



GENERAL LEGISLATION



ACCESS TO PUBLIC RECORDS

AB 866 (Floyd) would add specified state agencies to the list of agencies covered by the California Public Records Act, thereby requiring those agencies to also establish guidelines for accessibility of public records. *AB 866* is pending in the Assembly Governmental Organization Committee.

ADVISORY GROUPS

SB 261 (Roberti) would establish the Commission on Pay Equity to study and advise the legislature concerning inequities in compensation and classification in the labor force based upon race, color, religion, sex, age, or national origin. This bill is pending in the Senate Industrial Relations Committee.

SB 1070 (Boatwright) would create the Sudden Infant Death Syndrome Advisory Task Force. This task force would provide guidance to the Governor, the legislature, and the Department of Health Services in the development of programs regarding Sudden Infant Death Syndrome. *SB 1070* is pending in the Senate Health and Human Services Committee.

CONSUMER ISSUES

AB 408 (Roybal-Allard) would require the State Fire Marshal to adopt regulations specifying standards for the design of cigarette lighters which are significantly difficult for children under five years old to operate. This bill is pending in the Assembly Governmental Organization Committee.

AB 484 (Killea) would require combination lap and shoulder safety belts to be installed in the back seat of new cars. Current federal law requires only a lap belt. This bill is pending in the Assembly Transportation Committee.

AB 671 (Connelly, O'Connell) would provide that it is unlawful to monopolize any part of trade or commerce and would incorporate some portions of the federal Clayton Antitrust Act into California law. Any person required to file a notification of acquisition with the Federal Trade Commission would, by this bill, be required to file a copy of that notification with the state Attorney General. *AB 671* is pending in the Assembly Ways and Means Committee.

ELECTIONS

AB 441 (Lewis) would require the Legislative Analyst to calculate the estimated total cost, including interest, of any proposed state bond measure. This

total estimated cost would then be included in the ballot pamphlet as well as on the ballot itself. *AB 441* is pending in the Assembly Elections, Reapportionment and Constitutional Amendments Committee.

AB 519 (Cortese) would authorize an indirect initiative process applicable to measures affecting the constitution or laws of the state. It would provide that if the number of signatures filed is 80% or more of the number of qualified voters needed to declare sufficient a regular initiative petition, the Secretary of State shall notify and transmit copies of the measure to the legislature. The Joint Rules Committee would be required to select a legislator to carry an indirect initiative as a legislative measure. If approved by the legislature and signed by the Governor, the measure could then be placed on the statewide ballot. *AB 519* would become operative only if *ACA 19 (Cortese)* is adopted by the voters.

ACA 19 (Cortese) would provide for an indirect initiative process which would allow for the submission of initiative measures directly to the legislature. This proposed amendment is before the Assembly Elections, Reapportionment and Constitutional Amendments Committee.

SB 338 (Marks, Craven) would make changes in voter registration procedures. Among other things, it would allow the Secretary of State to obtain change of address information from the Department of Motor Vehicles and would permit county clerks to contract with the U.S. Postal Service to obtain change of address data. *SB 338* is pending in the Senate Committee on Elections.

SCA 9 (Green) and *SCA 10 (Campbell)* each would require the joint election of a Governor and Lieutenant Governor nominated by the same political party. Both are pending before two Senate committees, the Elections Committee and the Committee on Constitutional Amendments.

FIREARMS

AB 255 (Floyd) would authorize the Director of the Department of Consumer Affairs to adopt rules and regulations establishing qualifications for private investigators and bodyguards and the conditions under which these people may carry concealed firearms. This bill is pending in the Assembly Governmental Efficiency and Consumer Protection Committee.

Several bills have been introduced which would regulate or outlaw concealable firearms and assault weapons, including *AB 357 (Roos)*, *AB 392 (Murray)*, *AB 497 (Connelly)*, and *SB 292*

(*Roberti*). At this writing, *AB 357* passed the Assembly and is pending in the Senate Judiciary Committee. *AB 392* and *AB 497* are pending in the Assembly Ways and Means Committee, along with *SB 292*, which has already received Senate approval.

LEGISLATIVE ETHICS AND LIMITATIONS

AB 410 (Killea) would create the Office of Independent Counsel within the Office of the Attorney General. The Independent Counsel would have authority to investigate and prosecute alleged criminal violations of law by elected and appointed state officers. Similarly, *AB 778 (Burton)* would create the Office of Special Criminal Prosecutor with oversight jurisdiction of the legislature, elected state officers, and state agencies. Both of these bills are pending in the Assembly Public Safety Committee.

ACA 15 (Vasconcellos) would place in the constitution the existing statutory law prohibiting financial conflicts of interest for state legislators. *ACA 15* is before the Assembly Elections, Reapportionment and Constitutional Amendments Committee.

ACR 1 (Hayden), *ACR 2 (Statham)*, *ACR 3 (Wyman)*, *ACR 20 (Killea)*, *SCR 1 (Hart)*, and *SCR 12 (Kopp)* would place limitations upon the number of bills a legislator may introduce during any regular session. *ACR 1* limits Assemblymembers to 30 bills and Senators to 60. *ACR 2*, *ACR 3*, and *ACR 20* limits Assemblymembers to 40 bills and Senators to 60. However, *ACR 3* would lower the limits to 30 and 45, respectively, starting with the 1991-92 session. *SCR 1* and *SCR 12* retain the 40-bill limit for Assemblymembers, but allow 65 for Senators. Each of the proposals allows a waiver of the rule upon approval by the Rules Committee of the house concerned; however, *ACR 20* limits the waiver to 10 additional bills per Assemblymember and 15 for Senators. This second upper limit may be waived by a two-thirds vote of the house concerned. Each of these proposals is in the Rules Committee of the house where it was introduced.

PRIVACY AND CIVIL RIGHTS

AB 539 (Moore) would prohibit the collection or distribution of personal information, except as provided by law. Personal information is defined as any individually identifiable information obtained through a commercial transaction or through an exchange of information



with the state from which judgments can be made about an individual's character, habits, avocations, finances, occupation, general reputation, credit, health, or any other personal characteristics. AB 539 is pending in the Assembly Utilities and Commerce Committee.

SB 245 (Nielsen) would expand the authorization for wiretapping investigations to specified controlled substances, regardless of the amount involved, as well as numerous other investigations including those involving murder, mayhem, arson, bribery, extortion, gambling, kidnaping, robbery, terrorism, burglary, assault, and exploding a destructive device. Existing law allows wiretapping by certain law enforcement officers investigating violations involving specified amounts of substances containing heroin, cocaine, PCP, or methamphetamine or their analogs, so long as specified judicial procedures are followed. SB 245 is pending in the Senate Judiciary Committee.

SB 425 (Torres) would provide that a business may implement a reasonable screening policy for admission, so long as it is based on objectively determined criteria. Existing law provides that all persons are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments. This bill is pending in the Senate Judiciary Committee.

TORT LAW

AB 234 (McClintock) would extend recovery limits in actions for damages against health care providers to all actions for damages for bodily injury or death and would lower the existing maximum limitations on attorneys' contingency fees in such cases. This bill is pending in the Assembly Judiciary Committee.

SB 106 (Lockyer) would require the trier of fact in a tort case to consider the net worth of the defendant when assessing an award for punitive damages. This bill is pending in the Senate Judiciary Committee.

REPRISE

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 1 (Winter 1989) at page 114:

AB 6 (Elder and Lempert), which would require the Fair Political Practices Commission to develop a videotaped course in ethics and conflicts of interest and make it available to candidates and elected officials, is pending in the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

AB 8 (Floyd), which would require

all motorcycle drivers and passengers to wear safety helmets, is pending in the Assembly Ways and Means Committee.

AB 14 (Kelley), which would increase the gasoline tax, is pending in the Assembly Transportation Committee.

AB 16 (Klehs), which would deny certain previously authorized tax exemptions for social clubs which discriminate against any person on the basis of race, color, or religion, is pending in the Assembly Ways and Means Committee.

AB 17 (Lempert) was amended on February 27. It would prohibit a former elective state officer, former director of a state department, or former state board or commission member, from working or registering as a lobbyist for a period of one year from the date the individual leaves office or terminates employment. A former member of a state board or commission would not be prohibited from being a lobbyist before an administrative agency with which he/she had not substantial contact as an official. This bill is pending in the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

AB 55 (Hansen) was amended on April 4. It would require persons under the age of 21 years, as a prerequisite to obtaining a motorcycle license or endorsement, to present to the Department of Motor Vehicles satisfactory evidence of completion of a motorcycle safety training program. This bill is pending in the Assembly Ways and Means Committee.

AB 64 (Mountjoy), which would require county clerks to send postcards to all persons registered but who failed to vote at a general election, and cancel the person's registration if he/she does not return specified information, is pending in the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

AB 65 (Vasconcellos), which would provide that persons with AIDS are entitled to the same legal protections as physically handicapped individuals, is pending in the Assembly Ways and Means Committee.

AB 74 (Floyd), which would provide for civil penalties for any candidate who knowingly utilizes a false or unauthorized endorsement in a media commercial or mass mailing, is pending in the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

AB 106 (Johnson), as amended February 17, would require the presidential primary election in California to be held on the fourth Tuesday after the fourth Monday in February in any year which is evenly divisible by four. This bill is pending in the Assembly Committee on

Elections, Reapportionment and Constitutional Amendments.

AB 113 (Isenberg), which would create the Office of Special Prosecutor with oversight jurisdiction over the legislature, elected statewide officers, and state agencies, is pending in the Assembly Public Safety Committee.

AB 136 (Floyd), which would remove the secretaries of five state agencies and their staff from various boards and commissions and would transfer some of their specific program responsibilities to constituent departments within the agencies, is pending in the Assembly Ways and Means Committee.

AB 141 (Speier), which would provide separate ballot qualification procedures for initiative and referendum petitions, is pending on the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

AB 192 (Cortese), which would require airlines which receive a threat to the safety of passengers to report the threat to the state Attorney General, is pending in the Assembly Public Safety Committee.

AB 211 (Floyd), which would require that all polling places meet the State Architect's requirements for accessibility by the physically handicapped, is pending in the Assembly Committee on Elections, Reapportionment and Constitutional Amendments.

SB 10 (Lockyer), which would require all state agencies to answer telephone calls within ten rings during regular business hours, is pending in the Senate Appropriations Committee.

SB 40 (Doolittle), which would require that a person with AIDS inform any prospective sexual partner of that fact before engaging in any sexual practice likely to transmit the disease, is pending in the Senate Judiciary Committee.

SB 101 (Lockyer) was amended on April 6, to require a retailer who sells merchandise to be delivered later to specify a four-hour period within which the delivery will be made. Utility and cable companies would also be required to specify a four-hour period within which a service connection or repair will take place. At this writing, this bill is pending on the Senate floor.

SB 124 (Garamendi), which would establish a separate state tax court to adjudicate cases arising from California tax statutes, is pending in the Senate Judiciary Committee.

SCR 4 (Lockyer), which creates the Joint Committee on Tort Liability as an investigating committee of the legislature, was chaptered on March 4 (Res. Chapter 12, Statutes of 1989).