene to a person under the age of 18 and would specify that the punishment for selling toluene or any substance containing toluene, as specified, shall be a fine of not less than $1,000 nor more than $2,500 or by imprisonment for not less than 6 months and not more than 1 year The bill would require a court to suspend the business license of a person who, after a previous conviction of such provision, knowingly violates that provision, with specified exceptions

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

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

Ch 1170 (AB 381) Boatwright Civil law public social services.

(1) Existing civil law provides that an individual is not bound to maintain his or her spouse's children by a former relationship, but if the individual receives them into his or her family and supports them, it is presumed that he or she does so as a parent

This bill repeals this law

(2) Under existing civil law, a wife's interest in community property, which includes her husband's earnings, is liable for the support of her children to whom the duty of support is owed For purposes of such liability, the husband's prior support liability plus $300 gross monthly income is excluded in determining the wife's community property interest

This bill would provide, in the civil statutes that, notwithstanding such civil law, the community property interest of a natural or adoptive parent in the income of the spouse shall be considered unconditionally available for care and support of a child who resides with the child's natural or adoptive parent who is married to such spouse, that the amount arising from such duty to care for and support shall be reduced by the amount of any existing previously court ordered child support obligations of such spouse; and that any contribution for care and support provided by a spouse who is not a natural or adoptive parent of the child shall not be considered a change in circumstances that would affect a court ordered support obligation of a natural or adoptive parent for that child

This bill would also provide, in the statutes relating to Aid to Families with Dependent Children (AFDC) that, notwithstanding such civil law and to the extent permitted by federal law, the community property interest of a natural or adoptive parent in the

income of the spouse shall be considered unconditionally available for care and support of a child who resides with the child's natural or adoptive parent who is married to such spouse, that the amount arising from such duty to care for and support shall be reduced by the amount of any existing previously court ordered child support obligations of such spouse, and that any contribution for care and support provided by a spouse who is not a natural or adoptive parent of the child shall not be considered a change in circumstances that would affect a court ordered support obligation of a natural or adoptive parent for that child

(3) Existing law specifies a procedure by which the State Department of Social Services may compel a county to comply with any program administered by the department.

This bill would revise that procedure.

(4) Under existing law, any dissatisfied applicant for or recipient of public social services is entitled to a fair hearing if he files a request within 1 year of the action complained of.

This bill would reduce the filing period to 90 days

(5) Existing law provides that when an overpayment in public social services results because of a willful failure to report facts or a willful fraudulent device, the county providing the services shall be allowed 1 year following the month of the overpayment discovery or 1 year following a specified hearing, to adjust current grants to recover the overpayment.

This bill would change the 1-year period to 2 years, define "willful failure to report facts," and require [, upon a hearing determination that a overpayment resulted from such a willful failure,]* the county to seek to recover any aid paid while the hearing process was pending, [as specified]*

(6) An existing statute, as construed by the courts, requires that a demand for restitution of aid fraudulently obtained by a recipient under the Aid to Families with Dependent Children program, be made prior to the bringing of a related criminal action.

This bill would restrict the application of such requirement, as a prior condition to the bringing of a related criminal action, to situations wherein the alleged violation is limited to failure to report ~~not more than $2,000~~* income or resources or ~~to failure to report~~* the presence in the household of an additional person or persons [and such failure results in an overpayment of not more than $2,000]* , would provide that restitution shall be sought by prior request, civil action, or other suitable means, and would provide that such action for restitution may be satisfied by the sending of a registered letter, as specified.

(7) Under the Food Stamp Program the director of a county welfare department may seek from the Director of Social Services a waiver of direct mail issuance if reasonable access is afforded recipients by over-the-counter issuance. The law also specifies various crimes connected with program abuse.

This bill would also authorize a waiver of over-the-counter issuance. It would require methods for both over-the-counter and mail issuance in those cases where a household is in immediate need or is eligible for the replacement of a previous issuance It would make it a misdemeanor for any retail food store, wholesale food concern, or person to sell, furnish or give away any goods or services, other than those items authorized by federal law, in exchange for food stamps issued pursuant to the Food Stamp Program.

The bill would make various technical changes to conform to provisions of federal law governing the Food Stamp Program.

(8) The bill provides that there shall be no reimbursement or appropriation for state-mandated local costs for a specified reason.

Ch 1171 (SB 784) Watson. AFDC-fraud criminal action-required prior restitution request

An existing statute, as construed by the courts, requires that a demand for restitution of aid fraudulently obtained by a recipient under the Aid to Families with Dependent Children program, be made prior to the bringing of a related criminal action

This bill would restrict the application of such requirement, as a prior condition to the bringing of a related criminal action, to situations wherein the alleged violation is limited to failure to report not more than $2,000 of income or resources or failure to report the presence in the household of an additional person or persons and would provide that

such action for restitution may be satisfied by the sending of a registered letter to the last address at which the person was receiving public assistance

Ch 1172 (AB 1438) Bates Alcoholism and mental health programs· local programs.

(1) Under existing law prior to July 1, 1978, the state funded 90% of the county alcoholism programs The county's financing of 10% of such programs was waived until July 1, 1979 From July 1, 1979, to July 1, 1982, the state is required to pay the costs of all such programs except for certain state hospital services. Thereafter, the state funds 90% and the county funds 10% of such programs.

This bill would, instead, from July 1, 1979, to July 1, 1982, waive the county's financing of 10% of such programs, except for specified state hospital services, for which financing would be waived only until January 1, 1980 Such provisions in this bill would be repealed on January 1, 1980, if AB 272 is chaptered in 1979

(2) Under the Budget Act of 1979, $15,000,000 is appropriated to the State Department of Mental Health for assistance to Short-Doyle programs, community residential treatment programs, and community support services to be held in reserve until the State Department of Mental Health makes a report to the Legislature on or before October 1, 1979, and until such amount is reappropriated by the Legislature

This bill would make such reappropriation provided the report is made to the Legislature and subject to other conditions, as specified.

(3) Under existing law, there is no specific authority for the State Department of Mental Health to prepare and submit a preliminary design for a statewide system of electronic data collection and analysis of mental health information

This bill would give the department such authority and appropriate $300,000 from the General Fund to the department for such purposes.

(4) Under existing law, there is no specific authority for the State Department of Mental Health to develop a statewide mental health prevention program to reduce the need to utilize the treatment system and develop and strengthen community support and self-help networks

This bill would give the department such authority and appropriate $750,000 from the General Fund to the department for such purposes.

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

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

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

Ch 1173 (SB 328) Beverly Insurance

Existing law authorizes an insurer and the insured, by separate writing, to delete automobile liability insurance coverage when the vehicle is being used or operated by a natural person or persons designated by the insured.

This bill would specify that such exemption includes the insurer's obligation to defend under such circumstances except where the designated person meets specified criteria.

For purposes of uninsured motorists coverage, existing law defines "insured" as the named insured and the spouse of the named insured and relatives of either while residents of the same household

The bill would revise such definition to define "insured" as the named insured and the spouse of the named insured and, while residents of the same household, the relatives of either

The bill would make additional clarifying and technical changes

Ch 1174 (SB 966) Beverly Probation

Existing law does not provide for a county probation officer to notify a judge of such officer's lack of resources to meet his legal responsibilities.

This bill would authorize such notice.

Existing law does not expressly define probation

This bill would provide a specific definition

Existing law provides for probation revocation, modification or termination upon notice of a court, district attorney or probationer

This bill would include the probation officer as a person who may make such motion.

This bill would also incorporate changes in Section 1203 of the Penal Code proposed by SB 749 to become operative if both bills are enacted and this bill is chaptered last

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

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

Ch 1175 (SB 469) Presley Drug offenses denial of probation.

Existing law provides that probation shall not be granted to persons convicted of various offenses except in unusual cases where the interests of justice would best be served by the granting of probation.

This bill would also deny probation in the same manner for any person who knowingly manufactures phencyclidine (PCP)

This bill also makes additional changes proposed by SB 966, to be operative only if SB 966 and this bill are both chaptered and become effective on January 1, 1980, and this bill is chaptered after SB 966

Ch 1176 (AB 1173) Vasconcellos. Community college fees school districts county superintendents of schools CSUC funds

(1) Existing law requires that a student classified as a nonresident, as defined, pay with some exceptions, in addition to other fees required, a nonresident fee for attendance at a community college

This bill would provide that a student who is employed as a peace officer by a public agency, as defined, may be classified by a community college district as a resident for purposes of enrollment in and completion of police academy training at a community college

(2) The Budget Act of 1978 (Ch 359, Stats 1978) required school districts and county superintendents of schools to maintain certain levels of service for specified programs as a condition to receiving specified state funds for fiscal year 1978–79 Chapter 282 of the Statutes of 1979 provides that if a school district or county superintendent of schools did not maintain such required levels of service in the 1978–79 fiscal year and had 1978–79 fiscal year apportionments withheld accordingly, the 1979–80 fiscal year apportionments shall be recalculated, as specified, to restore partially the funding withheld

This bill would provide for further restoration in part of such funds if a school district or county superintendent of schools which did not maintain the required level of service in the 1978–79 school year for adult education programs for substantially handicapped persons provides for comparable supplementary program expenditures, in addition to expenditures for services otherwise required to be rendered in the 1979–80 school year, for students denied instruction in such programs in the 1978–79 school year, as specified.

(3) This bill would appropriate $2,000,000 for the support of the Trustees of the California University and Colleges, and for the California State University and Colleges for the 1979–80 fiscal year for specified purposes.

Ch 1177 (SB 840) Ayala. Juvenile court law

Existing law provides for a judicial determination of whether a minor who is accused of criminal conduct committed when he was 16 years of age or older is a fit and proper subject to be dealt with under the juvenile court law or whether the minor should be tried as an adult

This bill would provide that a minor who is accused of the commission of certain designated felonies committed when he or she was 16 years of age or older shall be presumed not to be a fit and proper subject to be dealt with under juvenile court law unless the court makes an affirmative finding regarding fitness based upon a positive

finding as to each of several specified criteria.

The provisions of the bill would be operative only if SB 196 is chaptered

The bill would incorporate additional changes proposed by SB 13, to become operative if both bills are chaptered and this bill is chaptered last

Ch 1178 (SB 522) Dills. Public Employees' Retirement System contracting agencies.

Existing Public Employees' Retirement Law provides that a contracting agency's election to be subject to optional benefit provisions by amendment of its contract is irrevocable until the contract is terminated

The bill would, until July 1, 1980, permit any contracting agency which is a city to rescind any amendments to its contract which became effective on December 16, 1977

Ch 1179 (SB 1025) Schmitz Tear gas weapons

Existing law forbids the purchase, possession, or use of tear gas or any tear gas weapon by any person unless such person completes a specified course at a certified training institution and has been issued a permit by the police chief or sheriff having jurisdiction over the person's place of residence

This bill would instead permit the course to be taken under the auspices of a certified institution and provide for the issuance of permits by licensed vendors of tear gas and tear gas weapons

Existing law allows licensed vendors to sell tear gas or tear gas weapons only in the building designated in the license

This bill would make an exception to permit sales of such products under a general sales license at the place of instruction

Existing law requires the keeping of a complete record of the sales of tear gas and tear gas weapons made under the authority of a license which shall be open to inspection by law enforcement personnel or others, as specified.

This bill would require that a copy of the sales record of each transaction with respect to tear gas and tear gas weapons be furnished to the chief of police or sheriff.

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

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

Ch. 1180 (SB 1004) Presley Mobilehomes taxation

(1) Under existing law, a permit is required for the installation of a mobilehome and certain requirements are set forth for such installation

This bill would require that when an installation permit is issued, beginning on July 1, 1980, a copy of such permit be delivered to the county or city assessor having jurisdiction where the mobilehome is sited

(2) Under existing law, for purposes of taxation, mobilehomes are treated as vehicles.

This bill would make any mobilehome sold on or after July 1, 1980, which is installed for occupancy as a residence, in accordance with specified provisions, subject to local property taxation, as specified. It would make other conforming and related changes

(3) Under existing law, there is continuously appropriated from the General Fund an amount sufficient to, among other things, reimburse local government agencies for the tax loss attributable to the homeowners' property tax exemption

This bill would make certain mobilehomes subject to local property taxation and thus eligible for such homeowners' property tax exemption The bill would provide provisions declaring the Legislature's intent in this regard

(4) Existing Sales and Use Tax Law provisions impose 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 gross receipts from the sale or use of certain mobilehomes are subject to such tax, while, for the period ending December 31, 1979, 40% of the sale price of factory-built housing is deemed to be the taxable gross receipts from the sale to the

consumer

This bill would provide that any new mobilehome sold after the operative date of the bill which is installed in a specified manner shall be subject to local property taxation and would specify that for purposes of the sales tax 80% of the sale price of a mobilehome is deemed to be the gross receipts from the sale of the mobilehome to the retailer, and would specify that the retailer shall be considered to be the consumer for purposes of such law

(5) Under existing law, qualified claimants who are 62 years of age or older or totally disabled may receive property tax assistance and postponement relief for the taxes on the claimant's dwelling which is owned or rented by the claimant, which is computed according to the taxes on the owned dwelling or according to a statutory equivalent to taxes on the rented dwelling

This bill would specify that an individual who is the owner and occupant of a mobilehome subject to property taxation, but who rents or leases the land where the mobilehome is situated shall only qualify for the homeowners' assistance

(6) Existing Personal Income Tax Law authorizes a refundable credit for authorized renters, including instances of land only, in the case of mobilehomes.

This bill would exclude renters of land used as the location of certain mobilehomes used as a dwelling which are subject to property taxation from the application of the refundable credit for renters

(7) Existing law provides for the registration of mobilehomes in the same manner as trailer coaches

This bill would prescribe the manner in which new mobilehomes sold and installed for occupancy as a residence, in accordance with specified provisions, on or after July 1, 1980, are to be registered with the Department of Motor Vehicles

(8) This bill would declare that it is the intent of the Legislature that certain mobilehomes for specified purposes be deemed to be personal property

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

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

It also provides that no appropriation is made by this act pursuant to Section 2230 of the Revenue and Taxation Code for a specified reason

Ch 1181 (SB 132) Greene Employment· Vocational education and job training programs.

Existing law contains various work incentive programs, employment services programs, and career opportunities development programs.

This bill would enact the California Work-Site Education and Training Act of 1979 which would declare that it is the policy of the state to provide job training programs which integrate classroom instruction with entry level and career work-site training for youth and the economically disadvantaged The bill would permit applicants to receive financial assistance to implement an integrated classroom and career work-site training program developed pursuant to criteria established by the Employment Development Department, in concert with the Department of Industrial Relations, the Chancellor of the Community Colleges, and the Department of Education The applicants would also be required to provide assurances that program funds would not be used to finance vocational training programs provided during 1978 and assurances that program participants would receive the appropriate wage otherwise required by law or agreement

The Employment Development Department would be required to prepare a preliminary report for the Joint Legislative Budget Committee by March 15, 1980, and an annual report to the Legislature and other interested parties with respect to the impact and cost-effectiveness of such program

The bill would appropriate $25,000,000 without regard to fiscal year from the General Fund to the Employment Development Department to carry out the provisions of the bill

Ninety percent of such appropriation, as well as any other funds available to the department to carry out the program authorized by the bill, would be required to be allocated to urban areas, as defined by the department, and 10% to rural areas

This bill would take effect immediately as an urgency statute and its provisions would be repealed 3 years thereafter

Ch 1182 (SB 93) Greene Jobs tax credits

Existing provisions of California Personal Income Tax Law and Bank and Corporation Tax Law do not authorize a credit for the employment of certain persons by the taxpayer.

This bill would authorize a credit against such taxes in an amount equal to 10% of the amount of wages, not to exceed specified limitations, paid to certain individuals during the first two years of employment within specified limits, as certified by the Employment Development Department

This bill would specify that the Employment Development Department shall administer certain provisions of the credit authorized by this bill, except those functions reserved to the Franchise Tax Board and would require the Employment Development Department to report annually to the Legislature

This act would remain in effect only until December 31, 1984, and as of such date is repealed, unless a later enacted statute which is chaptered before December 31, 1984, deletes or extends such date, except that for the targeted groups of Supplemental Security Income/State Supplementary Program to the Aged, Blind, and Disabled recipients and general assistance recipients, the act shall be operative during such time as the federal Targeted Jobs Tax Credit program is in effect

This bill would appropriate $250,000 from the General Fund for purposes of carrying out the provisions of this act

This bill would provide for a tax levy and would take immediate effect although the operative date of the act would depend on its effective date

Ch 1183 (SB 910) Greene Economic and business development

(1) Existing law contains no provision requiring all public agencies, in the exercise of their statutory responsibilities, to consider policies and recommendations of the Department of Economic and Business Development

This bill would enact such a requirement

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

This bill provides that no appropriation is made by this act pursuant to Section 2231 or 2234 of the Revenue and Taxation Code, because the duties, obligations, or responsibilities imposed on local agencies or school districts by this act are such that related costs are incurred as part of their normal operating procedures, but recognizes that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs

Ch 1184 (AB 1001) Papan Structural pest control

Existing law provides that all licenses and office registrations issued by the Structural Pest Control Board expire on June 30th of each year

This bill would provide instead for a 3-year licensure and registration, as specified

Existing law authorizes unlicensed individuals working as employees of persons licensed by the Structural Pest Control Board to use insecticides, pesticides and other chemical agents in the control of pests, except for the use of specified dangerous or lethal fumigating chemicals which are included in Branch 1 of the practice of structural pest control

This bill would require any such unlicensed individual to pass an examination conducted by the board, as specified, prior to the use of any such chemical agents included in Branch 2 or Branch 3 of the practice of structural pest control and would authorize the board to charge a fee for such examination, as specified

Existing law does not specify any specific training or experience requirements for an

applicant for a field representative license in Branch 2 or Branch 3 of the practice of structural pest control

This bill would require applicants for such licenses to submit proof of training and experience in specified areas of pest control as a condition of taking the examination for such licenses

Existing law specifies that applicants for a structural pest control operator's license must, among other things, submit proof of evidence of experience and pass an examination, as specified. The law does not require evidence of completion of any course or courses in pest control

This bill would, on or after July 1, 1981, require such applicants for such licenses to complete specified board approved courses in pest control depending upon the branch of pest control for which the applicant is applying for licensure The bill would require the board to develop correspondence courses for such courses through such educational institution or institutions as it deems appropriate and would authorize the institution to charge a reasonable fee for each course offered

Existing law does not require licensees of the Structural Pest Control Board to complete any continuing education courses as a condition of renewal of any such license.

This bill would require that, on and after July 1, 1981, such licensees are to submit proof of completion of courses in developments in the field of pest control as a condition of renewal of any such license The bill would allow such licensee to take an examination in lieu of such proof and would require the board to develop correspondence courses to be taken by applicants through such educational institution or institutions as it deems appropriate

This bill would authorize the board to charge a fee for conducting such examination

Existing law provides that all money collected pursuant to provisions regulating the practice of structural pest control is to be deposited in the Structural Pest Control Fund and is continuously appropriated to such board to carry out such provisions.

The fees provided by this act would result in an increase in such fund

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

This bill provides that there shall be no appropriation pursuant to Section 2231 or 2234, but recognizes that local agencies and school districts may follow their other available remedies to seek reimbursement for these costs

Ch 1185 (AB 1744) Roos. Mobilehome parks

Existing law regulates the landlord and tenant relationship between the management of a mobilehome park and the owner of a mobilehome located therein, and prohibits the termination of a tenancy by the management except for specified reasons, including the nonpayment of rent, utility charges, or reasonable incidental service charges by the tenant, and requires the giving of a written notice of not less than 60 days.

This bill would require, as a condition to termination for such nonpayment, that a written notice of 3 days to pay the amount due or to vacate the tenancy shall be given to the tenant in the manner specified. Such notice may be given prior to, or concurrently with, the 60 days' notice of termination of the tenancy for such nonpayment Payment of such amount due, prior to the expiration of the 3 days' notice period, would cure a default with respect to such payment, thus removing such nonpayment as a reason for termination of the tenancy

This bill would provide that the tenant shall remain liable for all payments due up until the time the tenancy is vacated and that the legal owner of a repossessed mobilehome shall have the same rights as a tenant to sell the mobilehome, as specified

Existing law provides no procedure to summarily evict a tenant of a recreational vehicle park

This bill would authorize a recreational vehicle park, upon serving the required notices, to cause a recreational vehicle to be removed from the park to the nearest secured storage facility for specified reasons, which reasons must be incorporated as a part of the required written agreement between the park and the recreational vehicle owner or operator. Such provisions would not apply to any landlord-tenant relationship,

to any person who occupies a recreational vehicle in a park continuously for 9 months or more after January 1, 1979, or to a mobilehome

This bill would also incorporate changes in Section 798 56 of the Civil Code proposed by SB 1170 to become operative if both bills are enacted and this bill is chaptered last

Ch 1186 (AB 1317) Kapiloff Clinics health planning· grants and loans

(1) Existing law specifies factors to be considered in the development and adoption of statewide health planning policies.

This bill would declare the intent of the Legislature not to limit the expansion of surgical clinics based upon adverse consequences with respect to utilization of hospital operating rooms, where hospitals have not made efforts to fully utilize their ambulatory operating capacity and to provide ambulatory surgical services at reasonable cost

(2) Nothing in present law requires surgical clinics to make their facilities available for use by all physicians

This bill would expressly authorize surgical clinics to restrict use of their facilities to physicians on, or approved by, the medical staff of the clinic

(3) Under existing law, there is established a program of grants for community clinics and free clinics which provide a wide range of primary health care services, and nonprofit corporations comprised of such clinics are also eligible for such grants. The grant program is administered by the State Department of Health Services

This bill would amend such provisions to limit the purposes for which such grants could be used to operating expenses and technical assistance. The bill would specify criteria for award of such grants, with first priority for continuance of existing levels of operation in medically underserved areas. The bill would delete existing provisions providing for separate administration of the program in urban and rural areas.

The bill would also create a new program of grants and loans for specified clinics located in or serving underserved areas, as designated by any state or federal agency authorized to make such designation, for financing renovation of buildings and acquisition of fixed capital equipment in order to meet prescribed legal requirements and guidelines This program would be administered by the Office of Statewide Health Planning and Development The grants could not exceed $50,000 per recipient, and the loans could be for up to 30 years at an interest rate not exceeding 5% The Legislative Analyst would be required to annually review and comment on the loan and grant program, as prescribed Such loan and grant program would be repealed December 31, 1980, unless extended by the Legislature

The bill would appropriate a total of $2,100,000 from the General Fund for its purposes, with $1,300,000 appropriated to the State Department of Health Services for making operations and technical assistance grants for specified purposes, $100,000 appropriated to the department for costs of administering such grant program, $200,000 appropriated to the Office of Statewide Health Planning and Development for making loans for renovation of buildings and acquisition of fixed capital equipment, and $500,000 appropriated to the office for making grants for such building renovations and equipment acquisitions

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

Ch 1187 (AB 1442) Mangers New school facilities: financing.

Under existing law, state funds may be made available to school districts in the form of loans to finance the construction of new school buildings School buildings may also be acquired by school districts under lease-purchase arrangements. Under each such program, school district taxes on real property are prescribed as the revenue source for repayment of the district's obligation Article XIII A of the California Constitution now limits the power of school districts to levy real property taxes, thus rendering school districts unable to participate in the state school building aid and lease-purchase programs

This bill would enact the New Schools Relief Act of 1979 This bill would, notwithstanding any other provision of law, authorize a school district with an anticipated increase in enrollment, as defined, to lease land and facilities from private developers with funds provided by the state through the Budget Act, appropriate legislation, proceeds from sale of bonds the issuance of which has been approved by the voters of the state, funds the district has previously borrowed from the state, available district capital reserves,

and proceeds from the sale or lease of unneeded facilities, as specified. This bill would also authorize such a school district to construct school facilities authorized within state school building aid standards with available district capital reserves or proceeds from the sale or lease of unneeded facilities, as specified.

Ch 1188 (AB 1489) Hannigan Property taxation

Existing law authorizes the board of supervisors of a county to levy an assessment on each parcel of real property within a flood control district Whenever the board of supervisors levies an assessment, it shall first have a written report prepared and filed by the clerk of the board of supervisors and there shall be a hearing to consider all protests The confirmed assessment shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes.

This bill would require the written report to be recorded with the office of the county recorder, would require a copy of the resolution of confirmation of the assessment be certified and recorded, and would provide that the confirmed assessment be a lien upon the real property

Under existing law, property upon which the property taxes have become delinquent is sold to the state on July 1, of the fiscal year following such delinquency, and if such property is not redeemed within 5 years following such sale, the property is deeded to the state and purchased by certain public agencies or nonprofit organizations or sold at public auction, and the correlative rights of taxing agencies are determined pursuant to specified statutory procedures.

This bill would eliminate such provisions, with the exception of certain agencies electing to become the sole leasing or sales agency, but would retain the statutory declaration that the final tax deed of all taxing agencies shall be on a parity with each other

Existing law authorizes taxing agencies and nonprofit organizations to purchase or enter agreements to purchase property which has been deeded to the state or another taxing agency for nonpayment of taxes, and specifies that a nonprofit organization may file an objection to the sale of residential real property and accompany the objection with an application to purchase the property Such application must be filed with the board of supervisors and the tax collector before the date of the first publication of the notice of the intended sale The nonprofit organization must apply to purchase the property at a price equal to that approved by the board of supervisors

This bill would authorize a nonprofit organization to file an objection to the sale of residential or vacant real property and apply to purchase the property for specified purposes, and would specify that such objections and application to purchase the residential or vacant real property shall be filed before the intended sale and would require that the application of the nonprofit organization indicate an intent to purchase the property at not less than the minimum bid approved by the board of supervisors.

Existing law mandates that the deed of property sold to the state for delinquent property taxes shall specify that the real property was sold and conveyed to the state for nonpayment of taxes and the name of the purchaser

Existing law also provides that the deed may further specify that any condition deemed necessary to effect compliance with the agreement, including a condition that the real property be used by the taxing agency or nonprofit organization for the public use specified in the agreement This bill would make mandatory the requirement that such provision be included in each deed.

Chapter 49 of the Statutes of 1979 provided that if the value of property, for property tax purposes, is reduced pursuant to Section 110 1 of the Revenue and Taxation Code, the reduced taxes shall be reflected in a corresponding reduction in the next succeeding tax installment or installments for the 1979–80 fiscal year, except that a refund shall be prorated in the case of a change in assessees of record between July 1, 1978 and June 30, 1979

This bill would specify that the reduced taxes shall be reflected in either a refund or a corresponding reduction in succeeding installments in circumstances where there was no change in the assessee of record during the specified period

Existing law exempts works of art made available for display in a publicly owned art gallery or museum for a minimum period of 90 days during the preceding year from property taxation

This bill would also exempt works of art which are made available for display in a museum which is regularly open to the public and which is operated by a nonprofit organization

Existing law exempts property used exclusively for religious, hospital, scientific, or charitable purposes owned and operated by community chests, funds, foundations or corporations organized and operated for religious, hospital, scientific, or charitable purposes from taxation This exemption is in addition to any other exemption provided by law

This bill would specify that the existence of the property tax exemption for property used for free public libraries and free museums shall not preclude the welfare exemption for museum or library property

This bill also provides that in order to qualify for the exemption, the museum must be open to the public for not less than 20 hours a week for not less than 35 weeks a year and that the property is made available for display in an art gallery or museum for a period of 90 days during the 12-month period immediately preceding the lien date.

This bill provides that there shall be no reimbursement pursuant to Section 2229 of the Revenue and Taxation Code nor shall there be any appropriation made by this act for a specified reason

This bill would take effect immediately as an urgency statute

Ch 1189 (AB 987) Thurman Nutrition projects and pneumonia vaccine.

(1) Existing law requires the State Department of Health Services to provide appropriate flu vaccine to local governmental or private, nonprofit agencies for certain aged and other high-risk persons, as specified, and, with the State Department of Aging, to prepare and disseminate certain related information, authorizes local providers to charge a fee of not to exceed $1 to offset administrative operating costs.

This bill would. authorize the provision by the State Department of Health Services of appropriate pneumonia vaccine to such agencies for certain high-risk groups, and would increase the maximum permitted fee to $2 It would also appropriate $100,000 to the department for the purpose of establishing a pneumonia vaccine pilot program.

(2) Under the federal Older Americans Act, federal funds are available for nutrition projects which provide meals to the elderly

This bill would establish the Nutrition Reserve Fund from which the Director of the Department of Aging could allocate up to $300,000 per nutrition project in order to maintain necessary services which lack sufficient federal funding. It would appropriate $5,000,000 to the fund

This bill would take effect immediately, as an urgency statute

Ch 1190 (SB 170) Marks Residential rehabilitation.

Existing provisions of the Marks-Foran Residential Rehabilitation Financing Act of 1973 authorize cities, counties, redevelopment agencies, and housing authorities to make long-term, low-interest loans to finance defined residential rehabilitation in depressed residential areas designated as residential rehabilitation areas.

This bill would authorize such loans up to 97% of the after-rehabilitation value if the loan is made to a low-income person, as defined This bill would authorize such loans to be made for rehabilitation of prescribed residential hotels

This bill would authorize such loans to be made for residential infill construction, as defined, on vacant lots, including lots cleared by demolition of the structure thereon, and the acquisition of real property for such rehabilitation or residential infill construction, including relocation payments in connection with such rehabilitation or residential infill construction

The bill would limit loans made for such purposes to 35% of the aggregate principal amount of all loans made in the residential rehabilitation area

The bill would include purchase of loans previously made by qualified mortgage lenders within the definition of financing in the existing law and would expand the refinancing provisions authorized under such law

The bill would change the authorized maximum amount of loans for rehabilitation from $35,000 for each dwelling unit excluding refinancing, to $45,000 for each dwelling unit excluding the cost of refinancing or excluding acquisition costs, and establish guidelines for residential infill construction loens

The bill would restrict financing for purchase of residences previously rehabilitated or constructed with financing under the residential rehabilitation program to persons or families of low or moderate income and restrict rental dwelling units for occupancy by low-income persons, as defined, for not less than 30, nor more than 55, years, and would make such restriction binding on successors in interest

The bill would require a local agency to endeavor to obtain participation of more than one mortgage lender in determining fees and charges for financing and servicing loans under the act The bill would require such fees and charges to be uniform as to all participating mortgage lenders.

Ch. 1191 (SB 652) Foran Housing: cost

(1) Various provisions of existing law deal with the general subject of housing availability for persons of limited income.

This bill would uniformly define the terms "affordable rents," "affordable housing cost," "low income households," "lower income households," "persons and families of low or moderate income," "very low income households," and "persons of low income" for purposes of existing laws pertaining to (1) rental of state residential property in the Capitol core area, (2) disposal of surplus state property to local agencies for the purpose of providing housing, (3) the sale of residential property by cities and counties for rehabilitation and residential use, (4) the disposition of surplus property by local agencies to a housing corporation, limited dividend housing corporation, or nonprofit corporation for the development of housing, (5) community redevelopment projects, (6) development projects within the coastal zone, and (7) property tax-deeded to the state.

(2) Existing law with respect to the sale of surplus residential property by cities and counties for rehabilitation and residential use does not prescribe that upon the transfer of title by the city or county pursuant to any ordinance adopted pursuant to specified statutory provisions that compliance with the requirements of the ordinance be conclusively presumed in favor of a bona fide purchaser or encumbrancer for value

This bill would so prescribe

(3) Existing law with respect to the disposition of surplus property by local agencies to a housing corporation, limited dividend housing corporation, or nonprofit corporation for the development of housing prescribes, among other things, that whenever the ownership of the land or such corporation is no longer composed of a majority of the nonprofit or limited dividend sponsors, title to the land shall revert to the local agency

This bill would prescribe, instead, that the deed or other instrument of conveyance provide that when such condition exists the land shall revert to the local agency

(4) Existing law with respect to the sale or exchange or certain real property or interest therein by the Department of Transportation requires the payment period in any such contract of sale to extend no longer than a specified period.

This bill would, contingent upon chaptering of SB 86, extend that period in the case of certain property sold or exchanged for purposes of limited income housing, as specified, and would specify other requirements for such contracts.

(5) This bill would incorporate changes made to Section 8169 of the Government Code by AB 1020, if this bill and AB 1020 are both chaptered and become effective January 1, 1980, and this bill is chaptered last

(6) This bill would incorporate changes made to Section 11011.1 of the Government Code by AB 825 or AB 1151 if this bill and either of those bills, or both, are chaptered and become effective January 1, 1980, as specified, and this bill is chaptered last

(7) This bill would incorporate changes made to Section 33334.2 of the Health and Safety Code by AB 1572, if this bill and AB 1572 are both chaptered and become effective January 1, 1980, and this bill is chaptered last

(8) This bill would incorporate changes made to Section 37922.2 of the Health and Safety Code by SB 170, if this bill and SB 170 are both chaptered and become effective January 1, 1980, and this bill is chaptered last

(9) This bill would make certain amendments to Section 51226 5 of the Health and Safety Code, as proposed to be added by SB 1026, to conform to the uniform definitions of this bill and which would become operative only if SB 1026 is chaptered and becomes effective January 1, 1980, and this bill is chaptered after SB 1026

Ch 1192 (SB 823) Petris Subdivisions· Subdivision Map Act.

(1) Under existing provisions of the Subdivision Map Act, subdivision, as defined, does not expressly include the conversion of 5 or more existing dwelling units to a stock cooperative, as defined

This bill would define subdivision for purposes of such act to include such a conversion.

(2) Under the provisions of the Subdivision Map Act, tentative and final maps are required for specified subdivisions.

This bill would require that the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units comply with such requirements. This bill would require a city or county to approve or disapprove such a conversion within 120 days.

(3) Under existing law, a legislative body of a city or county is prohibited from approving a final map for a subdivision to be created from the conversion of residential real property into a condominium project or a community apartment project if it finds that the conversion is not consistent with applicable general or specific plans. This prohibition is not applicable if such general or specific plans do not contain definite objectives and policies specifically directed to such conversions

This bill would also include, with a specified exception, a stock cooperative project in such provisions

(4) Under existing provisions of the Subdivision Map Act, condominiums are exempted from various requirements

This bill would likewise exempt a stock cooperative.

(5) This bill would be applicable to specified stock cooperative conversions occurring prior to January 1, 1980 The bill would also exempt such conversions from local subdivision regulations adopted after July 1, 1979, if application for a public report was made prior thereto.

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

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

Ch 1193 (AB 1354) Hannigan Municipal courts

Existing law specifies the number, classification, and compensation of various officers and employees of the municipal court in Yolo and Sonoma Counties.

This bill would revise the number, classification, and compensation of various officers and employees of the municipal court in Yolo and Sonoma Counties.

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

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

Ch 1194 (SB 951) Petris. Mental health private residential care facilities for the mentally disordered case management pilot project

(1) Under existing law, the State Department of Mental Health may pay for services for mentally disordered patients in private facilities released or discharged from state hospitals or as a protective social service to prevent unnecessary admission to or facilitate the release of such patients, if provision for such services is made in the county Short-Doyle plan

This bill would require the department to establish and maintain an equitable system of payment and establish rates for the special needs of mentally disordered persons in private residential care facilities based on the functional ability and programmatic needs of such persons Each county would be required to certify and make payment to eligible providers of such private residential care facilities and to evaluate their eligibility annually The bill would also require facilities funded under the bill to be licensed under existing licensing categories and would require the State Department of Mental Health

to report to the Legislature by July 1, 1980, if new licensing categories are necessary

(2) Existing law does not provide a case management system in order to prevent unnecessary recidivism into state mental hospitals.

This bill would require the State Department of Mental Health to develop and implement a case management pilot project in one county by contract with the designated county Such pilot project would serve an identified population based on the number of readmissions of persons into inpatient state hospital care, provide for case management services, provide for a control group of patients who do not receive case management services for comparison purposes, and describe the administrative structure under which appropriate and timely services would be supplied and the criteria for ending such services to a client The pilot project would be limited to 2 years and the bill would require certain reports to the Subcommittee on Mental Health and Developmental Disabilities of the Assembly Committee on Health, to the Assembly Ways and Means Committee, and to the Senate Health and Welfare Committee

The above provisions would be repealed March 31, 1982, unless a later enacted statute which is chaptered before March 31, 1982, deletes or extends such date

(3) The bill would appropriate $750,000 to the State Department of Mental Health for purposes of the bill, as specified.

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

This bill provides that there are no state-mandated local costs that require reimbursement under Section 2231, but recognizes that there may be state-mandated costs resulting from executive orders based on this act in subsequent fiscal years and that such costs can be provided for in accordance with the provisions of Section 2231

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

Ch 1195 (SB 844) Rains Carriers. transportation energy efficiency plan.

Existing law provides for the regulation of highway carriers by the Public Utilities Commission pursuant to the provisions of the Highway Carriers Act.

This bill would declare it the policy of the state to achieve increasing energy efficiency in the performance of transportation services by highway carriers, and would direct the commission, in cooperation with the State Energy Resources Conservation and Development Commission, to prepare and adopt by December 31, 1980, a transportation energy efficiency plan for highway carriers and to also make a finding in each rule, order, and decision of the commission that it complies with the applicable guidelines established in the plan.

This bill would appropriate $90,000 to the commission from the Transportation Rate Fund for these purposes

Ch 1196 (SB 98) M. Garcia. Property taxation interest and penalties.

The Jarvis-Gann Initiative was an initiative constitutional amendment, which appeared as Proposition 13 on the ballot for the Direct Primary Election held on Tuesday, June 6, 1978, and added a new Article XIII A to the California Constitution to provide new methods of assessing and taxing real property, using 1975 as a base year. The Legislature later implemented the new method of valuing property in Section 110.1 of the Revenue and Taxation Code (Sec 5, Ch 576, Stats. 1978) Chapter 49 of the Statutes of 1979, which is in effect as an urgency statute, provided that the full cash value of property which was appraised for the 1975–76 fiscal year, as of the 1975 lien date, shall be the value of such property at the tax levels for the 1975–76 fiscal year as indicated on the tax bill for such fiscal year

This bill would exempt assessees from penalties, fees and costs on delinquent property taxes for the 1978–79 fiscal year if the total of such taxes is paid within 30 days after notification by the tax collector of any reduction in such taxes resulting from the enactment of Chapter 49 of the Statutes of 1979.

Under existing law, Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state Other provisions require the Department of Finance to review statutes dis-

claiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

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

This bill would take effect immediately as an urgency measure

Ch 1197 (AB 275) Rosenthal Medi-Cal dialysis program eligibility and provider reimbursement

I Existing statutes (1) include in the schedule of benefits available to Medi-Cal recipients, outpatient dialysis services and home hemodialysis services, subject to utilization controls, (2) establish special separate eligibility provisions under Medi-Cal for patients needing such dialysis and related services where such patients have a net worth, as defined, above the Medi-Cal eligibility levels, (3) require such persons to first utilize their prior legal and contractual entitlements to dialysis treatment, (4) provide for liability of such patients to pay a fixed percentage of the cost of dialysis and related services where their net worth reaches specified levels; (5) specify that such provisions do not apply to persons eligible for renal dialysis services under P L 92-603 (HR 1) or otherwise eligible for Medi-Cal

This bill would (a) make eligible for such dialysis Medi-Cal program any person who is eligible for Medi-Cal as a medically needy person or a medically indigent person, who is employed and individually earning an amount in excess of the minimum needs standard, and who receives dialysis services either through a self-dialysis unit of a dialysis clinic or through home dialysis, (b) make such person subject to items (3) and (4) above; and (c) exempt such person from item (5) above The bill would also increase the fixed percentage of the cost of dialysis and related services which must be contributed by other Medi-Cal patients who are otherwise eligible for such services but for their income and resources.

The bill would appropriate $400,000 to the Health Care Deposit Fund to carry out the Medi-Cal dialysis program

II Existing law requires the State Director of Health Services to adopt regulations setting rates of payment to providers of health care services under the Medi-Cal program Such rates must be based on the reasonable cost of such services The director is also required to establish a statewide uniform schedule for reimbursing physician services to Medi-Cal patients with specified exceptions. The schedule must provide a level of reimbursement for physician services, including maternity care services, which represents at least a specified average increase over the statewide average amounts paid under the Medi-Cal program for the 3-month period ending February 29, 1976.

This bill would provide that notwithstanding any other provision of law, providers of health care services under the Medi-Cal program, except specified providers under certain circumstances, shall be reimbursed at a rate which is not less than 3% higher, on the average, than the reimbursement rate for such provider in effect on June 30, 1979, or that provided in Title 22 of the California Administrative Code as of August 30, 1979, whichever is higher This bill would further provide that physician services shall be reimbursed at a rate for each service or charge which is not less than 3% higher than the reimbursement rate for such service or charge in effect on June 30, 1979, or that provided in Title 22 of the California Administrative Code as of August 30, 1979, whichever is higher The bill would finally provide that the State Department of Health Services may adopt administrative regulations to reduce fees for abortions and may adjust reimbursement rates in other circumstances as specified.

Ch. 1198 (AB 276) Bergeson Personal Income Tax Law

Under 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

Moreover, the Franchise Tax Board is required 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 ending on or after December 1, 1979, 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

This bill would, only for taxable years beginning in 1980 and ending on or before November 30, 1982, require such "inflation adjustment factor" to be determined by reflecting in each bracket of taxable income the percentage change for all items in the California Consumer Price Index for the preceding 12 months

The bill would take effect immediately as a tax levy

Ch 1199 (SB 176) Wilson Property tax assistance.

Existing law provides for property tax assistance payments to any qualified homeowner or renter, 62 years of age or older, according to a schedule based on their household income and the amount of property taxes paid, or deemed to be paid on their residence, including rented land on which a mobilehome is located.

This bill would authorize a qualified claimant for such assistance who is the owner of a mobilehome located on owned or rented land to elect to claim assistance as a renter or as an owner, according to the amount of motor vehicle license fee taxes, not including the registration fee, paid on the mobilehome, using the same assistance schedule on which a qualified homeowner's assistance would be computed

Ch. 1200 (AB 1721) Bannai. Public Employees' Retirement System: contracting agencies.

Existing Public Employees' Retirement Law provides that a contracting agency's election to be subject to optional benefit provisions by amendment of its contract is irrevocable until the contract is terminated.

This bill would provide that such benefits may be increased or improved by further contract amendment. The bill would also authorize contracting agencies to reduce, terminate, or provide different elective benefits by contract amendment if such changes apply uniformly with respect to all members within specified classifications and if such changes are applicable only to new members, as specified, of such classifications and if such contracting agency has fully discharged all of the obligations imposed under specified local employer-employee relations law.

Ch. 1201 (SB 797) Russell. Public retirement systems· benefit for sick leave.

Existing State Teachers' Retirement Law and Public Employees' Retirement Law provide for classified and certificated school employees to receive retirement credit for unused accumulated sick leave.

This bill would provide that those benefits shall not be available to school employees who become new members of either system on or after July 1, 1980. The bill would also appropriate ~~a specified amount~~ [$7,731,445.34]* to the State Board of Control to pay claims relating to such benefits during the 1978 calendar year.

Existing Public Employees' Retirement Law provides for the continuance of a portion of the retirement allowance to the survivors of certain state members.

This bill would provide for the continuance of a portion of the retirement allowance to the survivors of school members and members employed by school employers on or after July 1, 1980, in exchange for the deletion of the application of the retirement credit for unused accumulated sick leave benefit. The new survivor benefits would not become operative unless ~~a specified amount~~ [$5,100,000]* † is specifically appropriated by the bill to the State Controller to reimburse local agencies for the costs of such benefits.

The bill would also provide that its provisions are severable if any provision is held invalid.

Ch. 1202 (SB 1016) Rodda. Public employees: sick leave.

Under existing laws prescribing budgeting procedures for state and local agencies, provision is required to be made for expenditures relating to "salaries and employee benefits."

This bill would permit the state and any public agency to establish a separate object of appropriation or a subobject of appropriation within salaries and employee benefits for the payment of compensation to employees who are on approved leaves of absence

† Appropriation deleted by action of the Governor

on account of sickness, and would require the State Controller to take the steps necessary to implement this act

Existing law establishes a system for sick leave benefits for state employees and prescribes the terms and conditions under which such benefits are provided.

This bill would require that any sick leave benefits provided to state employees pursuant to this system be construed to mean compensation paid to employees on approved leaves of absence on account of sickness.

This bill would provide for a $700,000 appropriation from the General Fund to the State Controller for the 1979–80 administrative costs incurred by him under this act.

This bill would also provide that certain provisions of this act not become operative if AB 521 of the 1979–80 Regular Session is chaptered.

Ch 1203 (AB 939) Lehman. Administrative agencies

(1) Under existing law, the publication of compiled regulations is known as the "California Administrative Code," and the periodic supplements thereto, including notices of proposed action, is known as the "California Administrative Register."

This bill would provide that the publication of notices of proposed action shall instead be known as the "Administrative Code Notice Supplement," which may include a registry of appointments in state agencies, executive orders, summaries of Attorney General's opinions, notices of public meetings of state agencies, and miscellaneous notices of general interest to the citizens of California.

(2) Currently, the Department of General Services is required to publish the California Administrative Code and the California Administrative Register at a price that will reimburse the state for all costs incurred in printing, publishing, and distributing them

This bill would provide that the Administrative Code Notice Supplement described in (1) above shall be sold by the department at a maximum subscription rate of not more than $50 per year

(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 increase that notice to 45 days.

This bill would also require the notice to include the date by which comments submitted in writing relating to the proposed action must be received in order for them to be considered by the state agency before it adopts, amends, or repeals a regulation.

(4) This bill also incorporates technical changes in various provisions relating to administrative regulations added to the Government Code by Chapter 567 of the Statutes of 1979

(5) Existing law sets forth the powers and duties of the Franchise Tax Board.

This bill would provide that notwithstanding any other laws to the contrary, the directives and regulations adopted by the board shall take precedence over any directive or regulation adopted by its executive officer

(6) Existing law allows the Franchise Tax Board, with the consent and approval of ⅔ of the Senate, to appoint an executive officer and allows the removal of such officer by the board only with the consent of ⅔ of the Senate

This bill would allow the board to appoint such an officer on its own and remove such officer by ⅔ vote of the board

Ch 1204 (SB 583) Craven Local agencies. state funds law enforcement.

Existing law provides for the distribution of state funds, appropriated pursuant to specified provisions of law relating to subventions to local agencies, for the purpose of implementing Article XIII A of the California Constitution (Proposition 13 on the June 6, 1978, ballot)

This bill would appropriate $1,000,000 to the State Controller for allocation, as specified, to local agencies, as defined, where (1) the State Board of Control has first made a determination at a public hearing as to the impartiality and fairness of the local agency in performing law enforcement functions relating to any extraordinary circumstances, as defined, for which claims are filed with the Controller, and that the local agency claimant incurred extraordinary costs, as defined, in fiscal year 1978–79 in providing law enforcement services to meet extraordinary circumstances and (2) the Controller has also found after audit that the claimant has complied with the provisions of the act.

This bill would appropriate $46,000 to the State Controller and $25,000 to the State

Board of Control for costs incurred pursuant to this act

The bill would take effect immediately as an urgency statute

Ch. 1205 (SB 843) Wilson. Democratic Presidential Primary. appointment of delegates

(1) The California Constitution currently requires the Secretary of State to include on the ballot of the presidential primary election the names of those candidates who are found by the Secretary of State to be recognized candidates throughout the nation or state, but excluding any candidate who has withdrawn by filing an affidavit of noncandidacy. With respect to the Democratic Party, the statutes currently require the affidavit of noncandidacy to be filed with the Secretary of State by the 64th day prior to the election

This bill would, with respect to the Democratic presidential primary election, require the affidavit of noncandidacy to be filed no later than 2 days after the Secretary of State makes a public announcement regarding probable presidential candidates. In addition, it would require the affidavit of noncandidacy to contain a statement providing that similar documents have been or will be filed with the appropriate election official in all other states holding open presidential primaries.

(2) Under existing law in order to qualify for placement on the Democratic presidential primary ballot, a candidate or uncommitted delegation must have signers to his nomination papers equal in number to not fewer than 1% of the number of persons registered as members of the Democratic Party

This bill would require signers equal in number to 1% or 1,000, whichever is fewer, in each congressional district.

(3) Existing law provides that in each congressional district, on or before the Thursday preceding the second Sunday in April, all persons wishing to run as delegates in a caucus shall file a declaration of candidacy for recommended delegate with the county clerk

This bill would provide instead that such persons shall file the declaration with the Democratic State Central Committee at the time specified by the committee.

(4) Under existing law, on the second Sunday in April, at 1 p m., the caucus chairperson of each committed or uncommitted delegation in each congressional district must convene a caucus for the purpose of recommending delegates.

This bill would revise the time and date of such caucus to 2 p.m. on the first Sunday in May of the presidential primary year, and it would require the caucus to also elect ¼ of the alternate delegates. The bill would make a corresponding change in connection with the date on which the required notification must be made to the Secretary of State

(5) Existing law provides that each candidate for president or his or her steering committee must retain the right to reject and replace individual delegates nominated by caucuses

This bill would substantially revise this procedure, including, deleting the right of a candidate for President, and limiting the right of each steering committee, to reject a candidate for a delegate position after the caucus election, and it would require each steering committee to rank and select delegates, alternating between the sexes, from the slate of nominee delegates provided by each caucus. Such ranking and selection process would be at the discretion of each steering committee.

(6) Existing statutory law prescribes a formula to be followed when selecting the delegates from each congressional district to the Democratic National Convention.

This bill would substantially revise such formula to reflect revised regulations of the compliance review commission of the Democratic National Committee.

Ch 1206 (SB 72) Roberti Schools violence and vandalism.

Under existing law, the county board of education of any county may establish regulations requiring the reporting of information related to crime, violence, and disruption on campuses or in programs and activities in which any school or community college is engaged.

This bill would require the Department of Education to request school districts to report twice a year specific information relating to school violence and vandalism to the county superintendent of schools who would be requested to compile the data and report to the Department of Education on forms prepared and supplied by the Depart-

ment of Education

This bill would also require the Department of Education to publish annually a specified report on crime and violence in the public schools.

The above provisions would be repealed as of January 1, 1982.

Ch 1207 (AB 1151) Roos Housing

(1) Present law authorizes the Director of General Services, with the approval of the State Public Works Board, to sell surplus state lands at less than fair market value to local governmental agencies and permits such local governmental agencies to lease such land to nonprofit corporations, housing corporations, limited-dividend housing corporations, and private developers for the purpose of providing housing for persons and families of low or moderate income, subject to certain conditions

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to lease or sell surplus state lands at less than fair market value to a housing sponsor, as defined, for providing housing for persons and families of low or moderate income, subject to certain conditions, provided no local agency has acquired or is in the process of acquiring the land for providing such housing.

(2) Present law provides for expedited processing of permits necessary for proceeding with defined development projects. No provision of existing law specifically provides for state assistance to local government for expediting local permit procedures

This bill would provide that an application for a development project shall be deemed complete if not acted on by the public agency within 30 calendar days of receipt

This bill would also require the Office of Planning and Research, subject to the availability of funding, to develop advisory guidelines for a prescribed expedited local development permit procedure The bill would require the office, subject to the availability of funding, to provide technical assistance and make grants to counties and cities to assist in establishing such expedited permit procedures. Any city or county receiving such a grant would be required to adopt an expedited permit process within 10 months following receipt of the grant.

(3) State law presently authorizes counties and cities to adopt "specific plans" in connection with land use planning.

This bill would authorize counties and cities to defray the cost of developing specific plans by charging a prorated special fee for governmental approvals required to be in conformity with the specific plan The bill would also exempt residential projects, including rezoning and subdivision approvals, which are undertaken pursuant to a specific plan for which an environmental impact report is certified after January 1, 1980, from the requirements of the California Environmental Quality Act. Under specified circumstances, the bill would require a supplemental environmental impact report to be certified for the specific plan before the city or county approves such an exempt residential project

(4) Present law does not require a city, county, or city and county to provide density bonuses to developers of low- or moderate-income housing

This bill would require a city, county, or city and county to provide for specified density bonuses or other defined incentives for developments which include at least 25% low- or moderate-income housing units. Such provisions would be applicable to charter cities

(5) Under present law the California Housing Finance Agency is authorized to provide financing for low- and moderate-income housing and to insure specified loans made for such purpose, as prescribed In addition, the agency is authorized to insure revenue bonds issued under the Marks-Foran Residential Rehabilitation Act of 1973.

This bill would substantially revise the agency's neighborhood preservation program by, among other things, deleting authorization for "neighborhood improvement loans" and providing, instead, for defined "property improvement loans" and authorizing utilization of such loans in other programs of the agency The bill would restrict application of the neighborhood preservation program, as revised, to concentrated rehabilitation areas, but would authorize property improvement loans and mortgage loans for rehabilitation to be used in connection with citywide or countywide systematic enforcement of rehabilitation standards The bill would limit property improvement loans made outside a neighborhood preservation area to a maximum of $15,000 and require such loans to be unsecured.

The bill would rename the Housing Rehabilitation Insurance Fund as the Housing Insurance Fund and would revise the criteria and procedures of the loan insurance program The bill would revise the agency's authority to insure bonds to, in lieu of present authority, authorize insurance of revenue bonds of local agencies issued to finance construction or rehabilitation of housing that will be primarily for persons and families of low or moderate income and require the agency to make related findings prior to insuring such bonds

The bill would make other changes in provisions respecting the California Housing Finance Agency

(6) Under existing Personal Income Tax Law, qualified renters, as defined, are allowed a $37 credit

This bill would increase such credit to $137 for married persons, heads of household and surviving spouses and $60 for other individuals, for taxable years beginning on or after January 1, 1979.

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

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

(8) This bill would appropriate $216,000,000 from the General Fund to the Franchise Tax Board for the purposes of renters' relief for taxable years beginning during the 1979 calendar year.

(9) This bill provides that it shall take effect immediately as a tax levy

DIGESTS OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED IN 1979

1979–80 REGULAR SESSION

RESOLUTION CHAPTERS

Res Ch 1 (SCR 1) as introduced, Mills. Organizational recess bill introduction
This resolution provides that following the meetings of the Legislature on December 4, 1978, each house shall be in recess from such time as the house determines, but not later than December 8, 1978, and until January 2, 1979

The resolution further sets forth a procedure for introduction, numbering, printing, and referral of bills during the recess, providing that such bills shall be read in each house for the first time upon reconvention of the Legislature in January The resolution additionally provides for the printing of journals and daily and weekly histories during the recess

Res. Ch 2 (ACR 1) Agnos Legislative Counsel of California.
This measure designates Bion M. Gregory as Legislative Counsel of California.

Res. Ch 3 (ACR 2) Papan Joint Rules
This measure adopts the Temporary Joint Rules of the Senate and the Assembly for the 1979–80 Regular Session

Res Ch 4 (SCR 2) Marks The Honorable George R Moscone
This measure would express the California State Legislature's deepest sympathy at the passing of their former colleague and good friend, the Honorable George R Moscone, and memorialize his superior record of personal and professional achievement on behalf of the State of California, and in particular the San Francisco community and his fellow citizens, as well as the love and devotion he displayed on behalf of his family and friends

Res Ch 5 (SCR 6) Briggs. Courts Investigation
This measure would request the Judicial Council to approve a rule requiring the Commission on Judicial Performance to conduct hearings open to the public in its investigation of the Supreme Court's procedures for releasing decisions

Res Ch 6 (AJR 6) Kelley New River pollution
This measure would memorialize the President of the United States to discuss the subject of the pollution of New River personally with President Lopez Portillo of Mexico during their meeting to be held in February 1979, and urge the appropriate agencies and officials of the United States and the Government of Mexico to cooperate fully to improve New River water quality

Res Ch. 7 (AJR 7) Levine Nazi war criminals.
Memorializes the federal government to urge the German Federal Republic to abolish or extend the statute of limitations on Nazi war criminals.

Res. Ch 8 (ACR 18) Papan Leo J Ryan
This measure memorializes Representative Leo J Ryan of the 11th Congressional District and expresses the sorrow of the Members of the Legislature at his passing.

Res. Ch 9 (ACR 13) Boatwright Joint Rules legislative calendar and deadlines
The Joint Rules currently provide a legislative calendar and a schedule of deadlines applicable to consideration of bills by committees.

This measure would change the period of the 1979 Summer Recess from June 29–August 6 to July 20–August 20 and would change the period of the 1980 Summer Recess from June 27–August 4 to July 3–August 4

The measure would also revise the committee deadlines, generally to move forward the dates by which committees will be required to have considered "policy" and "fiscal" bills

Res Ch 10 (SCR 5) Greene Mervyn Dymally.
This measure would express the California Legislature's commendations and appreciation to their former colleague and good friend, the Honorable Mervyn Dymally, for his outstanding record of dedicated service to the people of California as Lieutenant Governor, and convey to him their best wishes for every success in his future endeavors.

Res. Ch. 11 (AJR 14) Roos Armenian oppression

This measure urges the United Nations to make its Report on Genocide historically accurate by restoring to the report Paragraph 30 which outlines the Armenian massacres.

This measure further expresses support for and urges the recognition of basic human rights for Armenians around the world

Res. Ch 12 (ACR 23) Rosenthal Transportation Urban Forest Run

This measure would request the Department of Transportation to close the Marina Freeway from the Slauson on ramp to the Lincoln Boulevard on ramp on Sunday, March 18, 1979, between the hours of 8 a.m and 10 a.m for the purpose of the running of Southern California's First Urban Forest Run

Res. Ch 13 (ACR 14) W Brown, Jr Dr Martin Luther King, Jr.

This measure would honor the late Dr. Martin Luther King, Jr. on the occasion of the fiftieth anniversary of his birth

Res Ch 14 (ACR 17) Priolo Frank Lanterman

This measure would convey the Legislature's commendations and appreciation to its colleague and good friend, the Honorable Frank Lanterman, upon the occasion of his retirement, and convey to him its best wishes for every success in his future endeavors.

Res Ch 15 (ACR 10) Knox Joint Legislative Committee on Tort Liability.

The existing termination date for the Joint Legislative Committee on Tort Liability is January 1, 1979

This measure would extend that termination date to July 1, 1979, or such later date as the Legislature may prescribe, and contains related provisions

Res. Ch 16 (AJR 5) Kapiloff Anchovies. conservation and management.

This measure memorializes the President and Congress of the United States to direct the Department of State to take all steps necessary to effect a timely agreement between the United States and Mexico regarding implementation of a joint anchovy fishery management plan

Res Ch 17 (AJR 25) Roos Middle East peace

This measure would memorialize, congratulate, and praise President Jimmy Carter on his journey for peace to the Middle East undertaken in March, 1979.

Res. Ch 18 (SCA 2) Robbins. School pupils, transportation

The California Constitution has been interpreted by the California Supreme Court to require California school boards to take all reasonably feasible steps necessary to alleviate school segregation, regardless of the cause of the segregation

This measure would provide that nothing in the California Constitution imposes on the State of California or any public entity, board, or official any obligations or responsibilities which exceed those imposed by the Equal Protection Clause of the 14th Amendment to the United States Constitution regarding pupil school assignment or pupil transportation The measure would prohibit any state court from imposing on the State of California or any public entity, board, or official any obligation or responsibility with respect to such matters, except to remedy a specific violation by such party that would also constitute a violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution, and unless a federal court would be permitted under federal decisional law to impose that obligation or responsibility to remedy the specific violation of the Equal Protection Clause of the 14th Amendment

The measure would also require that except as prohibited by the Constitution of the United States, every existing judgment, decree, writ, or other order of a court of this state, whenever rendered, which includes provisions regarding pupil school assignment or pupil transportation, or which requires a plan including any such provisions, be modified to conform to this measure upon the application to a court having jurisdiction by any interested person, as applied to the facts which exist at the time of such modification

The courts would be required to give first precedence to actions or proceedings

arising under or seeking application of this measure

Res Ch 19 (ACR 8) 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

This resolution would also authorize the commission to study two new topics: rights and disabilities of minors and incompetent persons and powers of appointment

Res Ch 20 (ACR 39) Papan Joint Rules. joint recesses bill introduction

The Joint Rules, generally, permit the introduction of bills at any time except when the houses are in joint recess.

However, during prior sessions of the Legislature, provision has been made for the introduction of bills during the joint organizational recess and Easter recesses.

This measure would amend the Joint Rules to permit the introduction of bills at any time except when the houses are in joint summer, interim, and final recess, and would provide a procedure for the introduction of bills during a joint recess other than a joint summer, interim, or final recess.

Res. Ch 21 (SCR 10) Nejedly Richmond-San Rafael Bridge Run

This measure would request the Department of Transportation to authorize the closure of 2 lanes of the Richmond-San Rafael Bridge to permit its use as part of the course for a run sponsored by M-2 Sponsors, Inc , if the department is requested to do so by the East Bay Regional Park District in accordance with Section 21104 of the Vehicle Code

Res. Ch 22 (SJR 15) Vuich Amtrak service

This measure would memorialize the President and Congress to support a resolution of disapproval of a proposed reduction in Amtrak rail passenger service recommended by the United States Department of Transportation

Res. Ch 23 (ACR 52) McCarthy The Days of Remembrance of Victims of the Holocaust

This measure would proclaim April 22–29, 1979, as "The Days of Remembrance of Victims of the Holocaust" in California, and would urge Californians to observe these days with appropriate ceremony

Res Ch 24 (ACR 26) Moorhead. Physically handicapped persons.

This measure would declare that the Legislature reaffirms and will continue its position of national leadership in protecting the rights of the physically handicapped.

Res Ch 25 (SJR 5) Carpenter Federally mandated programs

This measure would request the United States Congress to enact a law providing for reimbursement of state and local governments for federally mandated programs.

Res. Ch 26 (AJR 35) Ellis Fuel shortage

This measure would propose that the Congress of the United States immediately hold joint investigative hearings in California concerning the fuel shortage crisis.

Res Ch 27 (ACR 61) Alatorre Vietnam Veterans Week

This measure would declare the week of May 28 through June 3, 1979, as Vietnam Veterans Week

Res. Ch 28 (AJR 32) Levine. Israel-Egypt peace treaty

This measure would memorialize the President and Congress to provide economic assistance to Israel and Egypt in the cause of peace

Res. Ch 29 (SCR 33) Marks Golden Gate Ten Kilometer Run
This measure would request the Department of Transportation to authorize the closure of 2 northbound lanes of the Golden Gate Bridge to permit its use as part of the course of the Golden Gate Bridge Ten Kilometer Run if the department is requested to do so by the Golden Gate Bridge Authority in accordance with the Vehicle Code.

Res Ch 30 (ACR 12) Mori Distribution of unsolicited publications
This measure would require state governmental entities to consider cost-saving alternatives to present practices regarding distribution of certain public documents and to distribute publications to legislators and members of the general public only upon request or when required to do so by statute It would not prohibit the unsolicited distribution of an agency's summary of reports, availability of reports and other reports as specified

Res. Ch. 31 (ACR 20) M Waters. International Year of the Child
Expresses the recognition of the Legislature of the right of children to receive designated services and amenities of life.

Res. Ch 32 (ACA 8) W Brown Referendum. low-rent housing
Assembly Constitutional Amendment No 47 of the 1977–78 Regular Session (Resolution Chapter 72, Statutes of 1978) would, if adopted by the people, revise the provisions of Article XXXIV of the California Constitution, relative to referendum of low-rent housing projects. Assembly Constitutional Amendment No 47, as transmitted to the Secretary of State, contained a typographical error
This measure would direct the Secretary of State to amend such measure to eliminate the technical error

Res Ch. 33 (SJR 12) Beverly Currency
This measure memorializes the Treasury Department to study the feasibility of manufacturing currency that is marked in a distinctive manner so that the denominations may be distinguished by touch

Res. Ch 34 (SCR 15) Beverly Insurance commissioner credit insurance regulations
This measure requests the Insurance Commissioner to rescind certain new credit insurance regulations, as specified

Res Ch 35 (ACR 27) Mello Constitutional amendment
This measure directs the Secretary of State to withdraw A C.A. 82 (Res. Ch 97, Stats. 1978) from the ballot

Res. Ch 36 (ACR 32) Mangers. Fire protection. cooperative agreements.
Cooperative fire protection agreements may be entered into by the Department of Forestry with counties, cities, and districts pursuant to state law Such an agreement has been entered into between the department and Orange County.
This measure would direct the Assembly Office of Research to conduct a study of the impacts of the cancellation of the cooperative agreement with Orange County, and require the study to be completed and transmitted to the appropriate policy and fiscal committees of the Assembly and Senate not later than January 1, 1980 The measure would request the Resources Agency and the department and all other state agencies to suspend activities involved in canceling the cooperative agreement with Orange County until July 1, 1980
The measure would also direct the department, until July 1, 1980, to initiate no new cooperative agreements for the provision of fire protection to any local government agency or add new agencies to existing contracts where such fire protection is currently being provided by an existing fire department or fire district, except that the department could honor requests for cooperative agreements authorized under provisions establishing a 3-year pilot program in rural counties

Res Ch 37 (ACR 45) Levine Institutions of higher learning.
This bill would express the Legislature's belief that it is in the best interest of California's institutions of higher learning and the citizens of California that the terms and conditions of significant endowments, gifts, and grants to, and contracts with, such institutions be made available to the community of higher learning and the general

public

Res Ch. 38 (AJR 16) Chacon Human rights· Indochinese refugees
This measure would request that the President and Vice President of the United States and the Congress of the United States take such action as is necessary to secure relief for the plight of the 5,000 "boat people" presently stranded in the bays of Hong Kong and Manila and for those refugees admitted to the United States
This measure would further request that the President instruct the United States delegation to the United Nations to advocate in behalf of the human rights of one million Indochinese refugees scattered throughout Asia to all members of the General Assembly of the United Nations.

Res Ch. 39 (AJR 26) Mello Fishery management council
This measure memorializes the President and Congress of the United States to seek legislation to establish a fishery management council including only the State of California

Res. Ch 40 (SJR 13) Richardson Human rights' atrocities
Requests the United States Ambassador to the United Nations to communicate the contents of this resolution to the members of the United Nations, and memorializes the President and Congress to mobilize public opinion and bring pressure to bear upon the countries of the USSR and the People's Republic of China via the United Nations or other suitable forum to stop the atrocities and denials of human rights to all peoples throughout the world

Res. Ch. 41 (SCR 21) Ayala. George N. Zenovich
This measure would express the Legislature's commendations and appreciation to its colleague and good friend, the Honorable George N Zenovich, on his retirement as a Member of the California State Senate, and convey to him its best wishes for every success in his future endeavors.

Res. Ch 42 (ACR 11) Robinson Joint Legislative Audit Committee appropriation.
This measure would make $3,900,000 available from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee

Res Ch 43 (ACR 60) W Brown 25th Anniversary of the Brown decision.
This measure would proclaim May 17 as a day for all citizens to rededicate themselves annually to the ideals and principles of equality and justice, and would call upon elected officials and citizens to exert active individual leadership in making equality a reality for all Americans.

Res Ch 44 (SCR 30) Smith State Bar
This measure would create a special legislative investigating committee to review and make recommendations regarding the scope, efficacy, and economy of the State Bar's activities and would prescribe the composition, powers, and duties of such committee.

Res Ch 45 (ACR 53) Chappie Air pollution motorcycles
This measure would request the State Air Resources Board not to implement or enforce any existing order or rule or regulation, nor to promulgate any new order or rule or regulation, relating to motorcycle fill pipe specifications or equivalent reductions from other motorcycle emission sources, unless the state board has advised the Legislature with respect to such order or rule or regulation at least 90 days before.

Res Ch 46 (ACR 78) Robinson POW/MIA Recognition Day
This measure would proclaim July 18, 1979, POW/MIA Recognition Day, and urge all California citizens, local entities, and private organizations to participate therein.

Res Ch 47 (AJR 22) Lehman. Reclamation law. Kings River
This measure would request the President and the Congress to enact legislation to specifically exempt the Kings River Service Area from the provisions of federal reclamation laws and also to modernize such reclamation laws to recognize the changes that

have taken place in agriculture

Res Ch 48 (ACR 30) Knox. Street lighting study by Public Utilities Commission.
This measure would declare that street lighting is an essential public service that may be provided by electrical corporations subject to the jurisdiction of the Public Utilities Commission, and would request the commission to study street lighting service and consider approving rate adjustments for electrical corporations which undertake street lighting projects within local jurisdictions. The measure would request the commission to report the results of the study to the Legislature on or before January 1, 1980

Res Ch 49 (ACA 52) Ingalls. Usury
Presently the Constitution limits the rate of interest which may be charged by nonexempt lenders on any loan or forbearance of money, goods or things in action to not more than 10% per annum
This proposed amendment would provide that the maximum contract rate of interest collectible by a nonexempt lender for loans, forbearances of money, goods or things in action for personal, family or household purposes, as specified, shall be 10%. For any loan or forbearance of any money, goods or things in action for any other use, the interest rate shall be the higher of 10% per annum or 5% per annum plus the rate prevailing on the 25th day of the month preceding the earlier of (i) the date of execution of the contract to make the loan or forbearance, or (ii) the date of making the loan or forbearance established by the Federal Reserve Bank of San Francisco, on advances to member banks or the closest counterpart of such rate designated by the Superintendent of Banks
This measure would also exempt from the foregoing limitation loans made or arranged by any person licensed as a real estate broker secured in whole or in part by liens on real property and other specified persons
Existing law provides generally that a contract which is unaffected by usury cannot be invalidated by any subsequent usurious transaction.
This measure would exempt from the limits on the rate of interest which may be charged, a loan or forbearance originated by an exempt lender and assigned to a successor in interest

Res. Ch 50 (SCR 35) Stiern Joint Legislative Budget Committee.
This measure would allocate $3,500,000, or so much thereof as may be necessary, from the Contingent Funds of the Assembly and Senate for the payment of any and all expenses incurred by the Joint Legislative Budget Committee or its members pursuant to and under the authority of law or the provisions of Joint Rule 37

Res. Ch 51 (SCR 23) Campbell. Home fire sprinkler systems.
This measure requests the State Fire Marshal to develop a set of suggested voluntary standards for the design, installation, and maintenance of automatic fire sprinkler systems for one-and two-family dwellings, and to report thereon to the Legislature on or before December 31, 1980.

Res. Ch 52 (SJR 20) Beverly Federal income taxes.
This measure requests the President and Vice President of the United States and the Congress of the United States to exempt from federal income taxes a portion of the interest derived from savings accounts

Res Ch 53 (ACR 75) Filante. Robert Louis Stevenson
This measure would proclaim the month of August 1979, as Robert Louis Stevenson month, and would urge the citizens of California to observe the 100th Anniversary of the visit of Robert Louis Stevenson to California.

Res. Ch 54 (ACR 48) Mangers. Education of foster children
This measure would request the State Board of Education and the Department of Education to encourage local school districts to examine the services currently made available to assist foster children.

Res Ch 55 (SCR 29) Craven Rural counties strengthening status and powers
This measure would request the Senate and Assembly Committees on Local Govern-

ment to jointly convene interim hearings on the subject of strengthening the legal status and powers of county government in rural counties with populations of 150,000 or less, and would request the committees to jointly report their findings to the Legislature and the Governor not later than October 1, 1980

Res. Ch 56 (SCR 12) Smith Income tax form.

This measure would request the Franchise Tax Board to prepare state income tax forms which resemble as closely as practicable the corresponding federal income tax forms and to write its tax return preparation instructions in such a way that a taxpayer would be guided in a step-by-step manner in using material from the taxpayer's federal income tax return in his or her state income tax return

Res. Ch 57 (ACR 21) Egeland Pilot, demonstration, and new programs: evaluation

This measure declares that the Legislature should study and consider the adoption of a policy that every statute enacted after January 1, 1979, which creates a pilot, demonstration, or new program should contain provisions specifying goals for such program, requiring that an evaluation of such program be conducted, as specified, specifying policy questions to be addressed by such evaluation, and requiring that certain evaluation matters be submitted to the Joint Legislative Budget Committee for review It also declares that the Legislature should study and consider the adoption of a policy that would refuse to provide fourth year funding for any program which has not been evaluated in a manner that fulfills the Legislature's need for information

Res. Ch. 58 (AJR 33) Rosenthal Air travel safety

This measure would memorialize the President and Congress to assign to an impartial agency not presently responsible for air safety the study of congested air space problems and the consideration of appropriate measures to maximize air safety, including the feasibility of allowing both general and commercial aviation over major airports and the state of current technology on collision avoidance systems.

Res Ch 59 (AJR 36) Duffy Discrimination against Air Force nurses.

This measure would memorialize Congress and the Department of the Air Force to amend a specific statute and a specific regulation which discriminate against Air Force nurses It would further memorialize Congress to establish a committee to investigate other labor practices engaged in by the Air Force which might result in discrimination against Air Force nurses and to implement a program to abolish any such practices.

Res Ch 60 (AJR 40) Costa. Amtrak service reductions.

This measure would memorialize the President and Congress to eliminate proposed cutbacks in Amtrak rail passenger service and would urge other states to institute legal action to prevent such service reductions

Res. Ch. 61 (SCR 7) Petris. Lanterman-Petris-Short Act private conservators

This measure would request the State Department of Mental Health to provide private conservators with information concerning their rights, duties and responsibilities as conservators under the Lanterman-Petris-Short Act and the available community mental health treatment resources by suitable means

Res Ch 62 (ACR 35) Nestande. CSUC. learning assistance centers.

This measure would request the Trustees of the California State University and Colleges to develop a comprehensive systemwide program of learning assistance centers and would direct the trustees to give such a program a high priority.

Res. Ch 63 (AJR 18) Alatorre SSI/SSP. nonexempt income-proportional deduction

This measure would request the President and Congress to amend the Social Security Act so that nonexempt income of an SSI/SSP recipient is deducted from the SSI/SSP benefit levels in amounts proportional to the relative contributions of the federal and state shares to the total benefit levels.

Res. Ch. 64 (AJR 19) Torres Sugary foods.

Memorializes the Federal Trade Commission to ban the advertising of high sugary foods, as described, on children's television shows, and memorializes the Food and Drug Administration to require disclosure of the sugar percentage on products where it constitutes a substantial amount of the total number of calories in such food.

Res. Ch 65 (AJR 38) McCarthy Syrian Jewish Community

Condemns and deplores the oppression and imprisonment of Syrian Jews, the lack of religious liberty, and the inability of Jews to freely emigrate, as a direct violation of the provisions of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and memorializes the President and Congress to undertake all possible and appropriate measures to encourage and compel the government of the Syrian Arab Republic to honor and comply with such provisions.

Res. Ch 66 (SCR 34) Alquist California-Mexico Symposium on the Seismic Safety of the International Border Region

This measure states that the Legislature endorses the California-Mexico Symposium on the Seismic Safety of the International Border Region and provides that the recommendations derived from the symposium be submitted to the Legislature for appropriate action.

Res. Ch. 67 (ACR 34) Frazee State highways Escondido Freeway.

This measure would designate as the Escondido Freeway that portion of Interstate Route 15 from the southern terminus of Interstate Route 15 East to its junction with Interstate Route 8

Res. Ch 68 (ACR 42) Chacon. Conference on the family

Requests the Secretary of the Health and Welfare Agency to convene a conference on the family, as specified.

Res Ch 69 (ACR 54) Statham Reorganization of Peralta Community College District.

This measure would request the Chancellor of the California Community Colleges to conduct and complete, by February 29, 1980, a comprehensive feasibility study of the reorganization of territory presently included in the Plumas County portion of the Peralta Community College District and would also request the Board of Governors of the California Community Colleges to consider such study prior to June 1980.

Res. Ch. 70 (ACR 69) Chappie Relative to rural housing regulations: substandard housing

This measure would request the Commission of Housing and Community Development not to adopt proposed administrative regulations relating to substandard housing in rural areas, commonly referred to as "Class K Housing," and to postpone further action on such proposed regulations unless the commission has advised the Legislature 90 days before any proposed hearing or action is taken.

Res Ch 71 (SCR 9) Montoya. Air pollution. automotive parts warranties.

This measure would request the State Air Resources Board to review the comments of the Federal Trade Commission relating to California warranty regulations and to amend current provisions to clarify the regulations. The measure would also request the state board to exclude specified components, provide procedures for permanent exclusions, and to promulgate future regulations based on a case-by-case review of vehicle manufacturer products, as prescribed The measure would urge the state board to revise its regulations expeditiously, to adopt administrative procedures which will give vehicle manufacturers reasonable notice of proposed changes, and to conform state regulations to federal regulations when such regulations are adopted

Res. Ch. 72 (SJR 17) Johnson United States Forest Service lands

This measure would urge Congress to consider the wishes and points of view expressed to the United States Forest Service through the Second Roadless Area Review and Evaluation public participation program, and urge a speedy resolution of land management programs.

Res Ch. 73 (SCR 24) Campbell Roadside clearance

The measure would request the Department of Transportation to require its district supervisors to hold an annual meeting with the fire chiefs of California in order to develop a roadside clearance program for fire prevention

Res. Ch 74 (SJR 18) Marks Airport Development Aid Program.

This measure would memorialize Congress to extend and expand the federal Airport Development Aid Program.

Res. Ch. 75 (SCR 20) Wilson. Medi-Cal emergency physician reimbursement: reduction-suspension.

This measure would request the State Department of Health Services to revise the recent administrative order which reduced the reimbursement rate for emergency physicians into a proposed regulation, subject to public input and then determine the feasibility of such a regulation.

Res. Ch 76 (AJR 27) Calvo Energy solar photovoltaic energy systems.

This measure would urge the United States Department of Energy and Congress to provide support for photovoltaic energy systems research within California.

Res. Ch. 77 (ACR 44) Young Unemployment insurance benefits by mail appropriation.

This measure would require the Joint Legislative Audit Committee to study the new system by which unemployment insurance benefits are delivered by mail, to gather data in order to evaluate such system, and to report the results of such study to the Legislature on or before January 31, 1980. It would also allocate up to $30,000 from the Contingent Funds of the Assembly and Senate to the Joint Legislative Audit Committee for such a study with the exact amount payable to be determined by the Joint Rules Committee.

Res. Ch. 78 (ACR 51) Chappie. Task Force on City Government Fiscal Information: creation.

This measure would create a Task Force on City Government Fiscal Information, consisting of a specified membership, to perform specified duties and to make recommendations to the Assembly and Senate Local Government Committees no later than December 31, 1979

Res. Ch 79 (ACR 68) Mangers. School administrators

This measure would request the Chancellor of the California State University and Colleges to designate Los Angeles area campuses to design, in cooperation with the Los Angeles County Superintendent of Schools, a one-year pilot program that provides preservice training to certificated employees seeking an administrative services credential, and in-service training to public school administrators.

Res. Ch 80 (SCR 16) Briggs. Air pollution. motor vehicle inspection programs.

This measure would memorialize the Administrator of the Environmental Protection Agency to extend the deadline for the enactment of an inspection authorization until the end of the 1980 legislative session

The measure would request the Legislative Analyst to conduct an extensive analysis and review of studies being conducted on centralized and decentralized vehicle inspection programs being operated in the state, to review the inspection programs of other states, to analyze the cost effectiveness of various vehicle inspection programs, to propose an optimal solution, and to submit a report containing his recommendations and evaluations to the Chairmen of the Senate and Assembly Committees on Transportation by April 15, 1980

The measure would request the assistance of various other state agencies dealing with vehicles.

The measure would also allocate $150,000 from the Senate and Assembly Contingent Funds to the Legislative Analyst to defray the cost of complying with this measure.

Res. Ch. 81 (SCR 25) Presley. Hazardous waste disposal study

This measure would request the State Department of Health Services to study the affected population at risk in the Stringfellow Quarry hazardous waste site area in Riverside County and to determine capabilities for monitoring human health effects of hazardous substances, as specified in the measure, and to report thereon to the Legisla-

ture within 3 months after adoption of this measure.

Res. Ch 82 (SCR 26) Campbell Expanded availability and use of manufactured housing

This measure directs the Department of Housing and Community Development to prepare an analysis of the condition of the manufactured housing industry in California and submit such analysis to the Legislature, as specified. It also directs the Director of Housing and Community Development to consult with the Department of Finance, representatives of California cities and counties, and the manufactured housing industry to determine what an adequate supply of manufactured housing consists of, based upon specified data.

Res. Ch 83 (ACR 22) Perino Wildlife preserve: Don Pedro Reservoir

This measure would request the Department of Fish and Game to conduct a study as to the feasibility of creating a wildlife management area or an ecological reserve in the area of the Don Pedro Reservoir. It would request that the department report results of the study, including expected state costs, to the Assembly Water, Parks, and Wildlife Committee and the Senate Natural Resources and Wildlife Committee by January 1, 1980

Res. Ch 84 (ACR 33) Torres. Executive agencies.

This measure urges the executive agencies of the state to issue only documents which are (1) written in a clear and coherent manner using words with common and everyday meanings and (2) appropriately divided and captioned by sections.

Res. Ch 85 (ACR 37) Moorhead. State employee awards, state costs

Under existing law, the State Board of Control may make awards to state employees for procedures or ideas which if implemented will save state funds, for performing special acts or services in the public interest, or for superior accomplishments. All such awards are limited to $1,000 unless a larger award is approved by concurrent resolution of the Legislature.

This resolution would ratify various specified awards by the State Board of Control to certain specified persons

This resolution would also recommend that the Department of General Services, with the assistance of the Department of Finance, adopt practices to reduce state costs for postage and handling and report its adopted practices in this regard to the Legislature by Janaury 1, 1980.

Res. Ch. 86 (AJR 52) Wyman. National Training Center: Fort Irwin. funding.

This measure would memorialize the United States House Armed Services Appropriations Committee to restore funding for the operation of Fort Irwin as the National Training Center for the 1980–81 fiscal year.

Res. Ch. 87 (ACR 46) McVittie. Independent contractors

This measure would request the Franchise Tax Board, after consultation with the Employment Development Department and taxpayer groups, to promulgate guidelines to be used in determining the characteristics of an independent contractor relationship in the real estate industry and to report to the Legislature on the action taken in response to this measure by March 1, 1980.

Res. Ch. 88 (ACR 59) Knox. California wine industry.

This measure would endorse the efforts of the wine industry to have access to American markets without restrictive trade barriers including regressive excise taxes

Res. Ch 89 (ACR 74) Chacon Marathon races highway closures

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, to authorize the closure of Bull Creek Flats Road for 7 miles west of Dyerville Bridge and of the Avenue of the Giants for 6 miles south of that

bridge on May 4, 1980, from 9.00 a.m until 2:00 p.m. for the running of the Avenue of the Giants Marathon; and to authorize the closure of Avenue of the Giants for 13.1 miles south of Dyerville Bridge on October 14, 1979, for the running of the Humboldt Redwoods Marathon

Res Ch 90 (AJR 28) Egeland Fire hazards of tobacco products

This measure would memorialize the Congress of the United States to ban the production of any cigarette which does not self-extinguish in 5 minutes or less and, thereby, establish safety standards for cigarettes produced and sold in the United States in an effort to reduce cigarette-caused fires throughout the United States.

Res Ch 91 (SCR 22) Roberti. Study of rate-setting procedure. community care facilities

This measure would request the Senate Health and Welfare Committee to contract for a study of the rate-setting procedures for community care facilities established by various state and local public agencies and to make recommendations to provide greater equity and parity in the rate-setting process and to ensure uniform standards for monitoring the quality of services in community care facilities.

The measure would allocate $135,000 from the Joint Legislative Contingent Fund to contract for the study

Res. Ch 92 (SCR 28) Keene Wetlands.

This measure would request the Department of Fish and Game to propose a specified plan regarding the protection, preservation, restoration, acquisition, and management of wetlands, and to submit such plan to the Legislature not later than January 1, 1983.

Res. Ch. 93 (SCA 21) Cusanovich Private lands and waters public aid.

The California Constitution prohibits, in the absence of a public purpose, the Legislature from making any gift or authorizing the making of any gift, of public funds to any individual

This measure would specifically provide that the State, or any county, city, city and county, township, or other political corporation or subdivision of the State could provide aid or assistance to persons, if found to be in the public interest, for the purpose of clearing debris, natural materials, and wreckage from privately owned lands and waters deposited thereon or therein during a period of a major disaster or emergency declared by the President. The measure would require the public entity to be indemnified by the recipient from the award of any claim against the public entity arising from the rendering of such aid or assistance, and would require the aid or assistance to be eligible for federal reimbursement for the cost thereof

Res Ch 94 (SCR 44) Rodda. Alcohol abuse

This measure would express a legislative intent to authorize Sacramento County to employ an experimental program with respect to persons convicted of driving under the influence of alcohol

Res. Ch 95 (SCR 47) Cusanovich. Constitution of California of 1849 and the Treaty of Guadalupe Hidalgo.

This bill would request the Senate and Assembly Rules Committees to procure 1200 copies of the original Constitution of California of 1849 and the Treaty of Guadalupe Hidalgo, copies of which are to be made available to Members of the Legislature.

Res. Ch 96 (ACR 87) Robinson. Auditor General of California.

This measure designates Thomas W. Hayes as Auditor General of California.

Res. Ch 97 (AJR 51) Vicencia. California National Guard members' and veterans' farm and home purchase bonds.

This measure would memorialize the President and Congress to preserve the California National Guard members' and California veterans' farm and home purchase benefits programs by exempting from any legislation state agencies and programs that operate under that law

Res. Ch 98 (ACR 83) Tanner. Memorializing the Honorable Harvey Johnson
This measure memorializes the Honorable Harvey Johnson, a former Member of the California State Assembly, on the occasion of his death

Res Ch. 99 (SCR 8) Roberti. Animal rights
This measure states that the Legislature should take effective measures to protect and defend the rights of animals by enacting humane and environmentally sound legislation.

Res Ch. 100 (SCR 32) Montoya. State Air Resources Board.
This measure would request the Legislative Analyst to contract with an independent firm to conduct a study and to submit to the Legislature, not later than November 1, 1980, a report with an analysis of the cost and benefits to California of the State Air Resources Board, as specified, and recommendations It would require that each potential contractor submit to the Legislative Analyst a list of all clients providing 5% or more of the firm's gross revenues for the preceding calendar year, and that the chosen contractor submit a progress report to the relevant legislative policy committees by July 1, 1980. The measure would allocate $150,000 from the Contingent Funds of the Assembly and Senate to the Legislative Analyst to carry out the purposes of the measure

Res. Ch. 101 (SJR 25) Foran Southern Pacific rail commuter service
This measure would memorialize the Interstate Commerce Commission to disapprove a decision of its administrative law judge which would allow the Southern Pacific Transportation Company to discontinue rail passenger commuter service between San Francisco and San Jose and to instead support state and regional efforts to negotiate a contract with Southern Pacific for the continuance of these services, and would urge Southern Pacific to withdraw its petition for discontinuance.

Res Ch 102 (SJR 26) Campbell. Federal cooperative fire funding
This measure would request the Senate Appropriations Subcommittee on Interior and Related Agencies to recommend funding for the Federal Cooperative Fire Protection Program in an amount consistent with that recommended in the Rangeland and Renewable Resources Program, but, in no event, in an amount less than $15,000,000

Res. Ch. 103 (AJR 29) Lehman. Peripheral canal
This measure would memorialize the Secretary of the Interior to renew the Multiple Objectives Planning (MOP) exemption for the peripheral canal and urge that all efforts be made to expedite any remaining necessary studies pertaining to the peripheral canal.

CROSS REFERENCE TABLES

BILL TO CHAPTER NUMBER

1979

1979–80 REGULAR SESSION

CROSS REFERENCE TABLES

Bill to Chapter Number

ASSEMBLY BILLS

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
2	873	132	55	256	470
3	121	133	584	257	272
7	557	134	521	258	805
8	282	135	31	260	240
9	370	136	137	261	726
11	66	137	138	265	367
12	14	139	85	269	427
19	574	143	2	270	392
20	239	146	151	271	163
21	998	147	209	272	679
23	990	148	68	275	1197
25	208	160	24	276	1198
26	480	161	924	277	36
27	92	167	730	278	32
28	755	173	565	279	587
38	116	183	56	281	120
44	21	184	1020	284	823
45	48	185	585	286	411
51	35	189	885	288	582
52	236	191	283	289	294
55	583	194	15	291	406
57	487	196	401	294	610
58	76	197	534	296	489
64	136	198	28	298	1055
66	1150	199	65	299	87
73	900	200	683	304	391
77	833	202	1014	310	388
82	982	204	191	311	1
84	983	206	233	312	571
86	1002	210	653	313	469
89	67	212	165	319	327
93	1168	215	284	320	812
94	30	216	176	322	575
95	9	217	393	326	1157
98	1164	218	232	333	1043
99	10	219	820	334	600
102	91	221	333	335	189
103	579	226	139	336	274
104	188	228	39	337	1044
105	222	230	477	339	1133
108	133	233	1000	340	58
118	72	237	707	341	468
119	241	238	454	345	122
120	1120	239	572	346	275
121	13	240	348	350	601
122	245	245	179	351	349
123	178	246	522	352	923
124	706	247	83	353	130
130	1159	249	17	355	112
		250	77	356	385

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
357	973	487	485	617	177
358	1076	488	26	618	397
360	41	489	459	619	383
363	69	491	235	620	286
365	972	495	724	621	361
367	670	498	526	623	175
368	226	499	280	624	828
369	523	501	570	627	57
371	1083	503	806	628	694
372	609	506	334	629	604
373	452	510	819	630	166
375	358	513	616	632	927
377	86	514	42	633	710
378	1156	516	363	634	90
379	50	518	71	635	174
380	37	519	980	638	1151
381	1170	520	95	639	34
384	611	521	491	640	73
388	662	523	115	643	919
396	804	524	922	644	81
400	19	529	228	645	89
401	318	530	229	648	933
405	243	537	164	651	739
406	1125	539	345	653	594
408	418	540	708	654	1003
410	602	546	994	656	932
411	988	547	765	657	832
413	524	548	323	658	596
419	852	549	261	661	113
421	54	557	108	662	527
423	612	560	615	663	676
424	453	561	458	664	931
425	850	562	211	665	479
426	27	568	267	666	476
427	525	570	404	668	818
429	677	571	100	673	1138
430	971	575	803	678	843
433	558	576	1011	682	249
437	912	577	689	684	618
438	53	579	110	686	801
443	914	580	258	687	930
444	384	581	1075	689	550
445	119	582	224	692	928
447	888	584	617	699	1086
452	613	590	986	702	438
459	80	593	414	704	109
460	251	594	1065	706	111
462	1109	595	467	708	213
464	603	596	709	709	493
466	614	598	754	710	549
467	210	603	576	711	619
473	486	604	802	712	287
474	1001	605	212	713	1137
475	1074	610	1012	714	568
478	184	612	256	716	154
482	82	613	465	719	38
483	577	614	152	720	332
484	114	616	738	722	146

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743	593
745	494
746	621
752	737
753	1004
755	548
757	1052
758	1051
759	1053
762	622
767	623
768	929
769	711
771	652
772	624
774	969
777	625
778	495
780	1049
783	528
784	140
786	153
788	654
797	1169
798	131
799	807
801	496
802	800
803	382
805	435
810	207
814	993
818	834
820	731
822	301
823	864
824	749
826	441
827	655
830	428
832	529
841	722
842	264
843	450
844	214
845	626
846	1070
847	123
848	573
852	970
853	934
854	770
855	926
856	440
858	883
860	354
861	266
863	221
866	544
867	302
868	103
873	657
875	666
876	656
878	757
879	684
884	569
885	381
886	889
887	1160
893	481
900	1124
903	530
904	723
913	865
915	870
917	271
919	156
923	559
924	471
938	660
939	1203
940	1147
947	545
948	436
949	75
958	320
960	1050
963	439
966	531
968	658
971	901
980	839
981	543
985	595
987	1189
988	1010
989	840
993	952
995	627
1001	1184
1008	597
1009	705
1010	474
1012	628
1016	686
1019	1161
1020	953
1021	1016
1022	492
1026	532
1027	364
1028	1067
1029	680
1035	954
1037	1154
1038	720
1039	887
1040	774
1043	1058
1046	546
1047	667
1054	1085
1067	799
1068	701
1072	955
1079	337
1080	606
1081	375
1084	368
1087	704
1088	1136
1090	380
1092	692
1097	629
1098	1060
1101	761
1105	668
1107	437
1111	567
1112	472
1113	244
1114	891
1115	360
1116	703
1118	732
1119	1045
1125	975
1126	160
1127	687
1128	1061
1129	295
1132	366
1134	1059
1142	700
1146	772
1151	1207
1154	598
1161	379
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1192	1040	1392	555	1597	586
1195	696	1394	890	1599	541
1197	688	1395	1163	1603	289
1203	893	1401	1078	1604	359
1204	552	1406	478	1605	635
1207	463	1408	378	1606	1108
1208	808	1415	859	1607	1072
1213	630	1416	897	1609	1034
1217	664	1418	809	1610	965
1225	766	1420	448	1611	827
1228	607	1421	860	1614	173
1236	733	1427	1009	1617	290
1237	589	1428	580	1618	265
1246	1121	1429	921	1622	183
1247	1122	1432	563	1623	172
1251	451	1433	851	1627	539
1255	743	1434	826	1628	540
1257	985	1438	1172	1629	398
1267	88	1442	1187	1631	948
1271	631	1444	497	1632	681
1272	675	1447	417	1633	861
1273	554	1448	561	1634	702
1276	831	1460	330	1636	269
1277	588	1464	736	1637	231
1282	449	1471	1005	1638	377
1284	1062	1476	498	1639	304
1287	1064	1480	915	1643	756
1292	288	1488	242	1646	291
1297	533	1489	1188	1649	376
1300	1077	1495	447	1652	335
1302	796	1496	974	1653	862
1304	894	1497	1048	1654	273
1305	483	1498	798	1656	875
1309	747	1503	537	1659	171
1312	564	1506	499	1662	734
1313	632	1507	874	1665	446
1315	895	1512	1087	1670	356
1317	1186	1517	194	1674	170
1320	896	1520	1056	1681	634
1321	665	1534	697	1683	432
1322	1158	1537	1008	1686	636
1324	849	1539	429	1687	673
1327	748	1546	964	1688	881
1332	991	1547	838	1689	445
1334	633	1549	797	1690	542
1339	1007	1557	916	1692	276
1350	835	1558	1033	1693	372
1352	829	1560	303	1695	305
1353	663	1561	500	1696	426
1354	1193	1564	591	1699	581
1355	1069	1567	84	1700	578
1363	1013	1572	1073	1702	307
1364	1068	1573	989	1705	169
1366	556	1585	371	1706	279
1367	836	1592	141	1713	281
1368	1063	1593	538	1717	186
1382	590	1594	182	1719	357

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1757	416
1758	605
1759	306
1760	878
1762	1165
1774	444
1775	811
1776	1082
1787	425
1789	198
1790	482
1798	941
1800	763
1801	949
1803	322
1804	185
1806	764
1807	405
1809	950
1816	390
1821	951
1826	638
1827	1088
1831	424
1835	355
1841	775
1842	725
1844	325
1845	735
1859	691
1871	501
1882	502
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1885	566
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SENATE BILLS

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
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9	795	147	78	267	47
10	199	150	44	269	793
13	944	151	79	273	1145
14	503	153	910	275	46
15	977	161	20	276	63
17	49	163	813	280	507
19	25	165	1162	281	255
22	97	166	45	285	158
23	96	167	33	286	365
24	246	168	473	287	260
25	321	170	1190	290	43
26	937	173	909	291	16
28	935	174	1166	296	159
30	62	176	1199	301	547
31	12	177	1103	303	296
33	60	178	389	305	277
48	443	179	460	307	253
51	8	181	918	309	728
52	187	184	300	314	981
53	1018	186	1035	318	792
55	29	187	936	319	419
61	18	188	466	321	957
63	52	189	7	326	61
66	858	190	259	327	313
69	70	192	847	328	1173
70	127	193	5	330	1025
71	200	194	374	331	1152
72	1206	195	1167	333	203
74	848	196	1135	338	93
76	40	198	433	339	1107
79	117	201	1104	341	1093
80	206	205	794	345	168
86	1116	207	505	353	324
87	6	210	506	354	64
91	192	211	124	355	913
93	1182	212	102	358	352
96	311	213	966	359	369
98	1196	217	193	360	351
99	312	218	336	362	147
102	107	219	257	364	508
107	23	227	778	366	254
110	223	229	1042	367	314
111	1134	230	996	368	196
116	145	232	157	369	215
119	247	237	292	370	938
120	830	239	4	371	751
124	504	242	143	373	3
128	167	243	125	377	1102
130	98	248	1110	378	509
132	1181	249	758	380	791
135	299	256	1105	381	218
136	11	258	278	383	713
138	59	260	51	386	104

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395	400
397	762
399	1039
405	412
406	671
407	822
412	1100
415	825
417	340
419	712
421	268
424	270
426	846
428	946
432	148
434	1099
436	790
437	1106
443	639
445	510
446	814
447	1098
448	101
449	99
451	180
452	789
454	341
458	118
461	788
469	1175
471	917
472	1081
477	204
478	338
479	699
480	773
489	718
493	399
494	771
496	1149
498	908
503	717
509	225
513	217
514	511
520	105
522	1178
524	753
526	640
534	716
535	362
536	315
540	752
541	1129
548	293
549	1130
552	1080
553	308
555	1131
559	536
560	420
561	410
562	1031
564	513
567	326
568	386
570	407
572	641
576	461
580	769
582	1089
583	1204
585	347
586	787
588	786
592	423
595	855
597	1142
602	285
606	947
608	413
609	642
611	785
613	162
614	1128
616	1026
617	464
618	431
620	161
622	644
626	643
628	142
629	1036
634	106
636	690
637	645
638	252
639	1027
641	1094
647	967
648	1095
651	783
652	1191
653	782
659	646
665	134
667	715
668	409
669	925
672	961
674	1091
678	197
680	128
681	882
683	869
687	871
692	698
698	750
702	1079
707	647
715	899
717	422
718	421
721	821
727	759
728	442
732	880
734	512
736	514
741	781
746	515
751	868
752	844
753	1092
755	1096
756	329
763	968
766	403
771	1123
772	940
773	854
775	1141
776	331
777	867
780	396
784	1171
785	903
787	744
793	866
796	661
797	1201
807	898
810	592
811	729
812	434
813	238
815	810
816	742
817	741
823	1192
825	1097
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831	976
832	227
836	884
839	516
840	1177
842	1090
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844	1195

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867	144
868	902
870	135
871	904
874	519
875	745
878	1021
881	535
882	1146
884	518
886	863
887	845
890	721
891	693
894	920
898	992
899	879
900	784
910	1183
916	395
920	999
921	520
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925	373
926	237
927	669
929	1155
930	1153
934	962
935	842
943	856
949	1144
950	815
951	1194
952	402
953	817
956	841
960	1024
962	248
964	768
965	129
966	1174
972	1019
973	149
976	250
980	490
982	132
987	344
990	857
993	963
995	816
997	475
998	779
1001	995
1002	853
1004	1180
1005	746
1007	978
1008	777
1015	1115
1016	1202
1017	234
1019	1038
1021	219
1022	1114
1025	1179
1026	960
1030	682
1032	1030
1033	907
1035	155
1036	150
1037	353
1038	263
1040	1113
1042	1112
1043	316
1044	456
1045	317
1055	202
1056	201
1058	714
1059	1037
1063	430
1068	126
1069	719
1075	678
1077	727
1080	1117
1084	455
1085	1127
1089	1041
1091	230
1094	1032
1098	674
1105	1139
1106	74
1112	959
1113	408
1120	1126
1126	1015
1128	1029
1131	484
1132	648
1137	1054
1139	394
1140	562
1141	780
1142	1066
1143	1057
1149	1143
1154	216
1155	958
1164	649
1165	905
1167	943
1169	979
1170	945
1171	205
1177	462
1178	560
1180	906
1181	220
1182	650
1183	956
1187	342
1188	297
1189	651
1190	1023
1194	346
1195	1118
1196	984
1203	1119
1207	695
1215	872
1221	343
1234	190
1239	740
1242	672

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
8	32	52	49		

ASSEMBLY CONCURRENT RESOLUTION

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
1	2	26	24	51	78
2	3	27	35	52	23
8	19	30	48	53	45
10	15	32	36	54	69
11	42	33	84	59	88
12	30	34	67	60	43
13	9	35	62	61	27
14	13	37	85	68	79
17	14	39	20	69	70
18	8	42	68	74	89
20	31	44	77	75	53
21	57	45	37	78	46
22	83	46	87	83	98
23	12	48	54	87	96

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
5	16	22	47	33	58
6	6	25	17	35	26
7	7	26	39	36	59
14	11	27	76	38	65
16	38	28	90	40	60
18	63	29	103	51	97
19	64	32	28	52	86

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
2	18	21	93		

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
1	1	15	34	28	92
2	4	16	80	29	55
5	10	20	75	30	44
6	5	21	41	32	100
7	61	22	91	33	29
8	99	23	51	34	66
9	71	24	73	35	50
10	21	25	81	44	94
12	56	26	82	47	95

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
5	25	15	22	20	52
12	33	17	72	25	101
13	40	18	74	26	102

BILLS VETOED BY GOVERNOR

1979

ASSEMBLY BILLS

18, 29, 91, 101, 156, 164, 211, 227, 229, 235, 253, 259, 268, 306, 385, 404, 441, 450, 591, 700, 961, 986, 994, 1076, 1077, 1109, 1183, 1186, 1346, 1407, 1412, 1446, 1452, 1582

SENATE BILLS

62, 67, 73, 75, 182, 282, 313, 323, 401, 416, 444, 504, 621, 686, 814, 933, 985, 1014, 1031, 1039, 1201