

BATES' BILL (AB 848) SIGNED!

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## BILLS: Governor Signs

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ing the 1984-85 tax year.

The bill, carried by Assemblyman Thomas M. Hannigan (D-Fairfield), permits people with state tax liabilities for tax years before Dec. 31, 1984, to make full restitution without being subjected to further penalty.

The open reporting period would be Dec. 10, 1984, to March 15, 1985.

### Tougher Enforcement

Various provisions to toughen state Franchise Tax Board enforcement against tax cheaters, including increased penalties, are also included in the measure.

### In other action, the governor:

- Vetoed a ground-water management bill fought by eastern California communities, which charged that it was amended without their knowledge to help Los Angeles keep its grip on Mono and Inyo County water.

- Signed a bill by Sen. Alan Robbins (D-Van Nuys) providing fines of from \$100 to \$250 and unlimited suspension of a driver's license for motorists cited for traffic offenses who cannot show proof that they have auto insurance.

- Signed legislation by Assemblyman Tom Bates (D-Oakland) that would allow assault victims to sue in civil courts if they could show that they were beaten because of their disability, age or sexual orientation. The measure is aimed chiefly at homosexuals who are attacked merely because of their gay life style.

- Signed a bill by Assemblyman Charles Calderon (D-Montebello)

requiring landfill operators to set up funds to pay for personal and property damage claims against their facilities. The measure was prompted by the detection in recent months of carcinogenic vinyl chloride gas and other highly toxic materials at the Operating Industries landfill in Monterey Park.

- Signed a bill by Assemblyman William J. Filante (R-Greenbrae) establishing a hazardous substance cleanup financing authority to issue \$100 million in revenue bonds to finance hazardous waste site removal and remedial actions.

The ground-water bill, carried by Assemblyman Jim Costa (D-Fresno), would have allowed city and county governments to set up programs to manage their resources of underground water.

But an amendment added at the suggestion of a Los Angeles lobbyist in effect made Mono and Inyo counties an exception to the bill's provisions.

Officials of the two counties did not learn of the amendment until Sept. 12, a month after it was adopted, and mounted a furious lobbying campaign to get Deukmejian to veto it.

It was the latest chapter in a controversy that has raged since the early 1900s, when water-short Los Angeles assured its future growth by buying up farms and water rights in the Owens River Valley and the Mono Lake Basin.

Use of underground water in the Owens River Valley has been the subject of a complicated legal battle between Los Angeles and Inyo County for the last decade.

# Deukmejian Signs Bills to Curb Uninsured Motorists, Gay Bashing

By ALAN ASHBY

SACRAMENTO — Measures aimed at removing uninsured motorists from California streets and giving gays new protection from violence won approval from Gov. George Deukmejian Wednesday.

Also signed was a package of 24 criminal justice bills headed by Sen. H.L. Richardson's "kiddy porn" measure toughening sentences for persons who possess or traffic in pornography involving children.

Deukmejian also vetoed some 25 bills, including six labor-oriented bills by Assemblyman Dick Floyd, D-Hawthorne, as he stepped up the pace of moving bills off his desk. Aides said he has 400 measures left to sign or veto between now and Sunday, and expects to dispose of them at the rate of about 100 per day.

## Uninsured Motorist Bill

The uninsured motorist bill, AB 850 by Sen. Alan Robbins, D-Van Nuys, allows police officers to demand that drivers produce proof of financial responsibility whenever they stop a motorist for a traffic offense.

Failure to provide proof, unless proof is later provided to the court, can result in a fine of \$100 to \$250 and a driver's license suspension until proof of insurance is obtained.

The bill also requires the DMV to conduct a random audit of those drivers who provide insurance information to verify its accuracy. Any driver found to have provided false coverage information would face up to six months in jail and a fine.

The bill will take effect July 1, 1985.

The measure was strongly opposed by Assemblywoman Maxine Waters, D-Los Angeles, who contended that it was unduly harsh and would lead to harassment of motorists because police officers would manufacture excuses to make car stops.

## Gay Bashing Bill

The so-called gay bashing bill, AB 848 by Assemblyman Tom Bates, D-Oakland, adds sexual orientation, age, and disability to the protected categories of the Ralph Civil Rights Act, Civil Code Section 51.7.

The provision expressed the right of persons in the protected categories to be free from violence, and provides a statutory right to recover actual damages plus \$10,000 for punitive damages. The act also allows the attorney general or local prosecutors to bring a civil action for injunctive or other equitable relief against any persons or groups engaging in a pattern of denial of the rights of the protected individuals.

Bates moved his bill quietly through the Legislature in 1983 in the shadow of AB 1, a measure by San Francisco Assemblyman Art Agnos that would have outlawed employment discrimination against gays.

After Deukmejian vetoed AB 1, however, Bates put AB 848 on the shelf for several months to allow the issue to subside. He began moving it again as the session neared an end last August, and pushed it out of the Senate by a 21-14 vote Aug. 14. It cleared the Assembly 45-28 in June, 1983.

In signing the bill Deukmejian appended a statement in which he said he signed the measure because "I don't believe anyone should be singled out for violent attack for any reason."

He added that he intended to offer legislation in December that would extend the legal recourse of the Ralph Civil Rights Act to all persons.

Existing law protects persons or property because of race, color, religion, ancestry, national origin, political affiliation, sex, or position in a labor dispute.

## Other Bills

Other bills signed by Deukmejian included:

— SB 1766, by Sen. Robert Presley, D-Riverside. The measure raises the prison terms and fines for the commercial distribution of obscene material depicting minors in sexual conduct.

— SB 401, by Sen. Henry Mello, D-Watsonville. The measure expanded the definition of rape to include persons threatening to use the authority of a public official to accomplish the rape.

— SB 1578, by Sen. Barry Keene, D-Benicia. The bill allows courts to admit the hearsay testimony of a juvenile victim of sexual abuse for the limited purpose of proving that a crime was committed where the only other evidence is a defendant's confession.

— SB 1899, by Sen. Diane Watson, D-Los Angeles. The measure upgrades sentences and tightens child abuse laws in various ways, including allowing the use of leading questions for child abuse victims under 10.

— AB 1301, by Assemblyman Terry Goggin, D-San Bernardino. The measure requires trial judges to oversee the speedy certification of the trial record to the California Supreme Court of all convictions where a death penalty was imposed. It also requires all conversations involving the judge and counsel about the case be on the record.