1991

LEGISLATIVE SESSION

ACCOMPLISHMENTS

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Senate Democratic Caucus
Senate Office of Research
and Senate Staff

Revised
October 22, 1991

Table of Contents

Introduction 1

AIDS Legislation 2

Animal Rights 4

1991-92 State Budget 5

Consumers 7

Education 9

Elections and Political Reform 12

Earthquakes and Other Emergencies 14

Environment, Toxics, Natural Resources 16

Family 20

Growth Management 22

Health 23

Housing 27

Insurance 31

Judiciary and Criminal Justice 33

Labor 36

Minorities and Women 39

Revenue and Taxation 42

Seniors 44

Transportation 40

Utilities 49

Water 50

Youth 51

Introduction

Here is a summary of significant legislation sent to Governor Wilson in the first half of the 1991-92 legislative session. The bulk of the 1991 bills signed by Wilson, or allowed to become law without his signature, will take effect Jan. 1, 1992.

Under a constitutional amendment approved by California voters in June 1990, the governor had 30 days following the Legislature's September recess to act on the final bills reaching his desk. His deadline was Oct. 14, 1991.

AIDS Legislation

The Legislature in 1991 took a number of steps aimed at minimizing the risk of spreading Acquired Immune Deficiency Syndrome (AIDS) within the health-care industry, while also striving to increase awareness of AIDS prevention procedures.

Minimizing Risks, Increasing Awareness

Governor Wilson ***signed*** a wide-ranging measure, ***AB 1113 (Archie-Hudson),*** to promote pilot programs aimed at reducing the spread of AIDS by establishing halfway houses for AIDS-infected intravenous drug users. The measure also directs the state Department of Health Services to develop an information clearinghouse on the status of new clinical drug trials, to assist in treating AIDS patients. The department will be required to determine the full medical costs of AIDS to enable the state to provide sufficient funding to meet this public health crisis.

SB 1070 (Thompson) imposes new penalties against health-care providers who fail to follow established infection-control guidelines. AIDS testing for inmates, those arrested, parolees and probationers will be extended to July 1, 1994 under ***SB 223 (Presley). Both Signed***

Health workers who get AIDS or Hepatitis B through contact with blood are presumed to qualify for workers' compensation under ***SB 54 (Lockyer). Vetoed***

Other AIDS measures sent to the governor:

AB 11 (Hughes) requires school boards to ensure that students in grades seven through 12 receive AIDS prevention instruction, beginning in the 1992-1993 school year, unless their parents or guardians deny permission. ***Signed***

AB 28 (Klehs) denies tax exempt status to social clubs that discriminate on the basis of physical disability. ***Vetoed***

AB 305 (T. Friedman) authorizes the state Department of Social Services to establish a supplemental rate of payment to residential-care facilities caring for those with AIDS or related illnesses. ***Signed***

AB 1281 (Filante) expands protections against the unauthorized disclosure of HIV tests. ***Signed***

AB 1287 (Vasconcellos) prohibits insurance companies and health-plan providers from withholding coverage based solely on an individual's participation in an AIDS vaccine trial. ***Vetoed***

AB 1870 (Lee) requires the state Department of Health Services to review studies and data regarding safety devices protecting health-care workers from exposure to blood-borne diseases, and report to the Legislature. ***Signed***

Animal Rights

Animal rights is an issue of long-standing interest to many legislators. Several measures won passage to help guard against abuse of both household pets and exotic creatures.

Governor Wilson vetoed a hotly debated bill, ***AB 110 (O'Connell),*** to prohibit California manufacturers from using skin irritancy tests on animals during the production of certain cosmetics and household cleaning products. ***Vetoed***

Other animal-rights bills:

Protecting Household Pets, Laboratory Animals, Exotic Creatures

SB15 (Robbins) extends penalties for theft of a pet dog to include any animal stolen for medical or commercial use. It also permits pet cemetery owners to dispose after seven days of the remains of a pet left at the cemetery if other arrangements have not been made, and requires cemetery owners to post notices of that policy. ***Signed***

SB1013 (Thompson) prohibits permits for alligator farms when the animals are kept for the use and sale of meat or hides. ***Signed***

SB1020 (Rosenthal) requires dog dealers to post notice that pedigree registration does not guarantee an animal's health or accuracy of lineage records. ***Signed***

SB1128 (Lockyer) creates detailed regulations for the treatment and sale of dogs and cats by dealers; establishes consumer rights governing the purchase of pets; identical to ***AB2021 (Polanco). Both signed***

AB35 (Filante) gives local officers greater flexibility in deciding the disposition of animals seized because of abandonment or owner negligence. ***Signed***

AB 1900 (O'Connell), the Equine Protection Act of 1991, creates a program of equine identification before animals are shipped for slaughter. ***Signed***

1991-1992 State Budget

A persistent economic recession, a soaring population and the long-lived legacy of the 1978 taxpayers' revolt contributed to a $14.3 billion shortfall addressed in the 1991-92 state budget. The Legislature and Governor Wilson made unprecedented spending cuts, targeting higher education, welfare families and other areas, and resorted to a series of tax increases in the budget year that began July 1. The $55.7 billion budget was signed 16 days into the new fiscal year, yet there were even longer delays in some states dogged by budget crises.

Budget Highlights:

- Budget-balancing cuts in state salaries and benefits remain a subject of ongoing collective bargaining negotiations between employee unions and the administration.

- Structural changes, designed to help ward off future shortfalls, include a shift of responsibility from the state to counties for health and welfare services.

- A $175 million prevention plan is aimed at heading off health and learning problems in children. It will expand mental health services for young pupils, establish a volunteer corps of mentors for schoolchildren, expand the state preschool program, extend prenatal and neonatal services to more women and babies.

Balancing the Books with Spending Cuts, Revenue Increases, Structural Changes

- Vehicle-license fees and taxes on alcoholic beverages went up. The statewide sales tax was increased by 1 1/4 cents, to a base rate of 7 1/4 cents per dollar, and broadened to include candy, snack foods, bottled water, and the sale of newspapers and periodicals.

- The top personal income-tax bracket was raised from 9.3 percent to 10 percent for single filers with taxable incomes of $100,000 and joint filers with taxable incomes of $200,000; and to 11 percent for single filers with $200,000 and joint filers with $400,000 in taxable incomes.

- The renter's credit for single filers making $20,000 in taxable income and joint filers making $40,000 will be phased out.

- Businesses will lose the right to deduct 50 percent of net operating losses to offset corporate income taxes paid in 1991 and 1992. But the expiration date for deducting net operating losses was extended from Jan. 1, 1992 to Jan. 1, 1997.

- Student fees were raised 20 percent at the California Community Colleges and in the California State University system and by 40 percent at the University of California.

- Monthly benefit grants to those receiving Aid to Families with Dependent Children were cut 4.4 percent and the Homeless Assistance Program was cut by $25 million, roughly 50 percent.

- High yields on the investment of public pension funds will be used to offset pension contributions owed by government entities for public workers in 1991-92.

Other Budget and Bond Legislation:

SB 55 (Alquist) creates the California Constitution Revision Commission and requires the commission to recommend steps for improving the state budget process by January 1993. The commission would terminate on February 1, 1995. ***Vetoed***

AB 948 (Bronzan) provides for parental payment of enrollment fees for disabled minors to receive services under the California Children's Services Act. ***Signed***

SB 392 (Killea) authorizes committees issuing general obligation bonds under a bond act to issue zero coupon bonds and capital appreciation bonds. ***Signed***

AB 384 (Chacon) establishes new reporting requirements for state and local agencies receiving authority to issue private activity bonds from the California Debt Advisory Committee. ***Vetoed***

AB 1442 (Eastin) allows the state to distribute sales taxes, user fees and other local government revenue to local entities even if the state budget has not been adopted. ***Signed***

Consumers

A variety of bills affecting businesses and consumers cleared the Legislature in 1991. Among them:

SB 245 (Presley) places a $35 ceiling on how much car dealers or lessors can charge for smog certificates. ***Signed***

SB 473 (Marks) prohibits consumer credit reporting agencies from furnishing credit reports to be used for employment, promotion, or employee reassignment. ***Vetoed***

SB 961 (Senate Business and Professions Committee) allows the director of the state Department of Consumer Affairs to investigate allegations of misconduct in preparing, administering or scoring any examination by a board under its authority. ***Signed***

Clamping Down on Use of Credit Reports

AB 1102 (Speier) requires employers who use credit reports for employment purposes to purchase copies for the applicants. ***Signed***

SB 1105 (Dills) removes the expiration date of Jan. 1, 1992 on deregulation of interest rates on all retail credit installments. ***Signed***

AB149 (Tanner) requires retail service stations to install open latches on fuel nozzles by July 1, 1992 to reduce human exposure to benzene emissions. ***Signed***

AB 807 (Roybal-Allard) removes the expiration date of July 1, 1991 for regulations permitting residential telephone customers to delete access to 900 or 976 prefixes at no charge. ***Signed***

AB998 (Peace) establishes disclosure requirements for secured credit cards, which can result in liens on real or personal property. ***Signed***

AB1143 (Friedman) authorizes the Department of Rehabilitation to act against client abuse in rehabiliation facilities for severely disabled persons. ***Signed***

AB 1763 (Sher) prohibits car dealers from confusing customers with advertisements that use terms like "dealer's cost" and "invoice price." ***Signed***

AB1793 (Moore) adds personal home care and community care for functionally disabled elderly persons as covered benefits under Medi-Cal. ***Signed***

Education

The new state budget provided schools with the minimal funding guarantees of voter-approved Proposition 98, but spending curbs forced painful cutbacks in public higher education and an increase in student fees. Education remained a top legislative priority, but school enrollments soared amid the state's spending constraints. Attention focused on preventative measures, school crime and preparing youngsters for entering the future work place.

Soaring Enrollments Amid State Spending Constraints

SB 121 (Hart) requires the regents of the University of California, the trustees of the California State University, and the Board of Governors of the California Community Colleges to have as a fundamental policy the maintenance of a healthy and expanded student transfer system. ***Signed***

SB 215 (Craven) permits teachers with credentials for "self-contained classrooms" to teach any subject in kindergarten through eighth grade. ***Signed***

SB 377 (Thompson) allows the district attorney to notify a student's superintendent of schools when a youth is charged with felonious assault, homicide or rape. ***Signed***

SB 393 (Craven) requires the Department of Transportation to enact noise abatement programs for schools located by freeways. ***Signed***

SB 409 (Green, C.) requires the superintendent of public instruction and the attorney general to establish interagency safe-schools programs. ***Signed***

SB 646 (Dills) creates the California Workforce Education and Skills Training Commission to develop a master plan for workforce education and skills training for non-college-bound youth and adults. ***Vetoed***

SB 620 (Presley) creates the Healthy Start Support Services Program to provide grants to school districts and county offices of education to provide health and other support services for children and their families. ***Signed***

SB 662 (Hart) makes numerous substantive changes to the currrent system of achievement testing for K-12 students in California and appropriates $9 million to the superintendent of public instruction for that purpose. ***Signed***

SB 668 (Russell) requires the state schools superintendent to develop a staff training program to help children exposed to drugs and alcohol. ***Signed***

SB 954 (Torres) requires the Department of Education to study the feasibility of establishing a comprehensive pupil information system. ***Vetoed***

SB 965 (Morgan) establishes the Child Development Teacher Loan Assumption Program, administered by the Student Aid Commission, to assume loans for students agreeing to teach or supervise in the area of child care and development. ***Signed***

SB 976 (Hart) Appropriates $165 million to California Schools -- $53 million to higher education and $112 million to K-12 school districts -- for a variety of instructional purposes. These one-time revenues result from the settlement of an antitrust lawsuit involving four major oil companies. ***Vetoed***

SB 1154 (Bergeson) prohibits employees of a school district or community college district from serving on the district's board. ***Signed***

AB 4 (Eastin) creates the Lighthouse for Literacy Act Fund to provide grants to school districts for purchasing library materials and to hire library media staff. ***Vetoed***

AB 191 (Elder) would permit the Los Angeles Unified School District and the San Francisco Unified School District to suspend payments to the State Teachers Retirement System for January 1991 through June 1992 . ***Vetoed***

AB 245 (Polanco) specifies that funding for student tutoring programs may be used only if schools have used their summer school apportionment on regular summer school programs. ***Signed***

AB 365 (Roybal-Allard) requires community college districts, the University of California, the California State University and Hastings College of Law to implement a rape education program for their students and staff. ***Signed***

AB 592 (Polanco) permits aliens, with certain exceptions, to establish California residency for purposes of tuition. ***Vetoed***

AB 770 (Farr) exempts active duty military personnel from nonresident tuition if their veterans' benefits have expired and they can demonstrate financial need, and if the community college involved has not exceeded its statutory enrollment cap. Increases health services fee for community college students to $10. ***Signed***

AB 831 (Bates) establishes Neighborhood Family Services pilot projects to coordinate educational, health, welfare and law enforcement services at the community level. ***Vetoed***

AB 857 (Allen) expands the definition of "sex offenses" to include "sexual battery" for purposes of disciplinary action against public elementary and secondary school employees and requires school districts to place certified employees charged with sexual battery on compulsory leave of absence. ***Signed***

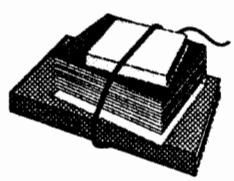
AB 1200 (Eastin) grants county superintendents of schools greater authority over the budgets and purchasing processes of school districts within their jurisdictions. ***Signed***

AB 1637 (Brown) would authorize creation of local education financing authorities within counties that could increase sales taxes by a quarter cent, upon voter approval, for use by local schools. ***Vetoed***

AB 1650 (Hansen) establishes a school-based Early Mental Health Intervention and Prevention Services grant program to be administered by the state Department of Mental Health for kindergarten through 3rd grade pupils. ***Signed***

AB 1670 (Hansen) allows an expansion of state preschool programs under specified conditions. ***Signed***

AB 2226 (Bates) requires school districts with one or more high schools to appoint one non-voting student representative to the board. ***Vetoed***



Elections and Political Reform

A California Constitution Revision Commission envisioned by ***SB 55 (Alquist)*** would have studied and reported back to the Legislature and the governor on any needed changes in the initiative process, as well as state budgeting methods. It was ***vetoed.*** California government increasingly has been bound by the divergent demands of voter-approved initiatives, debated in the shallow forum of 30-second television spots. Other legislation sent to Governor Wilson was aimed at increasing awareness among and disclosure to voters.

Improving Awareness Among and Disclosure to Voters

The redrawing of legislative and congressional election district boundaries, as required every decade, was a focus of the final weeks of the 1991 session. But the Legislature's adopted maps were vetoed by the governor, and the configurations will have to be resolved by the state Supreme Court.

SB 209 (Kopp) would prohibit anyone from publishing, with knowledge and intent to deceive, false or misleading depictions of official or public documents. ***Signed***

SB 424 (Kopp) prohibits initiative proponents from funding specific projects in their initiatives in exchange for campaign contributions or pledges to qualify an initiative. ***Signed***

SB 607 (Hart) would have required each proposed initiative petition to have pro and con arguments printed on the petition. ***Vetoed***

SB 113 (Lockyer) requires slate mailers to identify candidates by political party. ***Signed***

SB 287 (Maddy) was one of the ***vetoed*** redistricting measures.

SB 293 (Marks) allows certain overseas voters to apply for and receive an absentee ballot by fax machine. ***Vetoed***

SB 587 (Marks) was one of the ***vetoed*** redistricting measures.

SB 661 (Hill) would have required initiative summaries to include a list of contributors who gave $5,000 or more. ***Vetoed***

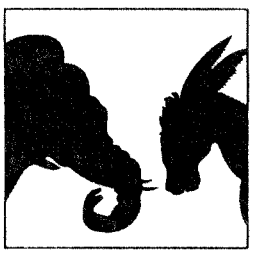
SB 842 (Marks) extends to local initiative campaigns the same limits on the use of campaign funds that are in place for statewide initiatives. ***Signed***

SB 1089 (Hart) establishes a school-based Youth Vote program. ***Vetoed***

SB 1098 (Marks) revises the method by which Democratic presidential delegates are chosen. ***Signed***

SB 1194 (Roberti) requires expenditures by political committees to be reasonably related to a political, legislative, or governmental purpose of the committee and tightens restrictions on expenditures conferring substantial personal benefits. ***Signed***

AB 169 (Katz) would have created a pilot mock ballot program in selected schools. The program was designed to support civics education and to stimulate later involvement in voting and in the governmental process. ***Vetoed***



AB 1002 (Chacon) requires certain school districts to adopt trustee area elections instead using the at-large method. ***Vetoed***

AB 1107 (Chacon) allows voters via petition to place the question of at-large vs. trustee area elections directly on the ballot. ***Vetoed***

AB 1185 (Hannigan) requires initiative committees to report quarterly during non-election years. ***Signed***

AB 1331 (Speier) provides for a pre-circulation legal review of initiative measures. ***Vetoed***

AB 1471 (Lempert) would have clarified certain matters in the state ballot pamphlet, requiring (a) that the pamphlet contain a definition of each type of measure submitted to the voters, (b) that measures be grouped by type, and (c) that measures be more clearly identified as submitted by the Legislature or the voters. ***Vetoed***

AB 2239 (Chacon) was one of the ***vetoed*** redistricting measures.

Earthquakes and Other Emergencies

Striving to Avoid Future Losses, Suffering

Earthquakes are a fact of life in California. Legislative measures taken after each major temblor have helped save lives when the next big one hits. California has learned from its natural disasters, striving to avoid future losses and suffering.

SB 289 (C. Green) provides for a six-month delay, to Jan. 1, 1992, in implementing last year's earthquake insurance plan financed by an insurance surcharge. ***Signed***

SB 505 (Mello) expands the ability of local governments to carry out disaster preparedness and disaster prevention programs. The bill makes preventive activities by local agencies reimbursable from emergency response funds. ***Vetoed***

AB 29 (Klehs) adds the potential effects of tsunami and seiche to the information which may be included in maps compiled by the state geologist. ***Signed***

AB 43 (Floyd) expands the property tax exemption for seismic safety improvements authorized by voters on November 1990 ballot. ***Signed***

AB 65 (Tanner) extends date for the expenditure of funds from the Disaster Response-Emergency Operations Account for the October 1, 1987 Southern California earthquake. ***Signed***

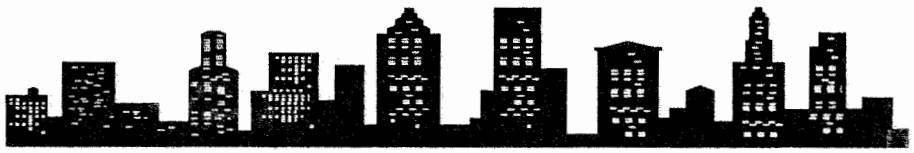
AB 200 (Cortese) requires the seller of all pre-1960 one- to four-unit dwellings sold after July 1, 1992, to complete an earthquake hazards disclosure. Also requires the transferor to disclose specified deficiencies within the transferor's knowledge that would increase the dwelling's vulnerability to earthquake damage. ***Signed***

AB 204 (Cortese) establishes a uniform standard for seismic retrofit of unreinforced masonry buildings in California. ***Signed***

AB 677 (Hansen) appropriates $73.75 million from the General Fund to the Department of Forestry and Fire Protection to offset the costs of emergency fire suppression activities during the 1990s severe fire season. ***Signed***

AB 958 (Areias) directs the Seismic Safety Commission to administer a task force to develop seismic safety building performance standards that may be required for construction of new cellular telephone facilities. ***Signed***

AB 1964 (Areias) establishes a state goal to retrofit all unreinforced masonry buildings owned, leased or occupied by the state by January 1, 2000. ***Vetoed***



Environment, Toxics, Natural Resources

Ending a years-long deadlock among agribusiness, environmental and consumer-health advocates over pesticide regulation, the Legislature went along with Governor Wilson's plan to create a California Environmental Protection Agency to consolidate the management of environmental issues, including pesticide regulation. Pesticides had been controlled by the state Department of Food and Agriculture, which was accused by critics of favoring agricultural interests over health considerations.

Addressing Long-Simmering Pesticide Issues, Transporting Toxics

The new Cal EPA includes a Department of Pesticide Regulation, along with a Department of Toxic Substances Control, an Office of Environmental Health Hazard Assessment, and the Air Resources Board, Integrated Waste Management Board and state Water Quality Resources Control Board.

The July derailment at Dunsmuir of a Southern Pacific tanker car spilled thousands of gallons of metam sodium, an herbicide, into the upper Sacramento River. In the aftermath, the public discovered little was known publicly about the long-term health effects of metam sodium and some other widely used pesticides. It later was revealed that metam sodium might cause birth defects. The Legislature sent the governor a bill ***SB 550(Petris)*** to require the director of pesticide regulation to suspend registration of pesticide products that do not have complete health data as of January 1992. ***Signed***

Governor Wilson signed several measures to improve the safety of shipping toxics by rail and emergency response to spills. ***SB 48 (Thompson)*** will set up a rapid-response team, to be administered by Cal-EPA, to handle toxic incidents similar to Southern Pacific's Dunsmuir and Ventura spills. Trains transporting toxics will be required to carry emergency-response information on board. The number of hazardous chemicals that require special handling will be increased. ***SB 152 (Killea)*** will require railroads to pay annual fees to the Public Utilities Commission for railroad safery. ***AB 151 (Katz)*** orders the PUC to develop regulations aimed at reducing potential danger areas along railroad routes. ***AB 684 (Moore)*** channels $1.8 million into improving rail safety inspections and ensuring compliance with new regulations. ***All signed***

AB1742 (Hayden) authorizes the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment to extend the deadlines for mandatory health-effects studies and to determine which pesticides do not require the studies to evaluate active ingredients. ***Signed***

AB1685(Chandler) increases the fines for violations of pesticide regulation laws and requires that collected fines be deposited in the pesticide regulation fund rather than food and agriculture fund. ***Signed***

A deep-seated clash between the timber industry and environmentalists formed another hotly debated front. ***AB 860 (Sher), vetoed*** by the governor, addressed fundamental conflicts between forest profits and protections by:

A Clash Between Timber Harvesters, Environmentalists

- Revising the membership of the Board of Forestry,
- Instituting civil penalties for violations of the Forest Practice Act,
- Restricting harvesting levels to achieve sustained yield,
- Establishing fixed stream protection zones,
- Limiting clearcuts to 20 acres,
- Protecting ancient forests and critical wildlife habitat, and
- Limiting timber harvesting within individual watersheds.

Other environmental bills:

SB 49 (Torres) and ***SB 123 (Torres)*** strengthen the laws governing the use and storage of hazardous materials for emergency response. ***Both signed***

SB 124 (McCorquodale) creates a San Joaquin Valley regional air pollution control district. ***Signed***

SB 135 (Boatwright) requires the state Air Resources Board to adopt tougher emission standards by 1993 for public and private transit buses (taxis, buses, airport shuttles, etc.) to promote low-emission clean fuels. ***Signed***

SB 235 (Hart) establishes requirements for use reduction, reuse, recycling rates, or recycled material content, for rigid plastic packaging containers sold in California after January 1, 1995. ***Signed***

SB 274 (Killea) provides incentives for dry cleaners to reduce toxic emissions. ***Signed***

SB 819 (Mello) improves management of California's wild pig population. ***Signed***

SB 906 (Hill) establishes the Riparian Habitat Conservancy within the Wildlife Conservation Board. ***Signed***

SB 960 (Hart) promotes improved recycling of "mixed paper waste" by local governments. ***Signed***

SB 966 (Bergeson) authorizes local agencies, including cities and counties, to take administrative enforcement actions against toxic waste violators. ***Signed***

SB 1021 (Hart) requires a gubernatorial environmental report and message no later than March 15 every year to identify and review environmental problems and set priorities; summarize state policies, achievements and actions. ***Signed***

SB 1066 (Dills and Keene) encourages recycling of telephone books to save landfill space, reduce energy consumption and preserve timber resources. ***Signed***

SB 1133 (Roberti) encourages businesses to reduce the quantity of toxic wastes they generate. ***Signed***

AB 63 (Felando) extends current commercial fishing licensing and fee structure to December 31, 1992. ***Signed.***

AB 354 (Hauser) continues a program due to expire January 1, 1992, for the replenishment of salmon resources. ***Signed***

AB 380 (Margolin) strengthens enforcement of the Beverage Container Recycling Act, known as the "bottle bill." ***Signed***

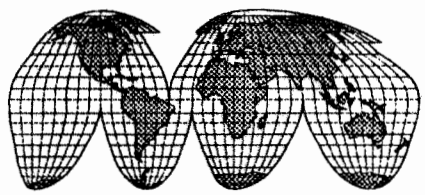
AB 977 (Mountjoy) expands sports hunting of Nelson bighorn sheep. ***Signed***

AB 1340 (Eastin) establishes requirements for the proportion of recycled glass content in Fiberglass manufactured after January 1, 1992. ***Signed***

AB 1811 (Isenberg) requires the Department of Fish and Game to conduct a survey of state-owned wetlands. ***Signed***

AB 2172 (Kelley) authorizes the Department of Fish and Game to enter into agreements with public agencies or private parties for the preparation of habitat conservation plans. ***Signed***

AB 2212 (Sher) is an urgency bill addressing the projected insolvency of the refund account under the Beverage Recycling Act ("bottle bill"). ***Signed***



Family

Granting Family Leaves at Big Companies

Governor Wilson ***signed AB 77 (Moore)*** to require firms employing 50 workers or more to grant up to four months unpaid leave within a 24-month period to care for a sick child, spouse or parent, or to give birth or adopt a child. In an earlier form, the bill would have applied to firms with 25 employees; the new law will exempt 94.4 percent of all employers because of changes made at Wilson's request. The measure will allow employers to substitute an employee's accrued vacation or other earned leave, excluding sick leave, for unpaid leave. Employers can be exempted if they can demonstrate family-care leave would cause undue hardship. They also can request certification from a health-care professional of the illness of a child, parent or spouse.

The governor also ***signed AB 93 (Moore),*** requiring that those charged with violating a protective court order in domestic-violence cases be taken before a court magistrate instead of released.

Other bills relating to families, children, child support or domestic violence:

SB 19 (Lockyer) redefines "good cause" for purposes of filing charges against someone who takes a child to include a good faith and reasonable belief that a person with custodial rights to a child who has been a victim of domestic violence may again suffer immediate bodily injury or emotional harm. ***Signed***

SB 90 (Royce) makes changes to foster family agency procedures for placement and certification standards. ***Signed***

SB 101 (Hart) requires employers and labor organizations to provide specified employment and income information for purposes of determining and enforcing child-support orders; creates civil penalties for employers failing to comply with provisions. ***Signed***

SB 206 (Rogers) lets newlyweds pay an appropriate extra fee for decorative heirloom marriage certificates. ***Signed***

SB 395 (Morgan) requires the Department of Motor Vehicles to include a space for Social Security numbers on vehicle registration forms; prohibits the department from releasing that information except to agencies dealing with aid to children — either public assistance or child-support awards — and delinquent parking penalties. ***Signed***

SB 464 (Greene, L.) appropriates $300,000 from the federal Maternal, Child, and Adolescent Health block grant to the state Department of Health Services for school-based clinics. ***Signed***

SB 716 (Roberti) creates a fiduciary responsibility between spouses by applying fiduciary business partner standards to the relationship and imposes penalties for breach of duty. ***Signed***

SB 817 (Marks) repeals January 1992 sunset for Displaced Homemaker Emergency Loan Act and expands pilot projects to include Los Angeles, Orange, and San Diego counties. ***Signed***

SB 863 (Marks) authorizes a court to order either party to take a vocational training exam when determining spousal support awards. ***Signed***

SB 1068 (Bergeson) creates the Child Support Security Act, which permits the court to order child-support payments placed in a trust account for disbursement when payments are delinquent. ***Signed***

AB 108 (T. Friedman) expands emergency protective orders to include all threats of domestic violence; authorizes courts to order treatment counseling for the restrained party; revises and recasts the Domestic Violence Act. ***Signed***

AB 162 (Speier)guarantees indefinitely that victims of domestic violence shall keep the right to negotiate custody arrangements by separate sessions with court mediators; allows a court-appointed evaluator to make recommendations to the court about appointment of counsel to custody or visitation cases involving a minor child. ***Signed***

AB 785 (Eaves) allows expert testimony regarding battered women's syndrome in a criminal proceeding. ***Signed***

AB 831 (Bates) enacts the Pilot Neighborhood Family Services Organization Act to improve delivery of health, education, and other services to neighborhood organizations. ***Vetoed***

Growth Management

California's record setting population growth — 25 percent in the last decade — poses tremendous challenges to the environment, the state's economy, and its public institutions.

The Senate Office of Research issued a major study recommending 15 key reforms in the way state, regional and local agencies plan, finance and manage growth.

The governor's interagency Council on Growth Management is expected to issue its recommendations in January of 1992.

Land Use and Planning:

Challenges to the Environment, Economy, Public Institutions

SB 440 (C. Green) authorizes local ordinances to include a requirement for soils investigation of each potentially affected lot in a subdivision if a preliminary soils report indicates the presence of rocks or liquids containing chemicals that attack construction materials. ***Signed***

SB 1019 (L. Greene) revises provisions of the housing element designed to promote planning for affordable housing. Requires local governments to include sufficient site zones for multifamily housing in their programs. Requires water and sewer districts to provide priority for low-income housing in allocating services for residential use. ***Signed***

AB 427 (Lancaster) requires county surveyors to maintain an index, by geographic location, of records of surveys, subdivision maps and related documents. ***Signed***

Health

Legislation to enact the nation's most comprehensive lead-poisoning prevention program was signed by the governor on the heels of a federal announcement that lead causes irreversible neurological damage at much lower levels than previously thought.

The new threshold at which children will be considered in danger from lead poisoning is 10 micrograms per deciliter of blood instead of 25 micrograms.

The state Department of Health Services has estimated as many as one of every five California children may suffer from lead poisoning. Lead is found in old coatings of paint, soil contaminated with chipped house paint, tap water in homes with lead pipes, in lead-based cookware. Workers also may be exposed to lead in manufacturing jobs.

Preventing Lead Poisoning in Children, Workers

Lead testing will be made available to more than 1.5 million California youngsters up to six years of age in Medi-Cal and other state-sponsored programs. The state will supply health-care providers with information on identifying and treating lead poisoning.

The ***signed*** lead-poisoning prevention bills:

AB 2038 (Connelly) requires the state Department of Health Services (DHS) to adopt screening guidelines at least as stringent as the new federal rules. Youngsters at risk of lead poisoning must be tested. To pay for the program, fees will be assessed manufacturers and others contributing to the sources of childhood lead poisoning. The DHS must ensure that children found to be poisoned receive health care and information to reduce their exposure.

AB 1979 (Lee) requires health insurance policies and health-maintenance organizations to cover the costs of testing children, subject to normal co-payments. ***SB 240 (Torres)*** establishes a state program to prevent lead poisoning on the job. Fees of $1.2 million will be imposed on industries that could threaten workers with lead poisoning, such as manufacturers of batteries, metal cans and refrigeration equipment.

Other health-related bills:

SB 178 (Rosenthal) streamlines the Medi-Cal eligibility process for pregnant women by waiving the asset test used by county welfare offices. ***Vetoed***

SB 445 (Deddeh) authorizes a public entity to bring civil action against the manufacturer of asbestos-containing products for damages within three years of the date the public entity knew or reasonably should have known a product was a significant health hazard to building occupants. ***Vetoed***

SB 540 (Ayala) allows health care providers to maintain electronic patient records and requires the state Department of Health Services to develop regulations regarding confidentiality and integrity. ***Vetoed.***

SB 855 (Robbins) creates a mechanism to increase federal Medi-Cal matching funds for hospitals that have a high percentage of Medi-Cal and other low-income patients. ***Signed***

SB 856 (Bergeson) provides for continuity of Medi-Cal coverage during pregnancy and the postpartum period for pregnant women who are certified as Medi-Cal eligible. ***Signed***

SB 894 (Robbins) imposes a new annual fee to finance increased investigation and prosecution of health-insurance fraud. ***Signed***

SB 910 (McCorquodale) permits counties to provide targeted case management services to high-risk children and families; pregnant, postpartum, and parenting women; persons with HIV infection, homeless persons; persons abusing drugs or alcohol; and others. ***Signed***

SB 964 (Watson) ensures drug treatment and prenatal care for pregnant women within seven days of request; requires comprehensive protocol for drug treatment and prenatal care of pregnant addicts. ***Vetoed***

SB1100 (Bergeson) bans the free distribution of tobacco products on public property. ***Signed***

SB 1258 (Torres) prohibits health-care providers from withholding patient records because of unpaid bills. ***Signed***

SJR 27 (Watson) requests Congress and president to permit family planning clinics receiving Title X funds to offer abortions counseling and referral services. (A resolution such as this does not go to the governor.)

AB 38 (Chacon) requires the state departments of Health Services and Education to develop regulations to ensure that all students in elementary or secondary schools, child-care centers, or preschools have access to full immunization from measles. ***Signed***

AB 99 (Isenberg) extends to July 1, 1994 the sunset date of Proposition 99 funded-health programs, including anti-smoking education, prenatal care, children's health, and indigent health programs. ***Signed***

AB 390 (Speier) adds residential-care services as a Medi-Cal benefit for drug- and alcohol-exposed pregnant and postpartum women. ***Signed***

AB 1244 (Polanco) calls for the registration and certification of pharmacy technicians. ***Signed***

AB 1349 (Vasconcellos) requires alcohol and drug programs that receive funds from the state to give priority access to pregnant or nursing women. ***Vetoed***

AB 1350 (Vasconcellos) permits nurse midwives and nurse practitioners to obtain staff memberships at hospitals and other health-care facilities. ***Signed***

AB 1789 (Elder) authorizes the state Department of Health Services to hire staff to implement provisions of Chapter 1401, Statutes of 1990, which required catastrophic insurance coverage to be made available to all residents of the state. ***Signed***

AB 2104 (Bane) orders a study of the health effects of low-frequency magnetic radiation from video display terminals (VDTs) and other sources. ***Signed***

AB 2209 (Speier) requires tissue banks to be licensed by the state Department of Health Services. ***Signed***

AJR 40 (Speier) urges the makers of RU-486 to choose California as a site for clinical tests of the drug; urges health officials to move quickly in approving tests of the pill's efficacy against cancer, glaucoma, osteoporosis and other diseases. (As a resolution, this does not go to the governor.)

Housing

Housing, a fundamental right, is costly in California. Budget constraints halved the state's Homeless Assistance Program in 1991, even as welfare benefits were reduced. Meanwhile, the median price of a house in California, at roughly $200,000, remained twice the national median.

The Senate Advisory Commission on Cost Control in State Government in August said the state's housing plan is not providing the policy direction intended by state law. It also said the state is not enforcing requirements that local governments meet their share of housing needs for low- and moderate-income households.

The commission's report, "Toward a More Effective Housing Policy," made a number of other findings and recommendations aimed at bringing more affordable housing to California.

Legislators tackled housing issues on several fronts in 1991, reducing the potential for abuses through homeowners' associations and mobilehome parks.

SB 162 (L. Greene) makes changes to improve the operation of the Family Housing Demonstration Program, which provides shelter and related services, such as child care, for single-parent and working families. ***Signed***

SB 551 (L. Greene) creates a temporary restraining order process for misconduct of transitional-housing residents, or removal of participants who continually violate transitional-housing regulations or are dangerous to others. ***Signed***

California Homes Cost Twice the National Median

SB 1095 (Vuich) exempts migrant farm labor housing assisted by the Department of Housing and Community Development from developer's school fees. ***Signed***

SB 1259 (L. Greene) increases the revenue bond authority for the California Housing Finance Agency (CHFA) by $900 million to provide low-interest mortgages for first-time home buyers and financing for apartment development, including construction and rehabilitation. ***Signed***

AB 125 (Frazee) provides a grandfather clause for non-senior citizens so they can continue to live in specified senior citizen housing. ***Signed***

AB 481 (Costa) appropriates $500,000 from the Farmworker Housing Grant Fund to the San Diego County Farmworker Housing Account in the amount of $400,000, and to the Director's San Diego County Farmworker Housing Discretionary Account in the amount of $100,000 for the purpose of repairing freeze damage to migrant labor centers. ***Signed***

AB 1816 (Polanco) increases the fees and penalties for violation of the Employee Housing Act. ***Signed***

AB 1905 (Hughes) extends the exemption for an Article 34 election for rehabilitation or replacement of a low-rent housing project to include a project previously occupied or currently occupied by lower-income households. ***Signed***

AB 2164 (Polanco) authorizes enforcement agencies to issue citations assessing a civil penalty for violations of the Employee Housing Act. Increases the penalty for repeated violations of the Employee Housing Act. ***Signed***

Common-Interest Developments (Homeowner Associations):

AB 623 (Bane) specifies disclosure of information to homeowners regarding the homeowners' association reserves in common-interest developments; requires notice to members of increases in assessments; requires disclosure to prospective purchasers of information regarding assessments and fees. ***Signed***

AB 839 (Hauser) specifies conduct and notice requirements of common-interest development association meetings. ***Signed***

AB 871 (Hauser) permits association boards of common-interest developments to use funds from reserve accounts to meet short-term requirements, but requires transferred funds to be restored; requires boards, if necessary, to levy special assessments to restore the funds, and requires boards to conduct periodic studies of the reserve account requirements and annually review the studies. ***Signed***

AB 1940 (Ferguson) exempts owners and associations of common-interest developments from the requirement that they notify other owners of the existence of asbestos-containing construction materials within the development, as long as certain conditions are met. ***Signed***

Manufactured Housing:

SB 95 (McCorquodale) gives an income-tax deferral on capital gains from sale of a mobilehome park if it is sold to low-income residents or to a non-profit, public agency. Provides incentives to prevent owners from evicting low-income tenants. ***Vetoed***

SB 132 (Craven) repeals ***SB 2009 (Craven)*** of 1990, which contained language that inadvertently usurped local control over long-term mobilehome park leases. ***Signed***

SB 360 (L. Greene) requires mobilehome park management to provide written notice to homeowners regarding their right to have at least 30 days to inspect long-term rental agreements that exempt the park from local rent control, and 72 hours to rescind such an agreement. Failure to do so makes the rental agreement voidable by the homeowners upon discovery of the failure to provide the notice. ***Signed***

AB 387 (Clute) prohibits a mobilehome park owner who has received a purchase offer on the park from accepting the offer for 30 days, during which time a resident organization in the park may offer to purchase the park. ***Vetoed***

SB 413 (Thompson) prohibits mobilehome park management from charging more than 110 percent of the actual price paid by the management of the park for liquid propane butane under specified conditions. ***Vetoed***

SB 459 (Lockyer) authorizes the management of mobilehome parks to obtain injunctions for violations of the reasonable rules of the park. ***Signed***

SB 674 (Craven) specifies that a governmental entity can act as intermediary in purchasing a mobilehome park for transfer to tenant ownership through a common-interest development without being considered a "change of ownership" and triggering property reappraisal for property tax purposes. ***Signed***

AB 577 (Allen) requires mobilehome park management to disclose the business address and business telephone number, in writing, of the mobilehome park owner upon the request of a homeowner. ***Signed***

AB 1193 (Epple) prohibits localities from enacting ordinances that bar conversion of mobilehome parks to tenant-owned condominium interests. ***Vetoed***

Building Standards:

SB 481 (C. Green) requires the Department of Housing and Community Development to evaluate current foundation building standards. ***Vetoed***

SB 1206 (Russell) requires the Department of General Services or each state agency with jurisdiction to ensure that all new state buildings are designed and constructed to meet energy efficient standards. ***Signed***

AB 416 (Floyd) prohibits application of any building standard or other regulation, with specified exceptions, to an existing building in which seismic safety or fire safety improvements are being made. ***Vetoed***

AB 1298 (Horcher) requires the state fire marshal to adopt regulations for drug-abuse and treatment facilities based on whether the patients are ambulatory rather than on their age. ***Signed***

AB 1748 (Polanco) requires automatic garage-door openers to meet labeling and safety standards. Beginning in 1993, they must include safety sensors to detect obstacles and prevent closing. ***Signed***

Insurance

New Notice of Action on Insurance Complaints

Insurance issues were among those dominating legislative debate in 1991. A bill, ***SB217 (Robbins), signed*** by Governor Wilson will require the state's new insurance commissioner, John Garamendi, to notify Californians within 30 days of the final action taken by his department on their complaints regarding insurance companies.

Wilson in an address to the California Association of Hospitals and Health Systems in May declared there were insufficient state funds available to finance a comprehensive approach to health insurance coverage. However, efforts were made this year to enact less costly changes in health care and health insurance.

The California Medical Association, Health Access and other coalitions have continued to discuss options for an initiative to cover the millions of Californians lacking health insurance. But others, such as the California Restaurant Association, continue to warn of strong opposition if such an initiative includes mandatory health coverage for employees.

Health:

AB 1287 (Vasconcellos) prohibits insurers and health plan providers from withholding coverage solely on the basis of a person's participation in an AIDS vaccine trial, providing an incentive for HIV-negative persons to participate in vaccine trials without fear of being denied coverage. ***Signed***

AB 1412 (Bronzan) requires an offer of mental-health coverage in health policies and plans. ***Vetoed***

Automobile:

SB 953 (Robbins) increases and reallocates current available funding for the investigation and prosecution of auto fraud and increases both state regulatory agency and private entity efforts to combat auto fraud. ***Signed***

SB 228 (Robbins) requires the Department of Motor Vehicles to conduct a feasibility study and produce a 1992 report to the Legislature on reducing the number of uninsured motorists, including a program of requiring proof of insurance at the time of motor vehicle registration; requires the insurance commissioner's annual report to the Legislature to include an analysis of the implementation of Proposition 103. ***Signed***

Regulatory:

SB 389 (Johnston) bars officers, directors and employees of incurance companies, who have looted company assets or committed other specified crimes, from further employment or association within the insurance industry. ***Signed***

SB 889 (Robbins) updates the "Standard Valuation Law" to assist in the evaluation of an insurer's ability to use assets to meet obligations. This is an early warning tool to examine insurer solvency. ***Signed***

SB 1135 (Johnston) requires insurance companies to limit their investments in junk bonds, which are non-investment grade securities, to no more than 20 percent of their investment assets. Also restricts the amount of investments that can be placed by insurers in mortgages and real estate. ***Signed***

Judiciary and Criminal Justice

Governor Wilson ***vetoed*** legislation, ***SB 827 (Bergeson),*** that would have permitted the state Fair Employment and Housing Commission to award damages of up to $150,000 to employees who are discriminated against or sexually harassed in the workplace.

The state Supreme Court late last year ruled that the commission lacked statutory authority make damage payments. Without the bill, the commission's authority remains limited to ordering a company that fires an employee because of discrimination to rehire the worker with back pay.

No State-Awarded Damages for Job Harassment, Discrimination

Senator Bergeson said that without the authority to award damages, the commission cannot provide a viable alternative to costly lawsuits. Discrimination claims that go before juries can result in unlimited damage awards. The bill was aimed at making the adminstrative process a less expensive and more attractive choice than the courts for both employees and employers. Wilson cited costs to businesses.

Other 1991 legislation directly addressed courts and criminal issues.

Family Law:

SB 538 (Johnston) increases penalty for spousal rape when a deadly weapon is used. ***Signed***

AB 108 (Friedman, T.) expands emergency protective orders to include all threats of domestic violence; authorizes court to order treatment counseling for restrained party; revises and recasts the Domestic Violence Act. ***Signed***

Children:

SB 905 (Killea) lets children testify via one-way television in criminal cases. ***Signed***

AB 2214 (Leslie) provides that a minor who escapes from a jail or other adult incarceration facility may be charged with a felony. ***Signed***

Women:

SB 989 (Lewis) requires females who have been sentenced to death to be housed at Central California Women's Facility at Madera. ***Signed***

Police:

SB 513 (Watson) and AB 1114 (Archie-Hudson) required a public officer who witnesses an assault or beating by a colleague, without lawful necessity, to file a report of that violation with his or her employing agency within 48 hours after witnessing the violation. Failure to file such a report would have been a misdemeanor. ***Both Vetoed***

SB 835 (McCorquodale) requires police to provide rape victims with "crisis cards" describing their rights and local counseling resources. ***Signed***

Trial Court Funding:

AB 544/AB 1297 (Isenberg) increases state funds for courts by raising fees and penalty assessments, and shifts funding responsibility to the state. (Trial Court Realignment and Efficiency Act of 1991) ***Signed***

SB 21 (No author) appropriates $205.4 million from the state General Fund to augment block grants for Trial Court Funding in the 1991 Budget Act. Increases specified fees and fines. ***Signed***

SB 885 (Lockyer) creates a courthouse construction fund to be financed by additional filing fees in civil actions. ***Vetoed***

Weapons:

AB 618 (Areias) requires completion of a basic firearm safety course in order to purchase a concealable weapon. ***Signed***

AB 2029 (Connelly) requires businesses licensed to sell firearms to post a warning that an adult owner of a loaded firearm may be criminally prosecuted for negligently leaving a firearm in easy access of a child, who subsequently is injured or injures someone else. Conviction carries a penalty of up to three years in prison. ***Signed***

SB 263 (Roberti) clears up vague and inaccurate designations of assault weapons under the Roberti-Roos AssaultWeapons Control Act. ***Signed***

Labor

State budget negotiations ultimately hinged upon enacting reforms in the state's system of workers' compensation, which provides payments to those suffering job-related injuries, including stress. Businesses have complained the system is marred by fraud and prohibitively costly.

Reforming the Workers' Compensation System

SB 411 (B. Greene) requires the annual report of the Division of Apprenticeship Standards in the Department of Industrial Relations to reflect the number of registered apprentices, the number of disputes resolved between apprentices and program sponsors, completion rates, and remedial actions taken by the division to assist program sponsors who do not meet their affirmative action goals or have low completion rates. ***Signed***

SB 473 (Marks) prohibits the use by employers of consumer credit reports for hiring, retention, assignment, or promotion decisions. ***Vetoed***

SB 486 (Petris) protects unions in labor disputes from illegal actions of employees or members. ***Vetoed***

SB 523 (Johnston) mandates state enforcement of prevailing wage provisions on construction projects funded by industrial development bonds. ***Vetoed***

SB 646 (Dills) establishes the California Workforce Education and Skills Training Commission to develop a master plan on workforce training for non-college-bound youth and adults. ***Vetoed***

SB 834 (Marks) prohibits employers from adopting "English-only" rules unless justified by business necessity. ***Vetoed***

SB 955 (Torres and B. Greene) provides procedures and authorization for the recovery of interest on unpaid compensation. ***Signed***

SB 956 (Torres) would prohibit Industrial Welfare Commission from issuing orders requiring 12-hour workdays without payment of overtime except with specific legislative authorization and would repeal current IWC orders permitting 12-hour workdays. ***Vetoed***

SB 1017 (C. Green) expands requirement for payment of prevailing wages on public works to any work that requires a contractor's license. ***Vetoed***

SB 1035 (Mello) permits unemployment benefits to workers who receive payments required by federal law when plant closure notice is inadequate. ***Vetoed***

SB 1218 (Presley) revises and recasts major areas in workers' compensation, including misrepresentation, reporting of workers' compensation fraud and the advertising of services to assist injured workers in qualifying for payments. ***Signed***

AB 64 (Floyd) repeals authority of director of Industrial Relations to impose fees on apprenticeship training sponsors and provides $1.3 million in special funding to maintain state apprenticeship services. ***Signed***

AB 77 (Moore-Roberti) requires California employers to provide up to 16 weeks of family leave without threat of job loss to workers. ***Signed***

AB 367 (Areias) extends unemployment compensation benefits for workers laid off as a direct result of freezing weather conditions that occurred from December 19, 1990, to January 3, 1991. ***Signed***

AB 489 (Floyd) provides an exception to the "exclusive remedy" rule in workers' compensation for injuries to unborn children under certain circumstances. ***Vetoed***

AB 581 (Floyd) requires Cal/OSHA to set standards for training and employment of "flaggers" who direct traffic on highway construction projects. ***Vetoed***

AB 971 (Peace) provides that no workers' compensation shall be paid for a psychiatric injury related to a claim against an employer unless the employee has been employed by that employer for at least six months. This limitation shall not apply if the psychiatric injury is caused by a sudden and extraordinary employment condition as distinguished from a regular and routine employment event. ***Signed***

AB 1095 (Floyd) would provide 13 weeks of additional unemployment benefits for jobless Californians who have exhausted their current 26-week limit. ***Vetoed***

AB 1545 (T. Friedman) provides largest increase in state history of fines against employers who violate Cal/OSHA workplace health and safety standards. ***Signed***

AB 1576 (T. Friedman) requires employers to show proof of workers' compensation coverage when they apply for or renew business licenses. ***Signed***

AB 1754 (T. Friedman) provides for private right of action against public contractors who underbid projects because of failure or refusal to pay workers' comnsation or unemployment insurance costs. ***Signed***

AB 2047 (Margolin) provides for increased worker contributions to maintain solvency of State Disability Insurance Fund. ***Signed***

AB 2104 (Bane) requires state Division of Occupational Safety and Health to compile a report to Legislature by July 1, 1992 on the effects of continuous exposure to radiation in video display terminals. ***Signed***

AB 2139 (Lee) permits employees to recover lost interest and attorneys' fees in wage claims against employers. ***Vetoed***

AJR 37 (Friedman and Roberti) urges Congress to enact legislation to outlaw permanent replacement of striking workers. ***(Resolutions go directly to Congress and not to the governor.)***

AJR 48 (Epple) urges Congress and the President to enact federal legislation providing for extended unemployment insurance benefits. ***(Resolutions do not go to the governor).***

Minorities and Women

Sharp controversy revolved around ***AB 101 (T. Friedman),*** a proposal to ban job discrimination against homosexuals. Proponents have tried for years to enact the bill. A previous version was vetoed by Governor Deukmejian, but Governor Wilson had indicated he might sign it. However, Wilson ultimately ***vetoed*** the bill, citing concerns about a potential flood of lawsuits against businesses. The veto ignited gay protests across the state.

SB 98 (Lockyer) increases the civil and criminal penalties for violations of a person's civil rights because of the victim's race, color, religion, nationality, country of origin, ancestry, disability or sexual orientation. ***Signed***

Protests over Veto of Gay Rights Bill

SB 112 (Torres) places spending priorities on federal State Legalization Impact funds received by California for immigration assistance programs including English education. ***Vetoed***

SB 172 (Watson) requires state boards and commissions to fill vacancies to the extent possible with ethnic and gender balance. ***Vetoed***

SB 518 (Maddy) requires the Rural Health Division of the state Department of Health Services to report its progress on the three-year, three-phase study of American Indian death rates and means of improving those rates in January 1994; requires complete report four years after initial funding is received; repeals 1994 sunset. ***Signed***

SB 585 (Torres) mandates the State Personnel Board to test interpreters in their knowledge of medical terminology and to publish a list of interpreters who passed the exam; requires the presence of an interpreter during a civil action when a party does not speak English proficiently; also requires interpreter for medical examinations requested by an insurer or defendant for determining damages. ***Signed***

SB 718 (Roberti) requests the University of California to study minority- and women-owned businesses in the state that address specified concerns. ***Signed***

SB 827 (Bergeson) allows the Fair Employment and Housing Commission to award damages in job discrimination cases. ***Vetoed***

SB 834 (Marks) prohibits employers from adopting English-only rules unless justified by business necessity. ***Vetoed***

AB 28 (Klehs) removes tax exemptions for social clubs with charters that discriminate based on age, sex, race, religion, color, ancestry, national origin, blindness or other physical disability or any other basis in the Unruh Civil Rights Act. ***Vetoed***

AB 249 (Nolan) authorizes the courts to refer the names of convicted felons to the United States Immigration and Naturalization Service to determine if those felons are undocumented and deportable; requires same of the Department of Corrections for prisoners, prior to release or parole, if they have been convicted of substance abuse or a violent felony. ***Vetoed***

AB 509 (Umberg) requires the state Department of Justice to provide a multilingual 800-hotline and post office box as part of a three-year pilot program to assist victims and crime witnesses, particularly persons of Southeast Asian or Korean ancestry. ***Vetoed***

AB 592 (Polanco) permits aliens, with certain exceptions, to establish California residency for purposes of tuition. ***Vetoed***

AB 1009 (Roybal-Allard) adds gender to the list of protected categories in the Penal Code related to hate crimes. ***Signed***

AB 1169 (Lee) revises the standard for bringing action on complaints of civil rights violations by changing the standard for action from "pattern or practice" to "conduct." ***Signed***

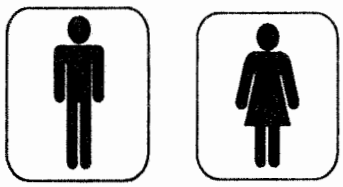
AB 1829 (Umberg) increases the fines and penalties for burning or desecrating a cross or other religious symbol or Nazi swastika on the private property of another. ***Signed***

AB 1888 (Connelly) adds persons with specified "genetic characteristics" to the list of protected categories under the Unruh Civil Rights Act. ***Vetoed***

AB 1945 (Lee) requires state Board of Education to revise current curriculum guidelines for ethnic studies and human relations education as well as reporting and responding to hate crimes; declares intention to establish privately funded human rights advisory committee for public schools. ***Vetoed***

AB 1955 (Becerra) requires director of Alcohol and Drug Programs to maintain an inventory of programs targeting the Asian and Pacific Islander population. ***Vetoed***

AB 2005 (Speier) requires the University of California to adopt policies that appropriately include minorities and women as subjects of health research projects. ***Signed***



Revenue and Taxation

Revenue Increases to Balance the Budget

The size of the state budget shortfall spurred a record $7 billion in tax increases in 1991, yet a spending gap appeared to persist into the new budget year. Later in 1991, the U.S. Supreme Court agreed to consider the constitutionality of Proposition 13, the 1978 initiative that unleashed a nationwide taxpayers' revolt by slashing California property taxes.

SB 89 (Kopp) repeals the sales and use tax on free newspapers and periodicals. ***Signed***

SB103 (Morgan) extends the property tax exemption on active solar energy systems through 1993-1994. ***Signed***

SB158 (Committee on Local Government) authorizes 15 special districts to levy special taxes with a two-thirds vote. ***Signed***

SB 169 (Alquist) increases income taxes and extends net operating loss carry-over and research and development credits. ***Signed***

SB 467 (Deddeh) requires electronic fund transfers of sales tax revenues averaging $50,000 or more per month to the state Board of Equalization until January 1, 1995, when the amount will be reduced to $20,000. ***Signed***

SB 526 (Hill) requires the state controller to intercept income tax and sales tax refunds from people who have not paid county fines and penalties. ***Signed***

AB 30 (Murray) imposes a surtax on beer, wine and distilled spirits at the rate of $0.16 per gallon of beer; $0.19 per gallon of wine, and $1.30 per gallon of distilled spirits up to 100 proof. ***Signed***

AB 758 (Bates) increases the Vehicle License Fee and shifts the new revenue to local government to pay for certain program areas. ***Signed***

AB 1637 (Brown) would authorize creation of local education financing authorities within counties that could increase sales taxes by a quarter cent, upon voter approval, for use by local schools. ***Vetoed***

AB 1637 (Brown) would authorize creation of local education financing authorities within counties that could increase sales taxes by a quarter cent, upon voter approval, for use by local schools. ***Vetoed***

AB 1930 (Farr) lets counties impose with voter approval - after an existing temporary half-cent sales tax phases out next year or in 1993 - an additional half-cent or quarter-cent sales tax to pay for drug abuse prevention, crime prevention, education, and health care. ***Signed***

AB 2181 (Vasconcellos) increases the state sales tax by 1.25 cents per dollar and repeals sales tax exemptions on candy, snack food, newspapers, magazines and periodicals, bottled water, and fuel sold to common carriers. ***Signed***

Seniors

California's population is growing older, and with the changing demographics come changing needs. By the year 2020, the percentage of Californians 65 or older is projected to rise from 11 percent to 15 percent.

Between 1986 and the year 2020, the over-85 population, which is at greatest risk of needing long-term care and other expensive services, is projected to grow 133 percent and the 65-to-84 population by over 100 percent. By contrast, the state's overall population is expected to grow 47 percent during that time.

The California Senate Office of Research, in a March report titled "Who'll Take Care of Mom and Dad?," recommended creating a new Department of Aging and Long-term Care and offered ideas for expanding access to public and private long-term care services.

The Legislature in 1991 agreed to improve standards for adult day care, increase protections against abuse for Alzheimer's patients and give the very elderly a preference in civil court cases.

SB 594 (Roberti) establishes a 16-member roundtable to develop a medication education program for elderly consumers. ***Vetoed***

SB 644 (Mello) requires the Health and Welfare Agency secretary to make recommendations regarding the need for special training and other respite-care requirements to better meet the needs of persons with Alzheimer's disease. ***Signed***

SB 681 (Mello) expands standards for adult day health care so that each elderly, chronically ill, or functionally impaired client is provided a maintenance program in order to maintain existing function. ***Signed***

Changing Demographic Needs

SB 994 (Mello) closes loopholes in licensing laws as they apply to residential care facilities for the elderly. ***Signed***

SB 1177 (Mello) expands protections under the Elder and Dependent Adult Abuse Reporting statute by including Alzheimer's Disease Day Care Centers, in-home supportive services providers, vocational rehabilitation agencies and others as care custodians subject to the act. ***Vetoed***

AB 125 (Frazee) provides that occupants of housing constructed before 1982 would be permitted to continue occupancy even though the "seniors only" housing does not meet state or federal requirements. ***Signed***

AB 378 (Burton) provides a special supplemental payment to SSI/SSP beneficiaries whose benefits were reduced last January due to an increase in the federally determined valuation of in-kind income. ***Vetoed***

AB 385 (Epple) provides that during years in which the state SSI/SSP Cost of Living Adjustment (COLA) is suspended, SSI/SSP recipients will receive the federal COLA on the SSI portion of the grant. ***Signed***

AB 585 (Hansen) extends the time period to seven days for cancellation of a contract for the purchase of a personal emergency response unit. ***Signed***

AB 793 (Polanco) extends the time period under which health-care decisions can be delegated to another person from seven years to indefinitely. ***Signed***

AB 1398 (Speier) establishes an absolute age preference on a civil court calendar for persons over 78 years of age, and a conditional age preference for those between the ages of 70 and 78. ***Vetoed***

AB 1615 (Hannigan) establishes certification requirements for administrators of residential care facilities for the elderly. ***Signed***

AB 1694 (Filante) establishes parity in the distribution of federal funds to counties for senior programs. ***Vetoed***

Transportation

One of the most visible of the new transportation laws will be ***AB 7 (Floyd),*** which will require motorcycle drivers and passengers to wear helmets. The measure was strenuously opposed by some motorcycle enthusiasts, and Governor Deukmejian had vetoed a similar measure. Governor Wilson ***signed*** the bill. Proponents said it would save lives and taxpayer dollars.

SB 123 (Torres) imposes steep fines on drivers of tank vehicles carrying flammable liquids for speeding or reckless driving; requires California Highway Patrol Commissioner to adopt regulations for structural safety of cargo tanks; reduces from 12 hours to 10 hours the maximum driving time in a single work period for drivers of tank vehicles carrying flammables. ***Signed***

A gasoline tanker truck explosion in suburban Carmichael, just a few miles from the Capitol, brought home the dangers posed by speeding trucks hauling hazardous substances. No one was killed in the Carmichael mishap, which was blamed by authorities on excessive speed. But several homes were damaged or destroyed by sweeping fire.

Motorcyclists Will Have to Wear Helmets

SB 184 (Kopp) increases vehicle registration fees by $5 and drivers' license fees by $2 to avoid bankruptcy of the Motor Vehicle Account. ***Signed***

SB 211 (Robbins) authorizes the Los Angeles County Transportation Commission to select, from specified locations, the site for the North Hollywood terminus station. ***Signed***

SB 265 (Kopp) requires every manufacturer or importer of new passenger vehicles to affix a notice to the vehicle's window or windshield informing prospective buyers about bumper testing; violations punishable by a fine of $500 per vehicle. ***Signed***

SB 514 (Marks)increases fees for voluntary holders of Environmental ("vanity") License Plates to fund additional programs to protect and enhance the environment and also promote public awareness of the program. ***Signed***

SB 1073 (Petris) increases penalties for failing to use child passenger restraints for children under four years or 40 pounds; reallocates revenue from fines for such offenses to bolster support for low-cost purchase or loan program of child passenger restraints; requires hospitals, at the time of discharge of a child under four years or 40 pounds to provide and discuss information on the child-passenger restraint law. ***Signed***

SB 1216 (Rosenthal) enacts the Energy Security and Clean Fuels Act of 1992, if approved by the voters in November 1992. Provides $100 million in state bonds and one-fourth cent increase in gas tax to establish a clean transportation fuel infrastructure in California. ***Signed***

SJR 16 (Kopp) requests that Congress and the President refrain from allowing triple trailer and related longer and heavier truck combinations from operating on California highways or impeding the state's ability to regulate such vehicles. ***(Resolutions such as this go directly to Congress and the president, not to the governor.)***

AB 123 (Katz) establishes a two-year pilot project, beginning July 1, 1992, to develop recommendations for requiring emergency road service organizations and their employees to be certified and receive specified emergency service training. The project is limited to those emergency road service organizations which have an agreement or contract with specified public transportation planning agencies in major urban areas. Requires criminal background checks for road service employees, training and reporting requirements for employees and penalties for violations of program requirements. ***Signed***

AB 178 (Tucker) prohibits the transportation of any person in the back of a pickup truck or flatbed truck, except specific employees covered under other Labor Code provisions. ***Vetoed***

AB 220 (Hauser) requires the Department of Transportation (Caltrans) to adopt and implement a statewide policy by July 1, 1992, on the removal of ice and snow from state highways, with particular emphasis on lessening the use of salt. ***Signed***

AB 289 (Woodruff) requires Caltrans to consider input from the California Highway Patrol and local public hearings when determining increases/decreases in the speed limit on state highways. ***Signed***

AB 340 (Floyd) allows motorcycles to use highway lanes reserved for carpools unless expressly prohibited by signs. ***Signed***

AB 632 (Burton) exempts taxicab drivers from using a seat belt when driving on any road other than a freeway. ***Signed***

AB 842 (Polanco) allows the Public Utilities Commission to cancel, suspend, or revoke the operating permit of any truck or bus driver who has been convicted of a felony. ***Signed***

Utilities

SB 841 (Rosenthal) makes landlords responsible for installing telephone jacks and for repairs of inside telephone wiring in buildings intended for residential occupation. ***Signed***

Making Landlords Responsible for Phone Jacks

SB 920 (Rosenthal) appropriates up to $7 million from the Electromagnetic Study Fund for research and reports on the health effects of electromagnetic fields. ***Vetoed***

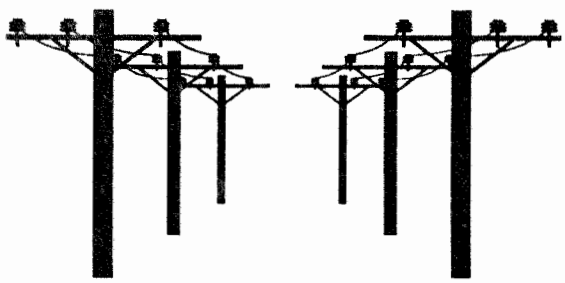
SB 973 (Rosenthal) identifies areas in which the Public Utilities Commission must develop procedures governing the offering of 900 and 976 services, but doesn't dictate how PUC must approach these areas. ***Vetoed***

SB 1041 (Roberti) allows parties to appeal Public Utilities Commission decisions to the state 1st District Court of Appeals. ***Vetoed***

AB 1123 (Moore) lifts January 1, 1991 sunset on existing law regarding Public Utilities Commission regulation of telephone subscriber protests of billings. ***Signed***

AB 2054 (Polanco) requires Public Utilities Commission to allow public utilities to engage in economic development and business retention programs. ***Signed***

AB 2198 (Sher) requires the Public Utilities Commission and municipal utilities to give value to the benefits of renewable energy resources when choosing electric resources. ***Signed***



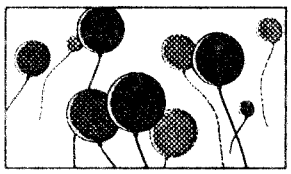
Water

Metering the Use of Water

The state's new water metering law was spurred by the media discovery that Governor Wilson's executive home was using a disproportionate share of neighborhood water, blamed on faulty swimming pool plumbing. Sacramento area homes frequently are not metered; the city sits at the convergence of two rivers. But Wilson, in ***signing SB 229 (Boatwright)*** to require installation of water meters as a condition of new water service, said his own water meter helped point to a need for more conservation.

AB 1869 (Speier) requires urban water districts to update water management plans every five years. ***Signed***

Youth



The governor's proposed prevention agenda and the Legislature's commitment to increase child-care services gave rise to significant legislation for children and youth.

Governor Wilson's prevention proposals included doubling the number of children from low-income families enrolled in California's State Preschool program, which is similar to Head Start, providing funds to school districts to improve and coordinate the delivery of health and social services, and providing grants to school districts to increase mental health services to young children. The Legislature passed implementing legislation and provided funds through the Budget Act: ***SB 620 (Presley), AB 1650 (Hansen) and AB 1670 (Hansen). The bills were signed.***

Legislative attention to child care included bills to guide and direct California's expenditure of new federal child-care funds and to initiate state and local planning processes to coordinate the expected continued growth of child-care services: ***SB 500 (Morgan), SB 583 (Torres), and AB 2141 (Speier). SB 583 was vetoed; the other two were signed.***

Preventive Programs Aimed at Young Children

SB 111 (Torres) establishes the Children's Cooperative Demonstration Project, administered by the State Department of Education to provide child-care services for homeless children. ***Vetoed***

SB 500 (Morgan) provides policy direction to shape the distribution of more than $100 million in new federal funds coming to California through the Child Care and Development Block Grant and the At Risk Child Care Program. ***Signed***

SB 558 (Green) permits juvenile courts to suspend, restrict or delay the driving privileges of a minor who is a habitual truant. ***Signed***

SB 583 (Torres) directs the superintendent of public instruction to submit a plan no later than July 2, 1992 for delivery and expansion of state child-care and development services including proposals for funding assistance for child-care centers and family day-care homes. ***Vetoed***

SB 620 (Presley) creates the Healthy Start Support Services Program to provide grants to school districts and county offices of education to provide health and other support services for children and their families. ***Signed***

SB 787 (Presley) requires county welfare departments to ensure that one or more home interviews are conducted with prospective foster parents as part of the licensing procedure. ***Signed***

SB 905 (Killea) permits children to testify in courts by one-way closed circuit television and away from the presence of judge, jury, defendant, and attorneys under specified circumstances. ***Signed***

SB 1125 (Presley) creates an alternative placement system for seriously emotionally disturbed minors to be administered by the state departments of Mental Health and Social Services. ***Signed***

SB 1147 (Killea) permits victims of child abuse to seek an evidentiary hearing to recover damages from the defendant's insurance company. ***Vetoed***

AB 121 (Friedman, T.) makes Victims of Crime program funds more accessible to minors. ***Vetoed***

AB 757 (Roybal-Allard) requires the state fire marshal to adopt design standards for cigarette lighters so that children under age 5 cannot operate them. ***Signed***

AB 1650 (Hansen) provides for the expenditures of up to $10 million annually to improve mental health services for children in grades kindergarten through third grade. ***Signed***

AB 1670 (Hansen) provides the legislative groundwork for enrolling an additional 20,000 children in the State Preschool program, a program modeled on Head Start and open to three- and four-year-old children from low-income households. ***Signed***

AB 2141 (Speier) requires the Child Development Advisory Committee to coordinate drafting guidelines for local child-care and development councils; requests counties to complete a community-based, county-wide, child-care plan. ***Signed***

AB 2080 (Gotch) requires the Department of Education to fund eight child-care resource and referral agencies to operate pilot projects providing information and support for parents of children with exceptional needs. ***Vetoed***